ROYAL COMMISSION ON THE PUBLIC SERVICES IN INDIA.

APPENDIX

TO THE

REPORT

OF

THE COMMISSIONERS.

Volume II.

MINUTES OF EVIDENCE

RELATING TO THE

INDIAN AND PROVINCIAL CIVIL SERVICES

Taken in Madras from the 8th to the 17th January 1913,

WITH

APPENDICES.

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

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NOTE.

The numbering of the Questions is consecutive throughout. The sub-numbers in brackets correspond with the numbers in the printed sets of Questions marked **A** and **B**, which were issued to official and non-official witnesses respectively, and which will be found on pages v—xxxvii of this volume.

A

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

(a) General.

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India" * and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Viet., c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—

(*a*) Selection by headmasters of schools approved or otherwise:
(*b*) Selection by authorities in Universities approved or otherwise:
(*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State:
(*d*) Combined nomination and examination:
(*e*) Any other method.

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose.

14. Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled "within the Dominions of His Majesty in India, of parents habitually resident in India, and not "established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(b) Age Limits.

15. If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education? †

† The principal changes in the age limits have been as follows:—

Years.	Age limits at open competition.	Period of probation in England.	Age of selected candidates at end of year of arrival in India.
1855—1857	18—23 years	No probation in England	18½—23½
1860—1865	18—22 years	One year's probation	19½—23½
1868—1878	17—21 years on 1st March	Two years' probation	19½—23½
1878—1891	17—19 years on 1st January ...	Two or three years' probation ...	20—22
1892—1895	17—19 years on 1st April	One year's probation	22½—24½
1896—1905	17—19 years on 1st January ...	One year's probation	23—25
Since 1906	17—19 years on 1st August ...	One year's probation	23½—25½

A.—Indian Civil Service.]

METHODS OF RECRUITMENT—*cont.*

(*b*) *Age Limits*—cont.

16. What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?

18. What is the most suitable age at which junior civilians should arrive in India?

19. (i) What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? (ii) Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?

(*c*) *Subjects of Examination.*

20. On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever "calling he may devote himself, have any reason to regret the time and labour which he had spent "in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.

(*d*) *Statutory Regulations.*

23. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

25. Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?

26. Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?

(*e*) *Mixed Commissions.*

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?

31. If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?

(*f*) *Listed Posts, etc.*

33. Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices,

[A.—Indian Civil Service.

METHODS OF RECRUITMENT—*cont.*

(*f*) *Listed Posts, etc.*—cont.

places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons.

35. To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?

37. Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?

38. Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?

39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

41. Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(*a*) *Probation.*

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what reasons?

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

49. Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

50. If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

51. Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you.

52. In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts.

53. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

A.—Indian Civil Service.]

SYSTEMS OF TRAINING AND PROBATION—*cont.*

(*a*) *Probation*—cont.

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(*b*) *Training.*

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above

[A.—Indian Civil Service.

CONDITIONS OF SERVICE—*cont.*

that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience and, if so, what has been caused thereby to the Administration.

75. Please now see the statement marked AA and the list marked—

Madras=*A*,
Bombay=*B*,
Bengal=*C*,
United Provinces=*D*,
Punjab=*E*,
Burma=*F*,
Bihar and Orissa=*G*,
Central Provinces and Berar=*H*,
Assam=*I*.

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connexion to List J in Appendix VII to these questions.

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave, and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different Provinces, and say whether they are correct for your Province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorised on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alterations do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?

A.—Indian Civil Service.]

CONDITIONS OF SALARY—*cont.*

95. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

96. If abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?

100. As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services?

102. If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the service is different?

103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

104. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the name posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

107. Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?

111. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking do any of the present leave rules aplicable to the Indian Civil Service cause inconvenience to the Administration, and, if so, what, and pwhat remedy do you suggest?

114. In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?

116. Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

119. Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?

[A.—Indian and Provincial Civil Services.

CONDITIONS OF PENSION—*cont.*

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of 1,200*l.* a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?

122. Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?

126. Do you approve of the present system regulating the pensions of Military officers holding Indian Civil Service posts? If not, what do you suggest?

127. Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?

129. Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

130. In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?

131. Do you recommend that such admission should be optional or compulsory?

132. If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?

133. Is the existing system under which provision is made for the families of deceased Military officers holding Indian Civil Service posts satisfactory? If not, what would you suggest?

134. Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

GENERAL.

136. Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

137. Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

METHODS OF RECRUITMENT.

1. Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?

3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?

4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation.

5. Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year.

6. What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition,

A.—Provincial Civil Service.]

METHODS OF RECRUITMENT—*cont.*

(*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of Departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

[A.—Provincial Civil Service.

CONDITIONS OF LEAVE—*cont.*

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

A.—Indian Civil Service.]

APPENDIX I.

Period of Age-Limits, 17–21, *i.e.*, down to 1877.		Period of Age-Limits, 17–19, *i.e.*, 1878–1891.	
Subjects.	Marks.	Subjects.	Marks.
1. English Composition	500	1. English Composition	300
2. History of England, including that of the Laws and Constitution.	500	2. History of England, including a period selected by the candidate.	300
3. English Language and Literature	500	3. English Literature, including books selected by the candidate.	300
4. Language, Literature, and History of Greece.	750	4. Greek	600
5. Language, Literature, and History of Rome	750	5. Latin	800
6. Language, Literature, and History of France	375	6. French	500
7. Language, Literature, and History of Germany.	375	7. German	500
8. Language, Literature, and History of Italy	375	8. Italian	400
9. Mathematics (pure and mixed)	1,250	9. Mathematics (pure and mixed)	1,000
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology; (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000	10. Natural Science—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11. Moral Science—that is, Logic, Mental and Moral Philosophy.	500	11. Logic	300
12. Sanskrit Language and Literature	500	12. Elements of Political Economy	300
13. Arabic Language and Literature	500	13. Sanskrit	500
		14. Arabic	500

Period of Age-Limits, 21–23, *i.e.*, 1892–1905.		Period of Age-Limits, 22–24, *i.e.*, 1906 to Date.	
1. English Composition	500	1. English Composition	500
2. English History	500	2. English History, either or both sections may be taken—	
		Section I., to A.D. 1485	400
		Section II., A.D. 1485 to 1848	400
3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution	500	3. English Law	500
4. English Language and Literature (including special period named by the Commissioners).	500	4. English Language and Literature	600
5. Greek Language and Literature	750	Greek, not less than two sub-divisions of which one must be Translation :—	
		5. Translation	400
		6. Prose Composition	200
		7. Verse Composition	200
		8. Literature, etc.	300
6. Greek History (Ancient, including Constitution)	400	9. Greek History (Ancient, including Constitution).	500
7. Latin Language and Literature	750	Latin, not less than two sub-divisions, of which one must be Translation :—	
		10. Translation	400
		11. Prose Composition	200
		12. Verse Composition	200
		13. Literature, etc.	300
8. Roman History (Ancient, including Constitution)	400	14. Roman History (Ancient, including Constitution)	500
9. Roman Law	500	15. Roman Law	500
10. French Language and Literature	500	16. French, History of the Language and Literature.	200
		17. French, Translation, Composition and Conversation.	400
11. German Language and Literature	500	18. German, History of the Language and Literature.	200
		19. German, Translation, Composition and Conversation.	400
		20. Italian, History of the Language and Literature.	200
		21. Italian, Translation, Composition and Conversation.	400
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500	22. General Modern History	500
13. Mathematics (pure and applied)	900	23. Lower Mathematics	1,200
14. Advanced Mathematical subjects (pure and applied).	900	24. Higher Mathematics	1,200
15. Natural Science, *i.e.*, any number not exceeding three of the following subjects :—		25. Natural Science, *i.e.*, any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken :—	
Elementary Chemistry and Elementary Physics	600	(1) Chemistry	600
(*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics)—		(2) Physics	600
Higher Chemistry	600	(3) Geology	600
Higher Physics	600	(4) Botany	600
Geology	600	(5) Zoology	600
Botany	600	(6) Animal Physiology	600
Zoology	600	(7) Geography	600
Animal Physiology	600		
16. Logic and Mental Philosophy (Ancient and Modern).	400	26. Logic and Physiology	600
17. Moral Philosophy (Ancient and Modern)	400	27. Moral and Metaphysical Philosophy	600
18. Political Economy and Economic History	500	28. Political Economy and Economic History	600
19. Political Science (including Analytical Jurisprudence, the Early History of Institutions and Theory of Legislation).	500	29. Political Science	500
20. Sanskrit Language and Literature	500	31. Sanskrit Language and Literature	800
21. Arabic Language and Literature	500	32. Arabic Language and Literature	800

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.

Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.

[A.—Indian Civil Service.

APPENDIX II.

THE INDIA CIVIL SERVICE ACT, 1861.

(24 & 25 Vict., c. 54.)

An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.]

WHEREAS by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank, or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places, and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future: 33 G. 3 c. 52.

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Appointments not in accordance with 33 G. 3. c. 52, valid.

1. *All appointments made by the authorities in* India *to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed*— (*Rep.* 55 & 56 *Vict.*, *c.* 19).

Vacancies in offices to be supplied by covenanted civil servants.

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

Such appointment in each case to be reported to the Secretary of State.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled.

Certain offices may be filled up without regard to restrictions prescribed by recited Act.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

Act not to apply to office of Lieutenant Governor, etc.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

So much of 33 G. 3. c. 52, as requires seniority, etc., for appointments repealed.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under Secretaries in the Military, Marine, and Public Works Departments.

Accountant-General.
Civil Auditor. (*a*)

Sub-Treasurer. (*b*)

Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation Provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint Magistrates in the said Provinces.
5. Assistant Magistrates or Assistants to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt and Opium
10. Opium Agents.

(*a*) Now called Comptroller-General.

(*b*) Now non-existent.

APPENDIX III.

THE GOVERNMENT OF INDIA ACT, 1870.

(33 Vict., c. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

* * * * *

Power to appoint natives of India to certain offices without certificate from Civil Service Commissioners. 24 & 25 Vict., c. 54. 6. Whereas it is expedient that additional facilities should be given for the employment of natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any native of India to any such office, place, or employment, although such native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of natives of India thus expressed; provided that every resolution made by him for such purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such provincial civil service can properly be appointed.

2. The local Government may at any time appoint any native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by natives of India not members of the provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any native of India (not a member of a provincial service) who has, prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. EARLE,
Offg. Secretary to the Government of India.

APPENDIX V.

STATEMENT showing Posts listed as open to the Provincial Civil Services.

	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
Superior Posts.									
Heads of districts	2	2	} 8 {	2	2	2	} 5 {	4	} 49
District and Divisional Judges.	4	3		5	6	2		2	
Settlement Collectors ..	..	..	..	..	2	1	..	..	3
Sub-Collectors	2	..	..	..	..	..	..	..	2
Secretary, Board of Revenue.	..	..	..	..	1	..	..	..	1
Talukdari Settlement Officer.	..	1	..	..	..	..	..	..	1
Total ..	8	6	8	7	11	5	5	6	56
Inferior Posts.									
Secretary to Board of Revenue.	1	..	..	1	..	..	..	..	2
Under Secretary to Government.	1	..	1	..	1	..	1	..	4
Joint Magistrates or Assistant Commissioners or Assistant Collectors.	5	8	8	7	3	..	..	2	33
Assistant Judges	..	3	..	..	..	..	..	..	3
Small Cause Court Judges ..	..	..	..	2	..	..	..	..	2
Assistant Settlement Officers.	..	..	..	2	..	..	..	..	2
Assistant to Director of Land Records.	..	..	..	1	..	..	..	..	1
Total ..	7	11	9	13	4	..	1	2	47
Grand Total, Superior and Inferior.	15	17	17	20	15	5	6	8	103

APPENDIX VI.

Final Examination of 1891 when the Period of Probation was two Years.		Final Examination of 1912 when the Period of Probation was one Year.	
Subjects (*a*).	Marks.	Subjects.	Marks.
1. * Classical languages of India—		*Compulsory*—	
Sanskrit	500	1. The principal vernacular language of the Province to which the candidate is assigned.	400
Arabic	400	2. Indian History	400
Persian	400	3. Indian Penal Code	400
2. † Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each.	400	4. Code of Criminal Procedure ..	200
3. The History and Geography of India.	350	5. The Indian Evidence Act	200
4. ‡ Law	1,250	*Optional*—(Not more than one of following subjects.)	
5. Political Economy	350	1. § Sanskrit	400
		2. § Arabic	400
		3. Persian	400
		4. Hindustani (for candidates assigned to the Province of Burma only).	400
		5. Hindu and Muhammadan Law ..	450

(*a*) In addition to the above, candidates were permitted to take up any one of the following branches of natural science, viz., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' Presidency or Province.

‡ The course of reading in Law included—

20th Report of His Majesty's Civil Service Commissioners, pages 523–6.

(1) General Jurisprudence—
- Blackstone's Commentaries.
- Austin's Jurisprudence
- The Institutes of Justinian.
- Maine's Ancient Law.
- Mackenzie's Studies in Roman Law.
- Bentham's Theory of Legislation.

(2) Law of Evidence—
- The Indian Evidence Act.
- Pitt Taylor's Treatise on the Law of Evidence.

(3) Law of India—
- The Code of Civil Procedure.
- The Indian Penal Code.
- The Code of Criminal Procedure.
- The Indian Law of Contracts.
- The Intestate and Testamentary Succession Act.
- Hindu Law.
- Muhammadan Law.

Simultaneously the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case:—

First Periodical Examination.	Seven reports of police court cases of a stipendiary magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial. Four civil cases of a county court in which the parties were represented by counsel. One separate report of the whole business, of whatever kind, transacted in a police court during one day.
Second Periodical Examination.	Five reports of civil actions in the superior courts of London in which the defendant was represented by counsel. Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
Third Periodical Examination.	Three reports of civil cases of importance tried before special juries in the Superior Courts of London. Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, etc.
Final Examination ..	One report of the investigation before a London police magistrate of a grave criminal charge ending in committal. One report of the whole business, of whatever kind, transacted in a London police court in one day. Two reports of important civil cases tried by a special jury in London. One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the Open Competition.

APPENDIX VII.

A.A

Statement showing the Cadre and Strength of the Indian Civil Service for India as a whole and by Presidencies or Provinces, as sanctioned on 1st July 1912, together with the number of Posts listed as open to the Provincial Service in accordance with the terms of the Rules *made under the provisions* of section 6 of the Government of India Act, 1870 (33 Vict., Cap. 3).

—	Madras.	Bombay.	Bengal.	United Provinces	Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
(1) No. of "Superior" posts, *i.e.*, posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province.	87	84	90	111	80	83	54	51	22	662
(2) *Deduct* for posts listed as open to Provincial Service.	8	6	8	7	11	5	5	6	..	56
(3) *Add* for posts under the Government of India (*a*).	8	8	8	10	7	6	5	4	2	58
(4) Balance number of "Superior" posts.	87	86	90	114	76	84	54	49	24	664
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants.]	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based.	90	89	94	119	79	87	56	51	25	690
(7) *Add* "Inferior" posts, *i.e.*, posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6).	35	35	37	46	31	34	22	20	9	269
(8) *Add* leave reserve at 40 per cent. of line (6).	36	35½	37½	47½	32	35	22½	20	10	276
(9) *Add* training reserve at 15·5 of line (6)	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of service required at 194·5 per cent. of line (6).	175	173	183	231	154	169	109	99	48	1,341
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10).	7·3	7·2	7·6	9·6	6·4	5·3 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

APPENDIX VII—*cont.*

LIST A.

MADRAS.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
2	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chief Secretary	3,750
1	Member, Board of Revenue	3 500
1	Secretary, Revenue Department	3,125
2	Members, Board of Revenue	3,000
2	District and Sessions Judges, first grade	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Resident, Travancore	2,800
7	District and Sessions Judges, second grade	2,500
1	Secretary, Municipal (Local) Department	2,500
(*a*) 7	Collectors, first grade	2,500
7	District and Sessions Judges, third grade	2,250
(*a*) 14	Collectors, second grade	2,250
6	District and Sessions Judges, fourth grade	2,000
1	Commissioner of Coorg	1,800—2,000
(*a*) 6	Collectors, third grade	1,800
1	Secretary to Commissioner of Land Revenue	1,500—1,800
1	Secretary to Commissioner, Salt and Abkāri Revenue	1,500—1,800
1	Registrar, High Court	1,500—1,800
1	Private Secretary	1,500
(*b*) 20	Sub-Collectors and Joint Magistrates, first grade	1,200
Total .. 87		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance .. 87		
	Inferior posts, i.e., *Posts above the Lowest Grade of Assistants, but below the "Superior" Posts in order of Pay.*	
3	Under Secretaries	1,000
16	Joint Magistrates, second grade	900
16	,, ,, third ,,	700
Total .. 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
36	Leave reserve.	
14	Training reserve.	
Total .. 53		

(*a*) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.
(*b*) Includes Deputy Commissioner of Salt and Abkāri, and Director of Land Records.

APPENDIX VII—*cont.*

LIST B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, etc.	3,000
1	Municipal Commissioner, Bombay	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner	2,750
(*a*) 3	District and Sessions Judges, first grade	2,500
1	Secretary	2,500
6	District and Sessions Judges, second grade	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records	Salary of grade *plus* a local allowance of Rs. 250.
9	District and Sessions Judges, third grade	1,800
(*b*) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary	1,500
1	Deputy Commissioner, Upper Sind Frontier	1,200 Local allowance Rs. 300.
3	Political appointments	..
1	Assistant Remembrancer of Legal Affairs	1,250—50—1,500
2	Under Secretaries	1,250
1	Talukdari Settlement Officer	1,100
1	Assistant to Commissioner in Sind	1,100 Local allowance Rs. 100.
1	Manager, Sind Encumbered Estates	Salary of grade *plus* special allowance of Rs. 200.
2	Superintendents of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
5	Assistant Collectors, first grade	900 (*c*)
Total .. 84		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance .. 86		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, first grade	900
18	Do. second ,,	700
Total .. 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total .. 52		

(*a*) Includes Remembrancer of Legal Affairs.
(*b*) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies; but excludes Collector of Customs, Bombay.
(*c*) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

A.—Indian Civil Service.]

APPENDIX VII—*cont.*

LIST C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333⅓
(*a*) 3	District and Sessions Judges, first grade	3,000
1	Chairman of the Calcutta Improvement Trust	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(*a*) 13	District and Sessions Judges, second grade	2,500
(*b*) 12	Magistrates and Collectors, first grade	2,250
(*a*) 14	District and Sessions Judges, third grade	2,000
(*b*) 13	Magistrates and Collectors, second grade	1,800
1	Registrar, High Court	1,700
(*b*) 14	Magistrates and Collectors, third grade	1,500
1	Private Secretary to His Excellency the Governor	1,500
1	Deputy Chairman, Calcutta Corporation	1,500
Total .. 90		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance .. 90		
	Inferior posts (i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay, excluding one listed Under Secretaryship*).	
2	Under Secretaries	1,000
17	Joint Magistrates	900
17	Do.	700
Total .. 36		
	Reserve posts, i.e., *Assistant Magistrates*.	400—500
4	Reserve for temporary appointments and deputations.	
37½	Leave reserve.	
14½	Training reserve.	
Total .. 56		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam.
(*b*) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapur, Backergang and Mymensing.

[A.—Indian Civil Service.

APPENDIX VII—*cont.*

LIST D.

UNITED PROVINCES.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
3	High Court Judges	4,000
1	Judicial Commissioner	3,500
2	Members, Board of Revenue	3,500
1	Additional Judicial Commissioner	3,333⅓
1	Chief Secretary	3,000
2	District and Sessions Judges, first grade	3,000
9	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
1	Opium Agent	2,500—100—3,000
1	Commissioner, Kumaun	2,500
(*a*) 7	District and Sessions Judges, second grade	2,500
(*b*) 19	Magistrates and Collectors, first grade	2,250
(*a*) 6	District and Sessions Judges, third grade	2,250
10	District and Sessions Judges, fourth grade	1,833⅓
(*b*) 17	Magistrates and Collectors, second grade	1,833⅓
4	Deputy Commissioners, first grade	1,833⅓
3	District and Sessions Judges, fifth grade	1,666⅔
(*b*) 10	Deputy Commissioners, second grade	1,666⅔
1	Registrar, High Court	1,600
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Deputy Director of Land Records	
1	Registrar, Co-operative Credit Societies	
1	Superintendent, Dehra Dun	1,500
1	Deputy Commissioner, Naini Tal	1,500
1	Assistant Judge	1,100
2	Deputy Commissioners of Garhwal and Almora	1,000
Total .. 111		
Deduct — 7	For posts listed as open to the Provincial Service.	
Add + 10	For posts under the Government of India.	
Balance .. 114		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under Secretaries	1,000
1	Under Secretary	800
1	City Magistrate, Lucknow	1,000
14	Joint Magistrates, first grade	1,000
6	Assistant Commissioners, first grade	800
1	Assistant Judge	800
20	Joint Magistrates, second grade	700
1	Registrar, Judicial Commissioner's Court	Salary of grade.
Total .. 46		
	Reserve posts, i.e., *Assistant Collectors*.	400—500
5	Reserve for temporary posts and for deputations.	
47½	Leave reserve.	
18½	Training reserve.	
Total .. 71		

(*a*) Includes the Legal Remembrancer.
(*b*) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

A.—Indian Civil Service.]

APPENDIX VII—*cont.*

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
2	Judges, Chief Court	3,500
2	Financial Commissioners	3,500
1	Chief Secretary	3,000
5	Commissioners	2,750
2	Divisional Judges, 1st grade	2,750
3	Divisional Judges, 2nd grade	2,500
5	Divisional Judges, 3rd grade	2,250
(*a*) 10	Deputy Commissioners, 1st grade	2,250
6	Divisional Judges, 4th grade	1,800
(*a*) 11	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*a*) 13	Deputy Commissioners, 3rd grade	1,500
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
1	Senior Secretary to Financial Commissioners	Salary of grade subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners	Salary of grade subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000.
1	Registrar, Chief Court	1,250
Total .. 80		
Deduct — 11	For posts listed as open to the Provincial Service.	
Add + 7	For posts under the Government of India.	
Balance .. 76		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under Secretaryship listed).*	
2	Under Secretaries	1,000
14	Assistant Commissioners, 1st grade	900
15	Assistant Commissioners, 2nd grade	700
Total .. 31		
	Reserve post, i.e., *Assistant Commissioners of the lowest grade.*	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total .. 47		

(*a*) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent in the Phulkian States.

[A.—Indian Civil Service.

APPENDIX VII—*cont.*

LIST F.

BURMA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
1	Judge, Chief Court	3,500
1	Judicial Commissioner, Upper Burma	3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records ..	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	2,500 (*a*)
1	Director of Agriculture	2,400 (*d*)
2	Divisional Judges, 2nd grade	2,250
(*c*) 12	Deputy Commissioners, 1st grade	2,250
1	Revenue Secretary to Government	2,250 (*b*)
1	Secretary to Government	2,250 (*b*)
2	Divisional Judges, 3rd grade	1,800
(*c*) 13	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*c*) 15	Deputy Commissioners, 3rd grade	1,500
1	Deputy Director of Land Records	1,600 (*b*)
1	Secretary to Financial Commissioner	1,500 (*b*)
1	Registrar, Chief Court	1,400 (*b*)
6	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
Total .. 83		
Deduct — 5	For posts listed as open to the Provincial Service.	
Add + 6	For posts under the Government of India.	
Balance .. 84		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
11	Assistant Commissioners, 1st grade	1,000
13	Assistant Commissioners, 2nd grade	700
10	Assistant Commissioners, 3rd grade	600
Total .. 34		
	Reserve posts, i.e., *Assistant Commissioners of the 4th grade.*	450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total .. 51		

(*a*) Maximum salary including a local allowance of Rs. 250 a month.
(*b*) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs. 200 and Rs. 200, respectively.
(*c*) Includes Superintendents of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer drawing the salary of grade *plus* a local allowance of Rs. 250, without a maximum.
(*d*) Maximum salary including a local allowance of Rs. 150 a month.

APPENDIX VII—*cont.*

LIST G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(*a*) 2	District and Sessions Judges, 1st grade	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
(*a*) 5	District and Sessions Judges, 2nd grade	2,500
(*b*) 9	Magistrates and Collectors, 1st grade	2,250
(*a*) 5	District and Sessions Judges, 3rd grade	2,000
(*b*) 10	Magistrates and Collectors, 2nd grade	1,800
(*b*) 10	Magistrates and Collectors, 3rd grade	1,500
Total .. 54		
Deduct — 5	For posts listed as open to the Provincial Service.	
Add + 5	For posts under the Government of India.	
Balance .. 54	On which recruitment is based.	
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts (including one listed Under Secretary) in order of pay.*	
2	Under Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Joint Magistrates, 2nd grade	700
Total .. 22		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
2	Reserve for temporary posts and for deputations.	
22½	Leave reserve.	
8½	Training reserve.	
Total .. 33		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota-Nagpur.
(*b*) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

APPENDIX VII—*cont.*

LIST H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	Central Provinces.	Rs.
1	Chief Commissioner	5,166⅔
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner	2,750
3	Commissioners	2,750
2	Do.	2,500
1	Senior Divisional Judge	2,500
(*a*) 8	Deputy Commissioners, 1st class	2,250
(*a*) 12	Do. 2nd class	1,800
(*a*) 14	Do. 3rd class	1,500
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies	
Total .. 51		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 4	For posts under the Government of India.	
Balance .. 49		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
6	Assistant Commissioners, 1st grade	900
13	Assistant Commissioners, 2nd grade	700
Total .. 19		
—	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows :—	
10	Assistant Commissioners, 1st grade	900
10	Assistant Commissioners, 2nd grade	700
Total .. 20		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	
2	Reserve for temporary posts and for deputations.	400–500
20	Leave reserve.	
8	Training reserve.	
Total .. 30		

(*a*) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlements, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450 subject to a maximum salary of Rs. 2,500 a month.

A.—Indian Civil Service.]

APPENDIX VII—*cont.*

LIST I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166⅔
2	Commissioners	2,750
(a) 6	Deputy Commissioners, 1st grade	2,250
(a) 7	Deputy Commissioners, 2nd grade	1,800
(a) 6	Deputy Commissioners, 3rd grade	1,500
Total .. 22		
Deduct Nil.	For posts listed as open to the Provincial service.	
Add + 2	For posts under the Government of India.	
Balance .. 24		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
2	Under Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Joint Magistrates, 2nd grade	700
Total .. 9		
	Reserve posts, i.e., *Assistant Magistrate.*	400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total .. 15		

(a) Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operative Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer; and Political Agent, Manipur.

LIST J.

SUPERIOR POSTS UNDER THE GOVERNMENT OF INDIA.

Number.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666⅔
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
1	Comptroller and Auditor General	3,500—4,000
3	Accountants-General	2,250—2,750
3	Officers of the Indian Finance Department	1,100—1,800
	Foreign Department—	
1	Secretary	4,000
1	Deputy Secretary	2,250
23	Political Officers	1,100—4,000
	Legislative Department—	
1	Secretary or Deputy Secretary	3,000—3,500 or 2,000
	Department of Revenue and Agriculture—	
1	Secretary	4,000
	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue	2,500
1	Inspector-General of Excise and Salt	3,000
3	Collectors of Customs	2,050—2,500
2	Assistant Collectors of Customs	1,150—1,400
	Department of Education—	
1	Secretary	3,000
Total .. 58		

[A.—Indian Civil Service.

APPENDIX VII—*cont.*

BB.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual Strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the strength at which it should have stood on the same date in accordance with the sanctioned calculations.

Provinces.	Sanctioned strength.	Actual strength on 1st July 1912.		Number of officers over (+) or under (—) strength.
1	2	3		4
Madras	175		173	— 2
Bombay	173		176 (a)	+ 3
Bengal	183		174 (b)	— 9
United Provinces	231		237 (c)	+ 6
Punjab	154	Civilians 162 (d) .. / Military 29 (e) ..	191	+ 37
Burma	169	Civilians 126 .. / Military 49 ..	175	+ 6
Bihar and Orissa	109		107 (f)	— 2
Central Provinces	99		104 (g)	+ 5
Assam	48	Civilians 39 .. / Military 9 ..	48	..
Total ..	1,341		1,385	+ 44

(a) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(b) Excluding Messrs. Nathan and Hallett, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(c) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in, the Bengal cadré.

(d) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(e) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppel and Captain Keen, serving in the Political Department under the Government of India in the North-West Frontier Province.

(f) Excluding the late Mr. Shettle.

(g) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included), and Liddell (serving in Bengal, in which he has been included), and three Indian members of the Behar Commission who have been treated as holding posts corresponding to three listed posts.

A.—Indian Civil Service.]

APPENDIX VIII.

CC.

Nature of posts.	Madras.		Bombay.		Bengal.		United Provinces.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	..	..	..	..	..	..	1	8,333⅓
Members of Councils ..	2	5,333⅓	2	5,333⅓	2	5,333⅓	..	..
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4,000
Boards of Revenue or Financial Commissioners.	4	(1) 3,750 (1) 3,500 (2) 3,000	..	..	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	..	..	6	(1) 3,750 (3) 3,500 (2) 3,000	5	2,916⅔	10	(9) 2,916⅔ (1) 2,500
Secretaries to Government	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,333⅓ (2) 2,750	1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,500—1,800	..	..	..	..	..	..
Judicial Commissioners ..	..	..	2	(1) 3,000 (1) 2,750	..	..	2	(1) 3,500 (1) 3,333⅓
District and Sessions Judges or Divisional Judges and District Judges.	22	(2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	18	(3) 2,500 (6) 2,325 (9) 1,800	30	(8) 3,000 (13) 2,500 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833⅓ (3) 1,666⅔
Collectors or Deputy Commissioners.	27	(7) 2,500 (14) 2,250 (6) 1,800	29	(13) 2,325 (15) 1,800 (1) 1,500	39	(12) 2,250 (13) 1,800 (14) 1,500	54	(19) 2,250 (21) 1,833⅓ (10) 1,666⅔ (2) 1,500 (2) 1,000
Political officers ..	1	2,800	3	..	..	..	..	..
Miscellaneous posts ..	(a) 4	(1) 2,500-3,000 (1) 1,800-2,000 (1) 1,500-1,800 (1) 1,500	(b) 6	(1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,250-1,500 (2) 1,100	(c) 6	(1) 3,500 (1) 3,000 (1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,300	(d) 4	(2) 2,500-3,000 (1) 1,600 (1) 1,100
Under Secretaries to Government.	3	1,000	2	1,250	2	1,000	3	(2) 1,000 (1) 800
Joint Magistrates or Assistant Commissioners, 1st grade.	20	1,200	..	..	..	..	..	..
Joint Magistrates or Assistant Commissioners, 2nd (1st) grade.	16	900	17	900	17	900	22	(15) (e) 1,000 (7) (f) 800
Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade.	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th (3rd) grade.	..	..	..	..	..	..	..	..
Assistant Collectors or Commissioners.	53	400—500	57	400—500	56	400—500	71	400-500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	..	..	5	..	..	..	7	..
Total ..	175	..	171	..	182	..	228	..

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.
(b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Sind and Talukdari Settlement Officer.
(c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.
(d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.
(e) Includes City Magistrate of Lucknow.
(f) Includes an Assistant Judge.

[A.—Indian Civil Service.

APPENDIX VIII.

CC.

Punjab.		Burma.		Bihar and Orissa.		Central Provinces and Berar.		Assam.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
	Rs.		Rs.		Rs.		Rs.		Rs.
1	8,333⅓	1	8,333⅓	1	8,333⅓	1	5,166⅔	1	5,166⅔
..	..	..	..	2	5,000	..	..	..	..
3	(1) 4,000 (2) 3,500	2	(1) 4,000 (1) 3,500	2	4,000	..	..	..	..
2	3,500	1	3,500	1	3,500	1	3,500	..	..
5	2,750	9	2,750	5	2,916⅔	5	(3) 2,750 (2) 2,500	2	2,750
1	3,000	1	3,000	1	3,000	..	..	..	..
2	(1) 1,200-1,800 (1) 1,000-1,500	..	..	..	..	..	..	..	..
..	..	1	3,500	..	..	3	(1) 3,500 (1) 3,000 (1) 2,750	..	..
24	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1,800 (8) 1,500	14	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12	(2) 3,000 (5) 2,500 (5) 2,000	1	2,500	(j)	..
34	(10) 2,250 (11) 1,800 (13) 1,500	40	(12) 2,250 (13) 1,800 (15) 1,500	29	(9) 2,250 (10) 1,800 (10) 1,500	34(i)	(8) 2,250 (12) 1,800 (14) 1,500	19	(6) 2,250 (7) 1,800 (6) 1,500
..	..	..	..	..	..	..	..	..	..
(g) 1	1,250	..	..	1 (h)	2,500—3,000	..	..	..	..
2	1,000	..	..	2	1,000	..	..	2	1,000
..	..	..	..	..	..	..	..	..	..
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	3	700
..	..	10	600	..	..	..	..	..	..
47	400—500	51	450—500	33	400—500	31	400—500	15	400—500
7	..	14	..	..	..	6	..	..	..
158	..	168	..	109	..	101	..	46	..

(g) Registrar of Chief Court.
(h) Inspector-General of Police.
(i) Includes Divisional Judges except the Senior Divisional Judge.
(j) Three District and Sessions Judges are graded with the Bengal cadre.

APPENDIX VIII—*cont.*

DD.

Presidency or Province.	Collectors or Deputy Commissioners.						District and Sessions Judges, including Divisional and District Judges.						Joint Magistrates, Assistant Collectors and Assistant Commissioners.					
	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.	Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
		No.	Per-centage.	No.	Per-centage.	No.		No.	Per-centage.	No.	Per-centage.	No.		No.	Per-centage.	No.	Per-centage.	No.	Per-centage.
Madras	27	21	77·8	6	22·2	..	22	16	72·7	6	27·3	..	106	36	34	16	15·3	53	50·4
Bombay	29	13	44·8	15	51·7	1	18	9	50	9	50	..	92	17	18·5	18	19·6	57	61·9
Bengal	39	12	30·8	13	33·3	14	30	16	53·3	14	46·7	..	90	17	18·8	17	18·8	56	62·2
United Provinces	54	19	35·2	21	38·9	14*	28	15	53·6	10	35·7	3	113†	15	13·3	27	23·9	71	62·8
Punjab	34	10	29·5	11	32·3	13	24	10	41·7	6	25	8	76	14	18·4	15	19·8	47	61·8
Burma	40	12	30	13	32·5	15	14	4	28·6	2	14·3	8	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa	29	9	31·0	10	34·5	10	12	7	58·3	5	41·7	..	53	10	18·9	10	18·9	33	62·2
Central Provinces and Berar ..	34	8	23·5	12	35·3	14	1	1	100	..	..	..	50	6	12	13	26	31	62
Assam	19	6	31·6	7	36·8	6	..	..	..	..	..	..	22	4	18·1	3	13·6	15	68·3

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.
† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

APPENDIX A.

Resolution of the Government of India, Home Department (Establishments), Nos. 1046–1058, dated Simla, the 19th August 1910.

The Governor General in Council has had under consideration the recommendation made by the Royal Commission on Decentralisation at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor General in Council has now decided to accept in substance the recommendation of the Decentralisation Commission, and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows:—

I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II. 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; these excepted cases will be governed by article 51 of the Civil Service Regulations;
  (*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. 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;
  (*c*) that he is of sound health, good physique, and active habits; and
  (*d*) that he is of good character.

III. Every person appointed to the provincial civil service by direct 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.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the provincial civil service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. 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.

VI. Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The Local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this Resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

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* Madras.
Bombay.
Bengal.
United Provinces.
Punjab.
Burma.
Eastern Bengal and Assam.

† Foreign.
Revenue and Agriculture.
Public Works.
Commerce and Industry.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments * and Departments of the Government of India † noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

A. EARLE,
Offg. Secretary to the Government of India.

A.—Provincial Civil Service.]

APPENDIX B.

Office.	Rate of pay in Rupees.	Number of appointments in each grade.													
		Madras.	Bombay.			Bengal.	United Provinces.			Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presidency proper.	Sind.	Total.		Agra.	Oudh.	Total.						
Executive Branch.	800	3	..	..	2	5	..	..	4	3	3	4	2	1	27
	700	6	..	..	3	7	..	..	6	4	5	5	3	1	40
Deputy Collectors in Madras, Bombay, Bengal, the United Provinces, and Bihar and Orissa.	600	8	..	..	7	16	..	..	12	5	10	12	6	3	79
	500	29	..	..	23	48	..	..	35	12	36	36	14	10	243
Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam.	400	32	..	..	23	71	..	..	53	24	36	52	23	14	328
	300	29	..	..	24	73	..	..	55	25	35	54	24	15	334
	250	30	..	..	..	79	..	..	58	(*a*) 40	..	59	14	16	296
	200	..	..	..	..	..	..	..	..	..	..	..	12	..	12
Total ..	..	137	..	..	82	299	..	..	223	113	125	222	98	60	1,359
Mamlatdars	250	..	29	..	29	..	..	..	..	..	..	..	..	..	29
	225	..	34	..	34	..	..	..	..	..	..	..	..	..	34
	200	..	39	..	39	..	..	..	..	..	..	..	..	..	39
	175	..	45	..	45	..	..	..	..	..	..	..	..	..	45
	150	..	50	..	50	..	..	..	..	..	..	..	..	..	50
Total ..	..	..	197	..	197	..	..	..	..	..	..	..	..	..	197
Total (Executive Branch) ..	..	137	..	..	279	299	..	..	223	113	125	222	98	60	1,556
Judicial Branch.	1,000	..	..	..	..	6	..	..	..	..	..	2	..	..	8
	800	4	3	1	4	12	3	2	5	3	1	6	2	..	37
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	700	..	..	..	..	..	..	..	..	4	1	..	3	..	8
	650	5	4	1	5	..	7	3	10	..	..	..	..	..	20
	600	..	..	..	..	24	..	..	..	5	2	12	5	..	48
	500	9	8	1	9	..	9	7	16	12	8	..	5	..	59
	400	..	..	..	..	..	..	..	..	12	8	..	17	..	37
	300	..	..	..	..	..	..	..	..	12	9	..	16	..	37
Total ..	..	(*d*) 18	15	3	18	(*b*) 42	19	12	31	48	29	(*b*) 20	48	(*b*)	254
Munsifs (also called Subordinate Judges, 2nd class, in Bombay).	500	..	..	..	..	12	..	..	..	..	..	..	..	..	12
	400	33	19	2	21	61	22	8	30	..	..	20	..	..	165
	300	33	22	4	26	70	24	8	32	..	..	19	..	..	180
	250	33	..	..	..	66	..	..	..	..	..	19	..	..	118
	200	29	36	5	41	36	22	10	32	..	..	10	..	..	148
	175	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	150	..	12	3	15	..	..	..	..	..	..	..	..	..	15
Total ..	..	(*c*) 128	89	14	103	(*b*) 245	68	26	94	(*c*)	(*c*)	(*b*) 68	(*c*)	(*b*)	638
Total (Judicial Branch) ..	..	146	104	17	121	287	87	38	125	48	29	88	48	..	892
Grand total ..	..	283	..	..	400	586	..	..	348	161	154	310	146	60	2,448

(*a*) This grade is common to both the Judicial and Executive branches.

(*b*) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent territorial changes.

(*c*) Munsifs in the Punjab and the Central Provinces and Judicial Myooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.

(*d*) Includes four appointments which have been added since the last general reorganisation in 1884.

(*e*) , three , , , revision of the grades in August 1911.

B

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India" * and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His Majesty in India, of parents habitually resident in "India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?

B.—Indian and Provincial Civil Services.]

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

[B.—Indian and Provincial Civil Services.

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend.

56. Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

59. Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

62. Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?

64. Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

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* *Vide* page xxxiii.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA.

At Fort St. George, Madras.

Wednesday, 8th January 1913.

FIRST DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO AVARGAL, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

Sir RALPH BENSON, *Kt.*, I.C.S., Judge, High Court of Judicature, Madras.

Written answers relating to the Indian Civil Service.

1 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have had over 40 years' experience of it and I accept it as generally satisfactory in principle; perhaps, I should say, in practice, rather than in principle. But see answer to question (6).

2 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes.

3 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No.

4 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes. The larger the number of appointments that are open to competition, the greater will be the number, and the better the qualifications, of the men who will compete. At present the Home Civil Service appears to be decidedly more popular than the Indian Civil Service, but it was not so until recently. When I entered the service the Home Civil Service was mainly recruited from the men who failed for the Indian Civil Service. The prospects of men in the Home Civil Service appear to have greatly improved in recent years, while those of the Indian Civil Service have declined, both financially and otherwise. Work has greatly increased, and the amenities of life, in many of the smaller stations, have been greatly reduced by the diminution of the European element, and notably by the withdrawal of European medical aid.

5 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—

(*a*) Selection by headmasters of schools approved or otherwise;

(*b*) Selection by authorities in Universities approved or otherwise:

(*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State:

(*d*) Combined nomination and examination:

(*e*) Any other method?—Though I have said that I consider the present system satisfactory in principle, I do not mean that it is theoretically the best. The ideal system would be one in which selection on account of *character* would have its place. The Egyptian Civil Service is recruited by a combination of nomination and selection under which weight is given especially to character and to success both in examinations and in games, and in the latter especial importance is rightly attached to the fact that a man has been a captain or secretary of the club or team. I understand that the class of men obtained is exceptionally good, and highly regarded. If a system of this kind were practicable for India, I would like to see it adopted; but I regard it as *impracticable*. The whole Empire is deeply interested in the Indian Civil Service, and it would be impossible to devise a system of nomination and selection that would satisfy all parts of it, or even all parts of India and the United Kingdom. I take it that public opinion at home is so definitely determined in favour of open competition that it is idle to discuss any other method of general recruitment; but it is possible that a slight modification might be made somewhat as follows:—

The first 75 or 80 per cent. of the recruits to be obtained as at present by open competition, but the Civil Service Commissioners to have a limited power of selection for the last 20 or 25 per cent. The difference between these men and an equal number of men who have just failed, as shown by the results of the examination, is quite trifling. In regard to these last 20 or 25 per cent. the Civil Service Commissioners might be allowed to select the required number out of the best of the 20 or 25 per cent. at the bottom of the list and an equal number of the men who just failed to get into it, having regard to character and fitness as judged otherwise than by examination. For this purpose all candidates before going up for the examination should be at liberty to submit to the Civil Service Commissioners testimonials of character and general fitness. If in each of the chief Universities a small committee could be formed who would consider each candidate's fitness, having regard to his tutor's reports, the position held by the candidate at school and at the University, both as regards character, work and games, and report thereon to the Civil Service Commissioners, it would greatly facilitate their work of selection. The Civil Service Commissioners would of course also have the right to interview candidates for the purpose of selection. I doubt, however, whether public opinion at home would approve of even this slight modification of the present system.

6 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to simultaneous examinations. The question was so fully considered by the last Public Service Commission, and the objections to them are so fully and well stated in their report, that I have nothing to add. I will only say that those objections seem to me to apply as strongly now as then.

7 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

8 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am altogether opposed to it. I do not see on what principle any proportion could be fixed, nor do I think that admission to the Indian Civil Service by examination in India would be at all a satisfactory method of recruitment.

9 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any such system as is suggested. I think the existing system of open competition in London, supplemented as it is by the throwing open of certain listed appointments to members of the Provincial Civil Service of proved merit and ability, is the best system that the present condition of India admits of.

10 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—No. It is not a change in the method of recruitment but improved legal training for the recruits that is required—see answer to question (64) where the question of selection and training is fully discussed.

11 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually "resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes, subject to this small change, that it is not necessary that the "native" should actually be "born" in India. The definition should run "any person domiciled in India and born of parents, etc."

12 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I hold strongly that the period of probation in England should be at least *two* years in order to give time for the study of the principles of law (as to which see answer to question (64)).

I also hold that the responsibilities thrown on young civilians as Magistrates, often having to deal with serious riots, and the conditions of their life when posted to independent charges, often in isolated stations and away from the formative influences of older members of the service or other Europeans, are such that they should not arrive in India until their character has been fairly well set and they have acquired some knowledge of men and affairs. This can hardly be before attaining the age of 23.

I also hold that the age should be so fixed as to enable men to have the benefit of University associations and training—either before, or after, or partly before and partly after, the open competition. The age should be fixed with regard to these three *desiderata*, but I am not sufficiently acquainted with the conditions of the English Universities to say exactly what limits will best attain them. When I came to India the age limits were 17 to 21 and I thought many of the men were immature. I am inclined to think that it is not necessary to let men finish their University course before going up for the "open." If this is done, and there is a two years' probation (which I consider essential), men get rather stale. It would seem to be sufficient to attract them to the University by making residence there a condition of receiving an allowance while on probation. Selected candidates, in that case, would ordinarily have to give up all attempts to take Honour degrees, but this would seem to be a lesser evil than making them stale and weary of study during the years of probation and after arrival in India. Perhaps, on the whole, the best age limits would be 20–22, or 21–23.

13 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Very good.

14 (18). What is the most suitable age at which junior civilians should arrive in India?—At or soon after 23 years of age. See reply to question (15).

15 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—The reply to the second part of the question is in the negative.

16 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature "that no candidate who may fail shall, to "whatever calling he may devote himself, have "any reason to regret the time and labour which "he had spent in preparing himself to be "examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Yes.

17 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—The chief change I recommend is to increase the value assigned to legal subjects. I cannot do better than quote an extract from a minute I wrote six years ago in connection with the question of giving better legal training to young civilians. I then wrote:—

"I would begin at the very beginning and endeavour to offer men with an inclination to legal study inducements to indulge it at every stage in their career from the day they resolve to 'try for the Indian Civil Service' until they are full-blown Judges of a High Court. Englishmen are as a rule profoundly ignorant of Civil law, since it rarely touches their daily lives. Any ordinary ryot in India knows more of the law of mortgages than an average University graduate in England. The sooner our young civilians have their attention directed to the study of the principles of the Civil law, the sooner they will gain that legal instinct which is so valuable in a Judge. I would, therefore, make it worth the while of every candidate for the open competition who has any inclination for legal work, to take up law as a subject for the examination. For a long time law found no place at all among the subjects. Now Political Science, Roman Law and English Law are included. So far, good. But the marks assigned for each of them are less than the marks assigned for each of such minor subjects as, let us say, Geology, Botany and Zoology—subjects, too, which can be worked up rapidly by any one with a good memory. I cannot but think that in point both of mental training and of equipment for actual work, the young man who has absorbed the chief principles of Political Science, Roman Law and English Law will be in a better position than the young man who has committed to memory the chief facts of the three natural sciences I have named. Men will always take up for the examination the subjects which "pay" best, and if great subjects like English Law and Roman Law are to be encouraged, more marks must be assigned to them in comparison with other subjects."

18 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

19 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (32 Vict., c. 3), reproduced as Appendices II and III to these questions.]

20 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service

cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

21 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept the existing system, described in question (25), as, on the whole, the most satisfactory method that can be devised under present conditions for recruiting "Natives of India." It enables Government on the spot, which is the only authority that can act with full knowledge of local conditions and requirements, to vary the "listed" appointments from time to time as may be expedient. The great principle of admission to all comers by "open competition" must be upheld. In practice the door is found to admit rather too small a number of "Natives of India" to satisfy legitimate claims; and, when this is so, a second door is, in effect, opened under the rules framed for "listing" certain posts, which may safely and conveniently, from time to time, be filled by "Natives of India," though ordinarily reserved for the Indian Civil Service. No doubt if the best class of men are to be attracted to the Indian Civil Service, it is essential, that they should be assured of reasonably certain prospects of promotion, and there should be no feeling that their just expectations may at any time be defeated by other men being put in over their heads capriciously or through favoritism or merely to satisfy the claims of "Natives of India" to more appointments. It can hardly be said that so far as judicial work is concerned, it is necessary to reserve absolutely any whole class of judicial appointments, whether that of District and Sessions Judge, or even that of District Magistrate, for the Indian Civil Service. Exceptional men may be found from time to time in the Provincial Civil Service who are fitted for those posts, and whom it is desirable to promote. But I am quite sure that, under present conditions, such appointments should be very limited in number, and especially so in the case of District Magistrates, who have the most important executive and administrative functions to perform, not only in supervising the *work* of the other Magistrates in the district, but also in connection with their selection, promotion and leave and in connection with the selection, promotion, leave and pay of the very large ministerial establishments that work under them, and further as Collectors of districts, in controlling and supervising the great Revenue establishments, and in co-ordinating the work of many other great departments, such as Police, Local and Municipal Councils, Sanitation, Education and so forth.

Even in the case of District Judges, their administrative duties are of great importance, as they supervise the administrative work of the Subordinate Judges and District Munsifs, inspect their offices and exercise considerable control over their establishments in the matter of appointments, promotion, pay and leave. They send to the High Courts every year confidential reports on the character and work of District Munsifs, and the High Court is largely guided by their recommendations in appointing District Munsifs, and in transferring them, promoting them, giving them enhanced Small Cause powers and so forth.

The High Court also acts very largely on their advice in the matter of establishing new courts to meet the constant increase in litigation, not only as regards the necessity for new courts but also as to their location, accommodation and so forth. In all these matters administrative experience and general business capacity are of great importance. It cannot be denied that the early education (using the word in its widest sense) of the majority of the men who enter the Indian Civil Service by open competition, and their training in administrative work in India before they become District Judges, give them an experience and a faculty for dealing with administrative questions which is not generally possessed and cannot be expected, in the case of "Natives of India" or others who have not had the same early advantages.

Then it must be remembered that under the existing system the same person who is District Judge, is also Sessions Judge and as such hears appeals from the decisions of the highest (1st class) Magistrates in the district and also himself tries the gravest classes of offences, such as murder, dacoity, rape and so forth. Their general education and training and their long experience (generally 12 or 14 years), as magistrates, render the Indian Civil Service men specially suitable for the post of Sessions Judge.

To put the matter shortly, so far as the *decision of civil cases*, original or appellate, that is so far as purely *judicial* work is concerned, it could be done quite satisfactorily by "Natives of India" of proved merit and capacity and character, though not members of the Indian Civil Service.

But for the important administrative duties of the District Judge, and for the still more important criminal work that falls to him as Sessions Judge, the man who has had the education and experience which the Indian Civil Service gives him, has a great advantage over men who have not had a similar education and experience.

It must also be remembered that by Statute not less than one-third (that is at present three) of the Judges of the High Court of Judicature must be selected from the Indian Civil Service. It is essential that the number of District and Sessions Judgeships held by members of the Indian Civil Service should be sufficient to afford adequate training for, and an adequate field from which to select, the Indian Civil Service Judges of the High Court. Naturally only a limited percentage of the District and Sessions Judges show the capacity and qualities essential in a Judge of the High Court, and if the field from which the selection has to be made is greatly narrowed it must re-act unfavourably on the standard of the High Court which it is essential to maintain.

These considerations point to the conclusion that though it is not essential that the post of District and Sessions Judge should be reserved by Statute for the Indian Civil Service, yet it is highly desirable that the great majority of such posts should, in practice, be filled by Indian Civil Service men. No definite *proportion* can be permanently laid down. The exact number

will vary from time to time and can best be determined by the local Government by Statutory rules as at present.

In effect, therefore, I would maintain the present Statutory limitation reserving the post of District and Sessions Judge for the Indian Civil Service, but allowing the local Government to throw open a certain number of the appointments to Natives of India of proved merit and ability, under Statutory rules as at present, in accordance with the requirements and conditions which from time to time prevail.

I do not see any need for change in the existing system. It has worked well in the past, and it is adapted to enable the changes which experience may dictate to be carried out from time to time.

In this connection I think it is not always realized how far the judicial work of the country—both civil and criminal—is in the hands of Indians.

It should be clearly realized that *by far the greater part* of the work is in the hands of Indians, and the proportion in their hands is steadily and rapidly increasing under the existing system.

I pass by the town of Madras, merely remarking that at present four out of the ten High Court Judges are Indians, as are also the City Civil Court Judge, all the Small Cause Court Judges and all the Presidency Magistrates except one.

Turning now to the rest of the Presidency (outside the town of Madras) the unit of judicial (as of most other) administration is the district. There are 22 districts, each with a population of, say, from one and a half millions to two millions. Each district is presided over by a District and Sessions Judge. As Sessions Judge he tries cases of grave crime committed to him for trial by the Magistrates, and he hears appeals from cases tried by the highest (*i.e.*, first class) Magistrates. As District Judge he is the Chief Civil Court both for original suits and appeals, and he is assisted in both classes of work by one or more Sub-Judges. These Sub-Judges can try both original suits and appeals without any pecuniary limitation, and, in fact, the great bulk of the superior civil litigation, both original and appellate, is in their hands. Two of them also, as Assistant Sessions Judges, help to deal with the superior criminal work of the country. Below them come the District Munsifs who dispose of all original suits up to Rs. 2,500 in value. The *superior courts* of civil and criminal jurisdiction are, then, the District and Sessions Judges and the Subordinate Judges. There are 22 District and Sessions Judges, and of these six are Indians and sixteen are Europeans. There are 24 Subordinate Judges *all* of whom are Indians. Thus of the 46 superior courts 16 are Europeans and 30 are Indians, while of the inferior courts (*i.e.*, those dealing with suits up to Rs. 2,500 in value) only one is an European and no less than 133 are Indians. So much for the *personnel* of the courts. I append a statement showing the number of cases dealt with by Europeans and Indians respectively in each of the classes of courts to which I have referred.

Statement showing the number of European and Indian Judges and the number of cases disposed of by them in 1911, *excluding the town of Madras.*

Nationality.		Number of Judges.	Civil disposals.			Criminal disposals.	
			Original suits.	Small causes.	Appeals.	Sessions cases.	Criminal appeals.
District and Sessions Judges, 22.*	(*a*) Europeans	16	325	..	5,350	1,012	1,043
	(*b*) Indians	6	122	..	1,876	300	262
Subordinate Judges, two of whom are also Assistant Sessions Judges, 24.†	(*a*) Europeans	*Nil.*	..	..	..	..	..
	(*b*) Indians	24	1,659	29,955	4,449	..	..
Total Superior Courts, 46.	(*a*) Europeans	16	325	..	5,350	1,012	1,043
	(*b*) Indians	30	1,781	29,955	6,325	300	262
District Munsifs, 134.‡	(*a*) European	1	647	1,543	..	..	..
	(*b*) Indians	133	101,281	166,184	..	..	..

* Agency Sessions Judges excluded. † Sub-court of Cochin and Agency Sub-Judges excluded.
‡ Four Revenue officers and Agency Munsifs excluded.

It will be observed that the 16 European Judges of the Superior courts disposed of 325 civil original suits, and 5,350 civil appeals, as well as 1,012 sessions cases and 1,043 criminal appeals; while the 30 Indians in the Superior courts disposed of 1,781 civil original suits and 6,325 civil appeals, besides 29,955 small cause suits of the value of from Rs. 200 to Rs. 500 each, and also of 300 sessions cases and 262 criminal appeals.

In the inferior, that is in the District Munsif's Courts, 133 Indian Judges disposed of 101,281 original and 166,184 small cause suits, while the one European Judge disposed of 647 original suits and 1,543 small cause suits. To put the matter shortly, practically the *whole* of the original civil suits of the country up to Rs. 2,500 in value, and *six-sevenths* of the original suits above that value, and considerably *more than half* of all the civil appeals disposed of by Indians. On the other hand the bulk of the highest criminal work is still in the hands of Europeans, the proportion being about three-fourths of the sessions cases and nearly four-fifths of the higher criminal appeals.

If we turn now to the Magistracy the figures are hardly less striking. The chief Magisterial control is exercised by the District Magistrate—one in each district. He tries a small number of criminal appeals and a very few original criminal

cases; but by far the most important part of this work is the exercise of a general supervision over the Magistrates and magisterial work of the district. Each district is divided into sub-divisions with a first-class Magistrate in charge of it. He tries grave cases which are scheduled as triable ones by a first-class Magistrate, and he exercises control over and hears appeals from, the second and third-class Magistrates in his sub-division, who try the great bulk of the magisterial cases. The appellate and controlling jurisdiction and also the power to try the graver classes of offences (not triable exclusively by the Court of Session) are vested, therefore, in the District and Sub-Divisional Magistrates who may be called the *Superior Magistrates*; while the rest of the magisterial work is disposed of by other Magistrates who may be called the *Inferior Magistrates*. The following statement shows the number of European and Indian Judges in each of the above classes, and the number of criminal cases and appeals heard by them in 1911 :—

Statement showing the number of European and Indian Magistrates in 1911 *in the Presidency of Madras excluding the town of Madras.*

Nationality.		Number.	Original cases.	Criminal appeals.
District Magistrates	(*a*) Europeans	25	70	315
	(*b*) Indians	2	4	83
First-class Sub-Divisional Magistrates.	(*a*) Europeans	21	1,876	1,682
	(*b*) Indians	81	6,188	4,753
Superior Total Magistrates	(*a*) Europeans	46	1,946	1,997
	(*b*) Indians	83	6,192	4,836
Other Magistrates	(*a*) Europeans	37	2,644	..
	(*b*) Indians	605	210,798	..

It will be observed that of the Superior Magistrates 46 are Europeans and 83 are Indians, while of the Inferior Magistrates only 37 are Europeans while 605 are Indians. The Superior European Magistrates disposed of 1,946 original and 1,997 appeals, while the Superior Indian Magistrates disposed of 6,192 original and 4,836 appeals. The Inferior European Magistrates disposed of 2,644 original cases while the Inferior Indian Magistrates disposed of 210,798 such cases. To put the matter shortly, there are nearly twice as many Indians as Europeans among the Superior Magistrates and they try three times as many original and much more than twice as many appeals; while among the Inferior Magistrates there is only one European to every 16 Indians, and he tries only one out of every 80 cases.

22 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted? I do not consider that it is possible to lay down any fixed proportion. But I do most strongly hold that it is essential that the European element in the civil administration should be sufficiently strong both in point of numbers and position, to guarantee—

(*a*) the present high standard of purity and efficiency not only in the every-day administration of public affairs, but also in those times of special stress, that from time to time arise owing to widespread calamity, such as famine or plague, when exceptional energy and administrative capacity are required, and

(*b*) the public safety and the supremacy of the British Government in times of mutiny or widespread civil disturbances, whether resulting from sedition or from religious or sectarian animosity between different sections of the population, or otherwise.

In this connection see reply to question (23).

23 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?—Hardly so, so far as District and Sessions Judges are concerned; but the number who have so far attained that rank is too few to enable any final opinion to be formed. I do not give any opinion as to those in other posts as my experience of them is too limited to justify my doing so.

24 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

25 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers and (*b*) others; and give details of the latter—None. None are appointed in this Presidency.

26 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—Yes, so far as the Judicial branch is concerned.

27 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—Yes, so far as the Judicial branch is concerned.

28 (35). To what extent also during the last five years have these listed posts been filled—

(*a*) by members of the Provincial Civil Service;

(*b*) by other "Natives of India"?

Please give the names and positions of the latter, if any?—Three of the four District and Sessions Judgeships which have been "listed" for "Natives of India" have been ordinarily filled by Provincial Civil Service men, and the fourth by an advocate or a vakil of the High Court, not in the Provincial Civil Service. Until March 1911 one of the Provincial Civil Service posts was held by a "Statutory" Civilian (Mr. Manavedan Raja). The fourth of the "listed" posts above referred to was held *first* by Mr. M. O. Parthasarathi Aiyangar, an advocate of the High Court, who was first appointed Judge of the City Civil Court, and afterwards a District and Sessions Judge; and afterwards the post was held by Mr. C. V. Kumaraswami Sastri, a vakil of the High Court, who was first appointed Judge of the City Civil Court, and afterwards a District and Sessions Judge.

29 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—Yes, so far as the Judicial branch is concerned.

30 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—

(*a*) to the members of the Provincial Civil Service; and

(*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I understand that it does not, but I am not clear as to the exact grounds of dissatisfaction, unless they are of a sentimental character.

Nor am I clear as to the advantage of the present arrangement. It has the obvious disadvantage of tending to obscure the extent to which the statutory reservations for the Indian Civil Service are encroached upon by the process of listing. This, however, does not apply to the Judicial listed appointments, *i.e.*, four District and Sessions Judgeships.

31 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Yes, so far as the Judicial branch is concerned.

32 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—Officers of the Provincial Civil Service who have been appointed District and Sessions Judges have been as efficient as, or more efficient than, the members of the Indian Civil Service holding similar posts during the first few years after appointment, so far as purely *judicial* work on the *civil* side is concerned. This is due, in my opinion, largely to the absence of training and experience in civil law from which the Indian Civil Service men suffer. With the experience of a few years, the Indian Civil Service men improve greatly, while the Provincial Civil Service men, being near the end of their service, rather tend to become slow. During the later years of their service the Indian Civil Service men are rather more efficient than the Provincial Civil Service men even in civil judicial work. In criminal work and in administrative work the Indian Civil Service men are more efficient all through. See reply to questions (23) to (25) where this aspect is more fully noticed.

33 (40). Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—None, so far as Judicial branch is concerned.

34 (41). Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—No, so far as *permanent* judicial appointments are concerned. For *temporary* appointments, see clause 4 of the notification, Appendix IV.

35 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—It should be continued and extended to two years as formerly. See reply to questions (64) to (68).

36 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) Two years at least. See reply to questions (64) to (68).

37 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, or at Trinity College, Dublin, or at other approved *residential* University.

38 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Yes, residential Universities should be prescribed, in order to give the candidates the culture and knowledge of men which can best be obtained at such Universities.

39 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.—Yes. I should be inclined to recommend the system in force when I was a probationer, viz., two years' probation, with half-yearly examinations, and an allowance of £50 after each of the first three examinations and £150 after the Final examinations, conditional on doing reasonably well at each examination and also on residing at one of the selected Universities.

40 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854 that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer

equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. I assume that the examination will be either at the end or about the middle of the University course.

41 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you? (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(51-52) I have already advocated the return to the two years' probation after open competition and this chiefly in order to give the selected candidates an opportunity for acquiring a more adequate equipment in the elements of law than is now possible. I would advocate a return to a course of study similar to that in force in 1891, including especially Law and Political Economy. I think the Law course might be made more modern and practical by the omission of Roman Law (Institutes of Justinian and Mackenzie's Studies) and by adding to the Indian Law the Transfer of Property Act and the Specific Relief Act.

(*a*) I always thought the time I spent in attending the Law Courts and in reporting cases was time well spent, as giving us correct ideas as to the relations between Bench and Bar, and the manner in which a case should be handled.

(*b*) The teaching of Indian Law should certainly be maintained as a fundamentally essential part of the training, and it should be extended as proposed above. The most important work in almost all departments of the Executive Government is now largely concerned with legal questions, and a general knowledge of the most important Indian Acts is of the greatest benefit to all branches of the Indian Civil Service, but it is vitally necessary to those in the judicial line.

(*c*) I am inclined to think that it would suffice to teach the grammar and text-books of *one* Indian language in this Presidency instead of *two*, as in my time. The attempts to learn the languages colloquially were always a failure. It can be far more easily learned in India, but is greatly facilitated by having a good grammatical and book knowledge beforehand.

(*d*) I think Indian Geography, and certainly Political Economy, should be studied. I doubt the use of accounts for the average man. As to the study of Law *please see answer* 2 *to questions* (64) *to* (67).

42 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—Certainly in England, where there are greater facilities for the studies required and less distractions in the way of outdoor games, sport and society, to say nothing of the climatic advantages of England. The men would be too old to submit to school discipline in India. They would probably waste their time and possibly get into debt as so often happened in old days when the men were kept at Provincial colleges for a year or so after arrival in India.

43 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I hardly think it feasible, nor is it desirable—see reply to question (53).

44 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I do not think it is feasible. The number to be dealt with each year is too small to justify the employment of an adequate teaching staff separately for each province.

45 (56). In the report of the Treasury Committee appointed to consider the organisation of oriental studies in London (1909), the view is taken that the preliminary training in oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I fear not.

46 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No, not further than is involved in the option of studying Sanskrit, Arabic, Persian and Hindustani given in syllabus in 1912, Appendix VI.

47 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes generally, but as regards those intended for the Judicial branch see reply to questions (64) to (67).

48 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—A return to a two years' probation and the study of *one* language (instead of *two*) during that period will go far to improve the European's knowledge of at least one Indian language. The Indians themselves very generally know only one vernacular well.

49 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between

recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other) and what conditions do you propose? (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch? (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of oriental languages?—The matters dealt with in questions (64) to (67) have been the subject of protracted discussion for the past sixteen years between the High Court of Madras, the Madras Government and the Government of India. I have in repeated letters or minutes, official and demi-official, urged the absolute necessity of improving the legal knowledge of civilians generally and of those selected for judicial service in particular, and I have made suggestions to that end. Certain definite and important conclusions have now been arrived at by the Government of India and the Secretary of State, and only certain details await settlement before orders should be issued. Instead of merely stating my own opinion on the points raised in these four questions I think it best to refer to the Government of India letters and to the minutes which I wrote in connection with them. They deal with the whole matter in a comprehensive manner, and with especial advertence to the existing system and the requirements of this Presidency.

It is not necessary to go back further than the Government of India letter No. 1353, Home—Judicial, dated 5th October 1906, in which there is a summary of the discussions since 1842, and in which it was resolved to prescribe "for judicial officers a compulsory course of training of such a character as not only to fit them for their duties, but to be recognised as conferring suitable qualifications." With this object the Government of India proposed—(*a*) to send officers choosing the judicial line to England for a year to read in a barrister's chambers, the fees for their instruction being paid by Government; (*b*) to require officers to elect, or be selected by Government, for the executive or the judicial line much earlier than was then the practice; and (*c*) that on return from the period of study in England suitable judicial work should be found for them, so as to give them experience of original work before becoming judges of appeal. The Government of Madras was asked to give its opinion as to the most suitable system to adopt in order to give effect to these conclusions. The following is the minute which I recorded in this connection, and the views stated in it were adopted generally by the High Court:—

[Government of India letter No. 1353, dated 5th October 1906, Judicial.]

Minute recorded by the Hon'ble Justice Sir Ralph Benson.

"I heartily concur with the proposition from which the Government of India starts, viz., that both in the interest of Judicial efficiency, and on broad grounds of public policy, it is essential that comprehensive measures should be taken without delay to improve the legal training of Junior Civilians whom it is intended to employ as District and Sessions Judges.

"Under the present system the young civilian, after passing the open competition in England, spends one year there in special preparation for his work in India. He learns a little of the criminal law and of the law of evidence, but he learns nothing at all of general jurisprudence or civil law. On arrival in India he is engaged in revenue and magisterial work for the first twelve or fourteen years, and is then appointed to act as District and Sessions Judge or as Collector and Magistrate. There is no system in this Presidency, as there is in Bengal, by which officers elect for the one branch or the other. They are posted by Government according to the vacancies that occur, though, no doubt, if a man expresses a wish to enter the judicial line his wish is usually complied with, as the almost universal desire of the best men is to remain in the revenue line.

"The young Sessions Judge usually does his criminal work well, for he has a dozen years' experience as a Magistrate. But of civil work he has had, broadly speaking, no experience whatever. It is impossible that in these circumstances he should at first do justice to himself, or administer the law with that knowledge that is expected of the highest court in a district, exercising not only unlimited original jurisdiction but also appellate powers over Sub-Judges and District Munsifs who have made the study of law and judicial work the business of their lives. That the young civilian succeeds as well as he does, and in a few years becomes, in the majority of cases, a reasonably satisfactory civil Judge, speaks volumes for the goodness of the raw material that is in him, and proves that if properly treated the raw material might be converted into a satisfactory civil Judge at a much earlier stage than at present.

"The young civilian is in nine cases out of ten well above the average of professional men in ability and industry and in general mental training. The experience which he gets in the revenue and magisterial line during the first ten or twelve years of his official life usually gives him a most valuable insight into the ways of thought, habits, customs, and prejudices of natives, as well as a working knowledge of their language. All this, with his common sense way of looking at things, usually makes him an excellent Judge of fact. If the judicial line could only get its fair share of the best civilians, and if those men could be given a reasonable preliminary training in civil law, there would be little cause for complaint, and the civilian judge would be enabled to hold his own thoroughly alongside the Native Sub-Judge or to rise superior to him in civil, as he usually does in criminal law.

"That he is not given any preliminary training in civil law is not only unfair to himself, but is also unfair to the public who have occasion to resort to the courts: it adds to the appellate and revisional work of the High Court, and, what is far more important, it tends very seriously to lower the prestige of the European Judge, and through him of all Europeans, in the eyes of the native public.

"I regard this as an evil of the most far-reaching character, which will certainly lead to political embarrassment, if not to actual danger, in the near future, if we fail to check it in time. There is no real difficulty in checking it. It would cease if we only get a fair share of the best civilians to enter the judicial line, and if we gave them a fair chance of learning the law before they are called on to administer it as an Appellate Court; but unfortunately neither the one nor the other of these conditions is fulfilled; nor has there been any sustained or determined attempt on the part of those in authority, during the past thirty years, to see that they shall be fulfilled. On the contrary, the little legal training that was given thirty years ago is no longer given; and the executive line is maintained on a far higher level of attractiveness than the judicial line as regards both emoluments and the prospects of distinction and honour. As a consequence the best men are steadily attracted to it, and the inferior men are left to occupy the Judicial Bench. No man is ever advised by his friends to choose the judicial branch. I well remember when my own turn for promotion came and I told a friend who was high in the service, and who was as distinguished for keenness of insight as for bluntness of language, that I had voluntarily accepted a Judgeship, the only congratulation I got from him was "You are a fool, that's what you are." This is but an illustration of the universal feeling that a man's prospects in the judicial line are far inferior to what they would be in the executive line. Nor is this all. It was long, I regret to say, a not uncommon practice to transfer to the judicial line men who had proved to be failures on the revenue side, and sometimes this was openly done as a punishment for idleness or incompetence. It is easy to understand how this lowers the general reputation of the judicial line, and renders it unpopular with the service.

Note.—The regrading of the judicial branch of the Indian Civil Service since this was written has done much to remedy the pecuniary disadvantages of that branch. The pecuniary position is now, I think, satisfactory.

"In this connection it is highly satisfactory to observe that the Government of India expresses the opinion that 'it should be laid down as an absolute rule that men who have failed in the executive line should not be transferred to the judicial line.' Cases may, no doubt, arise in which owing to ill-health or other causes, not involving idleness or mental incompetence, it may be for the interest of the State to transfer a man from the revenue to the judicial line, but if a man is too idle or incompetent to be a Collector and Magistrate, the proper course is to keep him in an inferior appointment instead of transferring him to an appointment of equal grade as a District and Sessions Judge.

"2. The Government of India reserves for separate consideration the question of the measures to be taken to attract to the judicial line a fair proportion of the most capable men, and in the present letter deals only with the steps to be taken to improve the legal training of the judicial branch.

The proposals that are made are—

(*a*) That officers should be invited to elect for the judicial or the executive line after the close of the fourth year of service, and should be required to do so in all cases immediately after the close of the fifth or sixth year. In the event of too large a proportion of officers selecting one line, Government would exercise their right of selection to redress the balance, irrespective of the wishes of the officers concerned.

(*b*) That officers choosing or selected for the judicial line should be sent to England for a year to read in a Barrister's chambers, the fees for their instruction being paid by Government, and that on their production of a certificate that they had worked well and made good use of their opportunities they should be given full pay, but that on failure to do so the time should be counted as furlough and pay should be given at furlough rates.

(*c*) That officers, on return from the year's training in England, should be provided with suitable judicial employment and that systematic arrangements should be made to utilize them in such a manner as to give them experience of original civil work before becoming judges of appeal.

"I think that the second of these proposals is an excellent one. It cannot fail to give a considerable insight into the general methods of procedure in the civil courts and the relations which ought to govern the bench and the bar, and it will give an opportunity to all of learning something of the principles of the more important branches of the civil law.

"But, in my humble judgment, the proposal, though excellent as far as it goes, does not go far enough. It does not begin early enough to turn the mind in the direction of the legal study, and it stops short too soon. I shall presently state the further measures which, I think, might be taken with this object in view, but I first turn to the two other proposals of the Government of India.

"The third proposal is an obvious corollary of the first and is an essential step in the ladder of legal training that should lead to the exercise of appellate powers. The only wonder is that the present system should have been allowed to last for so many years, and should not have given rise to greater dissatisfaction than it has in the past.

"On return from the year's training in England the young civilian will have some equipment wherewith to begin work as a civil judge. He will then have to apply the maxim "practice makes perfect". The only way to learn how to actually do a thing well is to do it, and to do it again and again. How best to give the civilian the opportunity of doing original civil work before he is appointed to be a District and Sessions Judge with appellate powers, has been the subject of much correspondence between Government and the High Court.

I would propose—

(*a*) that as many appointments of Assistant District and Sessions Judges should be created as may be sufficient, after two years' service in that grade, to supply the annual vacancies among the District and Sessions Judges;

(*b*) that the civilians selected for judicial work after their year of training in the Barrister's chambers, should be appointed to these posts on Sub-Collector's pay;

(*c*) that the Assistant District and Sessions Judges should have no separate local jurisdiction for the first year at least, but should try only such selected cases as should be transferred to them for trial by the District and Sessions Judge (such cases being original civil cases taken generally from a District Munsif's or Sub-Judge's file), that they should also try a considerable number of the less important Sessions cases, and they should for the first year at least not do any appellate or small cause work;

(*d*) that it should be distinctly understood that the *raison d'être* of the appointments is not so much to get through a quantity of work, as to qualify and train the holders for the higher appointment of District Judge mainly by the trial of the original suits of such a character and under such circumstances as to afford time and opportunity of studying the principles and practice of the law more completely than is possible when the tale of work to be done is so heavy as to leave little or no time for concurrent study. But it is intended that as Assistant Sessions Judges they should lend substantial aid to the generally overworked District and Sessions Judges under whom they would work, and by relieving them of most of their sessions work leave them more time for civil work, the want of which at present is one of the most unsatisfactory features of the District Judge's position, and one that militates seriously against his acquiring a fair acquaintance with civil work within a reasonable time.

"In this connection, I would add that a period of one year's training instead of two as Assistant District and Sessions Judge, might ordinarily be held sufficient in the case of men who have been called to the Bar, and thus a definite inducement would be held out to men to qualify in this way, and the Government would be saved their salaries during one year of training, a saving which would far more than pay the honorarium which I suggest later on in this note should be given to men so qualified.

"3. The question of the period of service at which selection for the judicial line should be made is one of great difficulty. The answer that will be given will, I think, largely depend on whether the question is looked at purely from the point of view of what is best for judicial training, or from the point of view also of what is most in keeping with the conditions in the other branch of the service and what is administratively most convenient and economical.

"The early bifurcation proposed by the Government of India has the obvious advantage that it gives a longer legal training than could be given if the bifurcation were later. But there are great disadvantages to be set against this, some of which are noticed by the Government of India. I would add that the earlier the bifurcation the fewer are the men who will voluntarily elect for judicial service. The prospects of sport and the free life of the camp appeal strongly to the young men in favour of the revenue line, but such attractions diminish as men grow older, and the counter attractions noticed by the Government of India grow stronger. It is of immense importance that each man should, as far as possible, be allowed to follow the line that he "most affects." If the fixing of the period for bifurcation at the end of the eighth, instead of at the end of the sixth year, would lead, as I think it would, to more men voluntarily choosing the judicial line, it would be a strong argument in favour of the latter period.

"Moreover in this Presidency, as I have said, a man is not appointed to act in the grade of District and Sessions Judge (or Collector and Magistrate) until he is in his twelfth or fourteenth year. It has, of course, often been even later. If a man elects for the judicial line as early as the end of his fourth year, as suggested by the Government of India, and then has his year's training, it will be necessary to find suitable judicial employment for him from his sixth year onward. Even if he does not elect the judicial line until the end of the sixth year, the latest date proposed by the Government of India, judicial employment will have to be found for him from the beginning of the eighth year. He will thus have to remain in training, or preparatory, appointments for periods varying from four to six or seven years. No doubt after the first two years he will be able to turn out a full tale of work and may well be employed in working off the arrears which, from one cause or another, under the present system, constantly accumulate in the District and Sub-Judge's Courts, and necessitate the appointment of temporary Sub-Judges to deal with them. But, even allowing for this set off, the system would be more expensive than the present, and the retention of the selected officers in the training grade for so long will render the judicial line less attractive and still further deter the best men from entering it.

"On the whole, in lieu of the Government of India proposal, I would be much inclined to make the period of compulsory bifurcation the end of the eighth, instead of the end of the sixth year, with permission to elect for judicial service at the end of the sixth year or seventh. By the end of the eighth year the officer is, under the Civil Service Regulations, entitled to his first furlough of two years. If chosen for judicial work he would probably take one year's furlough in continuation of the year of training under the Barrister and thus save the cost of the voyage from and to India (which would be an appreciable inducement in the case of some men) and save Government here from the extra changes in appointments that would be necessary if a man should return to India for a year or so after training and before his first furlough.

"Thus with eight years' service in India, a year of training at Home in Chambers, and a year of furlough, the officer would have completed his tenth year. When appointed Assistant District and Sessions Judge and after about two years' training in that grade he would be reasonably well qualified to be appointed to act as District and Sessions Judge with full powers, appellate as well as original. Some such scheme would fit in with the general conditions of the Administration in this Presidency, and would, I think, just hit the happy mean as to the best time for bifurcation. I trust, however, that no difference of opinion as to the best time will stand in the way of the great reform proposed. The reform, or something like it, is absolutely essential; the exact time when the training can best be given is of minor importance and must remain largely a question of opinion.

"4. (*a*) I have said that in my judgment the proposal by the Government of India, though excellent as far as it goes, does not go far enough,

that it does not begin early enough to turn the mind of the young civilian towards the study of the Civil Law, and that other measures ought also to be taken to encourage him to study the Civil Law and fit himself for the higher Judicial appointments.

"I would begin at the very beginning and endeavour to offer men with an inclination to legal study inducements to indulge it at every stage in their career from the day they resolve to "try for the Indian Civil Service" until they are full-blown Judges of a High Court. Englishmen are as a rule profoundly ignorant of Civil Law, since it rarely touches their daily lives. Any ordinary ryot in India knows more of the law of mortgages than an average University Graduate in England. The sooner our young civilians have their attention directed to the study of the principles of the Civil Law the sooner they will gain that legal instinct which is valuable in a Judge. I would therefore make it worth the while of every candidate for the open competition who has any inclination for legal work, to take up law as a subject for the examination. For a long time law found no place at all among the subjects. Now Political Science, Roman Law and English Law are included. So far, good. But the marks assigned for each of them are less than the marks assigned for each of such minor subjects as, let us say, Geology, Botany and Zoology—subjects, too, which can be worked up rapidly by any one with good memory. I cannot but think that in point both of mental training and of equipment for actual work, the young man who has absorbed the chief principles of Political Science, Roman Law and English Law will be in a better position than the young man who has committed to a memory the chief facts of the three natural sciences I have named—men will always take up for the examination the subjects which "pay" best, and if great subjects like English Law and Roman Law are to be encouraged, more marks must be assigned to them in comparison with other subjects.

"(*b*) At present after the open competition is passed the selected candidate spends one year in England, and during that time besides Criminal Law which is compulsory he may take up Hindu and Muhammadan Laws as optional subject. When I joined the service in 1871 we spent two years at home after the open competition. During that time we read, along with other subjects, a certain amount of Jurisprudence, and Roman and Civil Law. We were required to write reports of cases tried in all the courts from the Police Courts to the Privy Council. We were examined every six months, and our allowances depended on our passing creditably. I have always regarded that time as well-spent. It was not, of course, possible to learn much of any one subject, but the little that was learned was sufficient to excite an interest in legal study and to lay a foundation on which to build later on. The turning of the mind to legal studies, and the two years then available, also induced many of the "competition-wallahs" to join one of the Inns of Court and commence the course for a call to the Bar, which course many of them completed on their first furlough home from India. I would be inclined to return to this system, but I would not reduce the age for the "open competition." There can be no doubt that the maturer men sent out under the present age limits are superior as a class to the younger men sent out under the former age limits.

"(*c*) Under the Civil Service Regulations the young civilian is entitled to two years' furlough at the end of his first eight years' service in India, and nearly all men then take leave, if not for two years, at least for a year or more. I would offer men inducements to go on with legal study during this period. Those who, before going to India, had begun "eating their dinners" at one of the Inns of Court, would then naturally continue the course and get called to the Bar. If the examination is even now not very difficult, it is certainly much more of a reality than it was formerly. It is at least sufficient to direct a willing worker in the way he should go, and give him an inducement to accomplish a certain amount of work by a given date. But the "call" and the preparation for it cost money, and that is just what the young civilian rarely has on his first furlough. The cost of "getting called" in my time used to be about £200 in all. I would give this sum as an honorarium to any young civilian who should get called to the Bar, just as Government encourages the study of certain languages by the grant of leave to study for them and the grant of an honorarium on passing. I believe that the grant of such an honorarium would have a powerful influence in inducing the young civilian to lay himself out for a "call" from the beginning of his career, and thus lead him to the study of the Civil Law on each successive opportunity.

"As already suggested a period of one year's training as Assistant District and Sessions Judge, instead of two, might ordinarily be held sufficient in the case of men who have been called to the Bar, and thus a definite inducement would be held out to men to qualify in this way, and the Government would be saved their salaries during one year of training, a saving which would far more than pay the honorarium I have suggested for men so qualified."

The next letter from the Government of India is No. 545, Home, Judicial, dated 30th March 1911, which stated that the Secretary of State for India agreed with the Government of India as to "the pressing necessity of securing—

(*a*) that judicial officers shall enter upon their duties with an adequate equipment of legal knowledge,

(*b*) that they shall be enabled to acquire judicial experience at an early stage of their career, and

(*c*) that facilities shall be given them for extending their knowledge of law by special study at a later stage."

It also stated that it had been proposed to the Secretary of State to extend the period of probation to *two* years and "to expand the course of instruction in law so as to comply with modern requirements."

To secure these objects the Government of India and the Secretary of State made certain proposals, and asked for the opinion of the Local Government on various points.

What the proposals are, and my opinion on the points raised, appear in the following minute recorded by me in connection therewith:—

Note on letter from Government No. 2471 of 19th April 1911, by the Hon'ble Mr. Justice Benson.

"It is very satisfactory to find that the Government of India and the Secretary of State have now resolved on comprehensive measures to improve the training of junior Civilians chosen for judicial employment, and that the measures resolved on follow, to a great extent, the lines unanimously recommended by this Court in the Registrar's letter of 19th December 1906.

"As then recommended by us, the Government of India now propose that the period of training in England for probationers for the Indian Civil Service shall be extended from one to two years, and that the course of instruction in law shall be 'expanded so as to comply with modern requirements'.

"They have also determined that junior Civilians selected for judicial employment (1) shall be trained for the higher posts in the judicial line by being first employed on subordinate judicial duty; and (2) shall be given facilities for the study of law in England by the grant of study leave on liberal terms.

"The Government of India ask our Government for a detailed scheme to give effect to these last two proposals, and make certain suggestions in regard thereto. Our Government says that it will be glad to have any further remarks we may have to make on the present proposals.

"2. It will be remembered that the scheme proposed by us was briefly that Civilians should be selected for judicial service towards the close of their eighth year of service, that is, just before they would become eligible under the Civil Service Regulations for their first furlough; and that they should then have a year's legal study in England. It was thought that many men would probably avail themselves of a period of ordinary furlough in continuation of the study leave and get called to the Bar. It was proposed that on his return to India (about the end of his tenth year of service) he should have two years' training in subordinate judicial employment and should then be regarded as qualified for appointment as an officiating District and Sessions Judge.

"The exact scheme proposed was—

(*a*) that as many appointments of Assistant District and Sessions Judges should be created as may be sufficient, after two years' service in that grade, to supply the annual vacancies among the District and Sessions Judges;

(*b*) that the Civilians selected for judicial work after their year of training in the Barrister's chambers should be appointed to these posts on Sub-Collector's pay;

(*c*) that the Assistant District and Sessions Judges should have no separate local jurisdiction for the first year at least, but should try only such selected cases as should be transferred to them for trial by the District and Sessions Judge (such cases being original civil cases taken generally from a District Munsif's or Sub-Judge's file), that they should also try a considerable number of the less important sessions cases, and that they should for the first year at least not do any appellate or small cause work;

(*d*) that it should be distinctly understood that the *raison d'être* of the appointments is not so much to get through a quantity of work as to qualify and train the holders for the higher appointment of District Judge mainly by the trial of original suits of such a character and under such circumstances as to afford time and opportunity of studying the principles and practice of the law more completely than is possible when the tale of work to be done is so heavy as to leave little or no time for concurrent study. But it was intended that as Assistant Sessions Judges they should lend substantial aid to the generally overworked District and Sessions Judges under whom they would work, and by relieving them of most of their sessions work leave them more time for civil work, the want of which at present is one of the most unsatisfactory features of the District Judge's position, and one that militates seriously against his acquiring a fair acquaintance with civil work within a reasonable time.

"It will be observed that in this scheme the study leave in England was to precede the training in subordinate judicial work in India and the latter was to be followed at once (or almost at once) by employment in the higher judicial posts. It was pointed out that such a scheme would fit in well with the general conditions of the administration in this Presidency. I still think that that scheme was the best that could be made having regard to the conditions that exist in this Presidency; but the Government of India has now directed—

(*a*) that the legal training in this country shall be given before the young Civilian is entitled to his first furlough, *i.e.*, before the close of his eighth year of service; and

(*b*) that the study leave shall be *subsequent* to the training in subordinate judicial work, shall ordinarily be combined with furlough, and that this combined leave shall be so arranged 'as to 'end when the officers are ripe for appointment 'as officiating District and Sessions Judge.'

"Assuming (as we have already recommended) that the period of legal training in this country should be two years, the conditions laid down by the Government of India indicate the following scheme:—

(*a*) A sufficient number of young Civilians should be selected at the end of their *sixth* year of service;

(*b*) they should undergo legal training in this country for two years;

(*c*) they should then go on furlough and study leave for one or two years;

(*d*) they would return to India with about nine or ten years of service; and

(*e*) they should then be appointed to officiate as District and Sessions Judges.

"The obvious objection to this scheme is that it gives promotion to the grade of officiating District and Sessions Judges after about ten years' service, whereas such promotion now is obtained in both the judicial and revenue branches of the services only after three or four years' more service. This difficulty, however, could be got over by making a special grade on Rs. 1,200 (the pay of a Sub-Collector) for these men, until they are of sufficient service to enter the lowest of the existing grades of the judicial branch. This might well be a year less than the length of service required for entering into the corresponding grade in the revenue line in the

case of men who have been called to the Bar, on the principle already recommended by us.

"The only other way to give effect to the conditions laid down by the Government of India would be not to give study leave in combination with an officer's *first* furlough (after eight years' service) but to give it (with or without a second period of furlough) about the twelfth or thirteenth year of service; but this would have the fatal disadvantage of a long break (say from the eighth to the twelfth year) in the continuity of legal training and judicial work; and it is therefore by no means to be recommended. Once a man takes up judicial work and training he should adhere to it, and not return to revenue work.

"3. In paragraph 3 of the letter of Government of India the question is raised as to the length of the period during which an officer should be employed—

(*a*) solely on original civil work, and in being trained pure and simple, and

(*b*) in subordinate judicial work of such a character that he might be regarded as forming part of the regular judicial service.

"We have already expressed the opinion that the total period of training should be two years. The first year should be what the Government of India call 'a period of training pure and simple'. The officer under training should sit at first with the District Judge when doing civil work or (when the latter is engaged in sessions) he should sit with the senior Subordinate Judge doing civil work, and observe how issues are framed and how cases are conducted and argued, at the same time studying the civil law and especially the Civil Procedure Code. After a couple of months of this he should be made a temporary Subordinate Judge, without local jurisdiction, and should try such original civil suits as might be specially transferred to him by the District Judge from the file of a District Munsif or Subordinate Judge. The number and importance of these might be increased as he gained experience and facility, but it should always be remembered that the object in view would be to train him for work rather than to exact a tale of work from him, and the District Judge should, from time to time, when he is himself engaged in any specially interesting and instructive civil case, require the officer under training to sit with him in Court and watch the conduct of the case.

"At the end of a year he could undertake a full tale of regular work, but it would be rarely expedient that he should take the place of one of the permanent Subordinate Judges. He would not yet be fit for civil appellate powers and he would be overwhelmed with the mass of the vernacular papers to be dealt with in small cause cases and other work. He would be more fitly employed to take the place of one of the temporary Subordinate Judges who are constantly being employed for six months or a year to clear off arrears of original suits that grow up in the Subordinate and District Courts, and he might at the same time be made an Assistant Sessions Judge to relieve the Sessions Judge of some of his less important sessions work and thus give him more time for civil work—a matter that we have often urged as in itself an important object. Thus, though the existing permanent cadre of judicial officers could not be reduced, there would be less necessity than there now is for temporary Additional District Munsifs and Sub-Judges. We have at present five of the former, and no less than five of the latter; so there is ample room for the employment of the Civilian in his second year of training in these posts without interfering with the permanent cadre.

"4. With regard to study leave dealt with in paragraph 4 of the Government of India letter, I think that it should not exceed one year in all, and that it might be taken in instalments, provided the applicant satisfied the authority granting it that it is required for study and will be usefully occupied therein. I am not sufficiently familiar with the present-day facilities for legal study that exist in England to discuss the courses of study that should be sanctioned, and what checks should be employed against waste of time. I have no doubt some of my learned brothers can deal more satisfactorily with this part of the letter under reference, but it is, I think, clearly desirable to encourage men to get called to the Bar, with the double benefit to be derived from the course of study preliminary thereto and the prestige attending to a Barrister's status. Any rules regarding the taking of study leave in instalments should be framed so as to facilitate the men being called to the Bar, or following out whatever courses of study are approved. The allowances should be sufficiently liberal to induce men to apply for study leave and to defray the cost of the courses prescribed.

Note.—Further consideration has led me to doubt the desirability of giving study leave in instalments.

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"5. With regard to paragraph 6 of the Government of India letter, I think that any man who has been selected for the judicial line and has undergone one year's training should be eligible to go up for the examinations at any time before the close of his thirteenth year, *i.e.*, the time when he would ordinarily begin to act continuously in one of the present grade of District and Sessions Judges.

"In the above note I have only contemplated the case of officers who are now so junior as to be eligible for the local training under the conditions proposed, that is, men of only six years' service.

"But in any rules that are finally adopted provision will have to be made both as regards training and study leave for men who are suitable for judicial appointments, but who are too senior to get the training above referred to and who are not yet senior enough for judicial appointments under the existing system of selection."

50 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the judicial branch? If so, please give details?—Yes, see question (64).

51 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—Yes. There might be two examinations corresponding to the High Proficiency and Honours examinations in languages, with similar rewards. A candidate might be allowed to go up for the examinations at any time prior to his becoming a permanent District and Sessions Judge.

52 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.—No.

53 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.—No.

54 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that the present system of promotion by seniority subject to fitness and tempered by selection in the case of the higher offices is satisfactory in theory. But in practice I think too great tenderness is shown to inefficient officers. Officers who are inefficient owing to ill-health or mental incapacity should be retired on pensions proportionate to their service, and so graduated as to avoid hardship to the individual, thus removing the chief cause which now induces Government sometimes to tolerate inefficiency unduly.

Officers inefficient through indolence or from causes under their own control, should be reduced to lower posts more frequently and firmly than is now the case, and, if incorrigible, they should be dismissed. Such cases, however, are very rare. Ill-health is almost always at the bottom of inefficiency.

I regret to say that it was at one time the practice to transfer to the judicial branch men found to be inefficient in other lines. We have often protested against this and the Government of India [see reply to Questions Nos. (64) to (68)] have strictly forbidden it. The practice is now, I am glad to say, discredited in theory at all events, though I am not sure that we do not still get into the judicial branch more than our fair share of the weaklings of the service.

It is hoped that the practice will altogether cease when the proposals now before the Secretary of State for the earlier bifurcation of the executive and judicial branches and for the training in law for the judicial branch are sanctioned.

55 (88). To what extent are the functions of the officers of the executive and judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The question of the separation of judicial and executive functions has been so recently and so exhaustively dealt with by every authority in India, up to the Government of India, that I do not propose to attempt to deal with it now. I will only say that I do not think that any change is desirable.

The officers charged with the *Civil Judicial* work of the country are wholly and entirely free from executive functions. So are the highest Criminal Courts, viz., the Courts of Sessions.

The greater part of the magisterial work is done by Stationary Sub-Magistrates, who have no executive functions.

It is only in the District and Sub-Divisional Magistrates, and to a limited extent among certain other Magistrates (viz., the Tahsildar and Sheristadar-Magistrates) that both functions are combined. The combination does very little practical harm. It is economical. It is gradually diminishing as the number of Stationary Magistrates is increased. To abolish it altogether would cause great expense, and in wild and sparsely inhabited tracts will cause hardship by involving parties in longer journeys to find a Magistrate. It is very much in harmony with the traditional notions of the fitness of things that prevail in the bulk of the country people.

56 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—No, unless the loss is made up by an equivalent addition to salaries. The concession is fully justified by the great fall in the purchasing power of silver, at the same time that there has been a great increase in the cost of living both in India and at Home.

The officer who is domiciled in Britain has much heavier expenses to defray, in the matter of educating his children, in going home to see them and other relatives and for the sake of his health, and often in maintaining a wife and family at home, and also in obtaining from home many of the things which are necessaries of life to him, in all these and many other ways his salary does not go so far as the salary of the man domiciled in India, especially if he be an Indian pure and simple.

In some way or other this difference should be acknowledged, and compensated for by a higher salary or by travelling or other allowances: just as, on the other hand, the extra difficulty which an Indian needs in going to England for the open competition is acknowledged and compensated for by the "listing" of certain appointments for "Natives of India".

57 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of an increase of salary to those members of the service who now draw no exchange compensation allowance?—Yes, in the case of all who are domiciled in Britain or, in part, outside India. See question (95).

58 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—Yes. I think the Indian on two-thirds of the full salary is probably better off than the European on the full salary. When allowance is made for the unavoidable extra expenses of the latter (due to his being an European), his "*real remuneration*" is probably less than the Indian on two-thirds of the same salary. The Indian member of the Indian Civil Service is entitled to the full salary of the Indian Civil Service by virtue of his having entered by the same door as other Indian Civil Service men, and by reason

of the advantages that entry by that door are considered to give.

59 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—The terms given to men during the first few years should be improved as follows:—

(*a*) The selected Indian Civil Service man should be given a *first*-class passage to India as police and other service men are. At present he is only given a second-class passage.

(*b*) On arrival in India he should be given an equipment allowance of £100 (Rs. 1,500) for purchase of tents and horses.

The advances now given for that purpose are recovered so quickly as to press very heavily on the first year's income, and the result is debt.

(*c*) The initial pay should be Rs. 500 a month, rising by annual increments of Rs. 100 a month up to Rs. 1,500.

This increase is justified by the great increase in the cost of living in recent years, and by the greater age at which men come out in the Indian Civil Service and by the salary paid in early years to men in other departments.

(4) Special allowances sufficient to cover all costs of transfers should be given, instead of the very inadequate sums now allowed.

60 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6*d.* the rupee? If so, what change?—No.

61 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, so far as I know.

62 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—I think the arrangement is satisfactory. I do not recommend any change. It is of the *utmost* importance to maintain absolute and entire equality among the Judges in the matter of pay, leave and pension: otherwise those who are at a disadvantage in any of these matters may come to be regarded as inferior also in judicial position and authority. Very few Indian Civil Service Judges serve long enough to earn the higher pension, and if they do their fund contributions more than make up for the small extra pension. The nature of the work and the conditions under which it is done are certainly more exacting than those of the higher appointments in the executive line. This and the necessity for absolute equality among the Judges justify the special pension. It is, indeed, a mistake to call it a "*special*" pension. It is the ordinary pension of *all* High Court Judges. To enact that a High Court Judge if drawn from the Indian Civil Service should have a smaller pension than if he is taken from the Bar, or from the Provincial Civil Service, or from any other service, would be to *penalize* a man for belonging to the Indian Civil Service. Only "green-eyed jealousy" could attempt to justify this. The High Court Judge is paid his pension for the 11½ years' work he does on the Bench, not for his previous work. The fact that he has done good work previously for Government would be a strange reason for reducing the pension he would get if he had never done such work.

63 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes, see answer to question (87). It would "pay" Government in every way to be able to get rid of "hard bargains."

64 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Yes, subject to what I have stated in reply to question (87).

Written answers relating to the Provincial Civil Service.

65 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Yes.

66 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—They are suitable.

67 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B, to these questions, and state whether the information is correct for your province. If not, what alterations are required?—Yes, but it omits to mention 12 temporary Sub-Judges, in the lowest grade, that is on Rs. 500; and it also omits 6 temporary District Munsifs in the lowest grade, that is on Rs. 200.

68 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—*Subordinate Judges.*—(*a*) In 1887 under the Provincial Civil Service rules Subordinate Judges were appointed by the Local Government but had to be selected from Barristers, Advocates, High Court Vakils, Attorneys of the High Court and District Munsifs.

(*b*) The selection of Subordinate Judges is still regulated by the same rule. In 1908 the rule was broken in order that an Additional Member of the Legislative Council, who was only a first-grade Pleader, might be appointed.

(*c*) In practice the majority of Subordinate Judges are selected from the District Munsifs. At present there are, out of eighteen permanent and twelve temporary Subordinate Judges, only three who were not District Munsifs at the time of their appointments as Subordinate Judges.

(*d*) In 1887 there were thirteen permanent Subordinate Judges, two in the first grade, five in the second grade and six in the third grade. There are now 18, of whom four are in the first grade, five in the second grade and nine in the third grade. There are also twelve Temporary Subordinate Judges at the present time, who are all in the last grade.

(*e*) In 1895 a rule was made by the Secretary of State under 33 Vict. that the Government of Madras might appoint any Subordinate Judge who was a Native of India of proved merit and ability to be also an Assistant Sessions Judge; but the Government of India requested the Local Government not to appoint more than two Subordinate Judges to be Assistant Sessions Judge at one time. The object of appointing Subordinate Judges to be Assistant Sessions Judges was to give them experience of criminal work which would be useful to them, if they were afterwards promoted to be Sessions Judges, and at the same time to relieve District and Sessions Judges of some of their criminal work in order that they might devote more time to important civil cases.

(*f*) In 1896, when an additional Temporary Subordinate Judge was required for Tinnevelly, a permanent Subordinate Judge was transferred to the new Temporary Court from Calicut and his place at Calicut was taken by an acting Sub-Collector, Mr. J. H. Munro, whose place in the Revenue Department was taken by a Deputy Collector on Rs. 500, the pay sanctioned for the Temporary Subordinate Judge's appointment. Mr. Munro was appointed by way of an experiment in the training of junior Civilians for judicial work. The experiment has not so far been repeated.

District Munsifs.—(*a*) In 1887, as at present, District Munsifs were appointed by the High Court and had to possess qualifications required by rules made by the High Court with the sanction of the Local Government. In 1887 the choice of the High Court was limited by the rules then in force to—

(1) Advocates, Vakils and Attorneys of the High Court and persons duly qualified for admission as Advocates, Vakils or Attorneys;

(2) persons who had obtained the degree of Bachelor of Laws at one of the Universities of Madras, Calcutta and Bombay;

(3) persons who had passed the first-grade Pleadership Examination;

(4) persons who had passed before 1885 Special Tests then prescribed for other candidates for District Munsif's posts; and

(5) persons in the service of Government who passed those tests before 1890.

District Munsifs had to be appointed ordinarily before they reached the age of thirty.

(*b*) In 1904 the ordinary maximum age for appointment was raised to 35; and with effect from 1st January 1911 new rules regarding the qualifications of candidates were introduced, the changes effected by which were to make Bachelors of Laws of the Allahabad University eligible, and to require that Bachelors of Laws of the Madras University who passed the examination qualifying for their degree after the year 1899 should have to pass also the examination in the Law of Practice and Procedure, Civil and Criminal, prescribed for apprentices of the High Court.

(*c*) At the present time there are 130 permanent and 6 temporary District Munsifs, and of these 26 were Government officials at the time when they were appointed District Munsifs, and almost all the officers were practising Advocates, Vakils or Pleaders.

(*d*) In 1887 there were 106 permanent District Munsifs, 25 in the first grade, 25 in the second grade, 25 in the third grade and 31 in the fourth grade. In 1892, by which time there were 114 District Munsifs, their appointments were regarded so that there were 30 in the first grade, 30 in the second grade, 30 in the third grade and 24 in the fourth grade. In 1911, by which time the number of permanent appointments of District Munsifs had risen to 125, their appointments were regraded as follows:—33 in the first grade, 33 in the second grade, 33 in the third grade and 26 in the fourth grade. Since this last regrading 5 permanent appointments have been added to the fourth grade. There are also at the present time 6 temporary District Munsifs' appointments, all in the fourth grade.

69 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year?—Nil.

70 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Our system has for a long time been the same. It is satisfactory and I do not recommend any change. Briefly it is this. We maintain a register of vakils and others who are qualified for the post of District Munsif according to the rules framed by the High Court and approved by Government, and who have applied for appointment. With each application are filed testimonials of character and fitness from the candidates, school and college authorities, and from other persons, and more especially from the various Judges, Indian and European, before whom they have practised. From these registered candidates the Judges at a meeting, after consulting the District Judges as to the qualifications and character of the candidates practising in their respective districts, select a limited number once a year, sufficient to meet the vacancies of a year, and from this select list candidates are appointed to act in vacancies as they occur from time to time. From acting appointments they pass to permanent appointments as they fall vacant, and they are then on probation for two years, during which time the District Judges make periodical reports on their character and fitness.

They rise practically by seniority until they reach the top of the second grade, and then the Judges at a meeting consider whether or not they should pass to the first grade.

The appointment of Sub-Judges rests with Government, but in practice the Government always (or nearly always) consults the High Court, and the High Court at a meeting of the Judges makes its recommendations, usually from the fittest of the senior District Munsifs, or, in

very rare instances, from other qualified candidates.

71 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Three natives of Cochin are District Munsifs. One native of Travancore is acting as a District Munsif. Ordinarily only residents of the province should be recruited, but I see no objection to such occasional appointments as above, since the language and customs and laws and people of those States are similar to those of the British district of Malabar, and those States frequently select one or more of their superior Judges from our Provincial Civil Service, the officers being seconded for such employment.

72 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes. Yes. Our present system of selection is in practice found sufficient.

73 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—There is no system of training. The probation for District Munsifs is two years, in addition to previous acting appointments for periods varying from six months to about a year. The Sub-Judges are selected almost entirely from District Munsifs of long standing and experience.

74 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Indian Sub-Judges and District Munsifs are required to pass certain prescribed tests in two vernaculars; Europeans and Eurasians only in one. I do not recommend any change.

75 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

76 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—The Judicial branch is one that is always expanding as the pressure of increasing litigation requires. When the number of either permanent or temporary Sub-Judges, or District Munsifs is found to be insufficient, the High Court recommends such additions as are required to Government; and Government, with the sanction of the Government of India, allows such addition as it considers necessary. The number of permanent and temporary officers in the service is determined by the number of such appointments, and the number of officers acting in vacancies is fixed with reference to the number of acting vacancies existing from time to time. It is satisfactory.

No alteration is required, except perhaps in the rule by which all *temporary* appointments are placed in the *lowest* grade.

Where the number of temporary appointments is so great as it is at present among Sub-Judges (viz., 12 temporary with a permanent cadre of only 18), it is felt to be, and no doubt is, a hardship that so many men should be for so long kept in the lowest grade.

77 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is no leave reserve. Selected candidates are always eager to act in a temporary vacancy. No alteration is required.

78 (14). Is there any reserve for officers under training and is it adequate?—There is no reserve. See replies to questions (13) and (12).

79 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion? See questions (12) to (14). It works well.

80 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—See replies to questions (4) and (6). Sub-Judges are not appointed by seniority. They are selected on grounds of special fitness owing to character and ability, but seniority is also allowed weight in deciding between candidates of equal or nearly equal merit.

No change is required.

81 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Yes. I do not think any further rules are required.

82 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The Civil Judicial officers have no executive functions. As to the Magistrates, see reply to question (88) relating to the Indian Civil Service.

83 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Yes. See reply to questions (23) and (24) relating to Indian Civil Service. Government usually consults the High Court. I have no alterations to suggest.

84 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—See reply to question (37) relating to Indian Civil Service.

85 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes. I have no suggestion.

86 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

87 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Services

authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—There are now, and there have been since 1887, three grades of Sub-Judges, viz.—

	Rs.
First grade on	800
Second grade on	650
Third grade on	500
The numbers were in 1887—	
First grade	2
Second grade	5
Third grade	6
Total ...	13
The numbers were in 1912—	
First grade	4
Second grade	5
Third grade	9
Total ...	18

but there are also now 12 temporary Sub-Judges all on Rs. 500.

There are now and there have been since 1887 four grades of District Munsifs, viz.—

—	Rs.	Number in 1887.	Number in 1892.	Number in 1912.
First grade on ..	400	25	30	33
Second grade on ..	300	25	30	33
Third grade on ..	250	25	30	33
Fourth grade on ..	200	31	24	29
Total ..		106	114	128

and there are also now six temporary District Munsifs on Rs. 200.

Thus there has been no improvement in pay since 1887.

In 1894 Subordinate Judges and District Munsifs were exempted from the operation of article 478, Civil Service Regulations, by which a reduction of 1/40th is made in an officer's pension for every year by which his age at the time of appointment exceeds thirty years.

88 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The High Court lately received memorials from nine Subordinate Judges, and from 57 District Munsifs, regarding their pay and other grievances. These were carefully considered by the High Court, and dealt with in a letter of the 2nd May last to Government. I cannot do better than annex extracts from that letter as it expresses in full the views I hold and the reasons therefor on the questions raised, as well as a full statement of the matters in regard to which the Judicial Provincial Service felt that they had ground of complaint.

As regards pay briefly our proposal was that the Judicial branch (*i.e.*, the Subordinate Judges and District Munsifs) should be placed on an equality with the recently re-organized Executive branch (Deputy Collectors), the Subordinate Judges in three grades corresponding in pay with the three highest grades of Deputy Collectors, and the District Munsifs in four grades corresponding in pay with the next four grades of Deputy Collectors, as follows:—

Deputy Collectors.

	Rs.
First grade	800
Second ,, ...	700
Third ,, ...	600
Subordinate Judges' proposed pay.	
First grade	800
Second ,, ...	700
Third ,, ...	600
Subordinate Judges' present pay.	
First grade	800
Second ,, ...	650
Third ,, ...	500
Deputy Collectors.	
Fourth grade	500
Fifth ,, ...	400
Sixth ,, ...	300
Seventh ,, ...	250
District Munsifs' proposed pay.	
First grade	500
Second ,, ...	400
Third ,, ...	300
Fourth ,, ...	250
District Munsifs' present pay.	
First grade	400
Second ,, ...	300
Third ,, ...	250
Fourth ,, ...	200

Some of our Judges thought the pay of our Subordinate Judges might be Rs. 1,000, Rs. 800 and Rs. 600 as in Bengal. I am not prepared to say that such pay would be excessive, but I think that the lower scale above given would satisfy legitimate claims at present.

[*Annex to reply to question* 24.]

Letter from the Registrar, High Court, Madras, to the Chief Secretary to Government, dated 2nd May 1912, *R.O.C. No.* 2808 *of* 1910.

"In reply to your letter No. 6469–1, Judicial, dated 19th December 1910, returning for the opinion of the High Court nine memorials from Subordinate Judges praying for improvement, in their pay and position, I am directed to state that these memorials and 57 similar memorials, which have been received from District Munsifs, have been carefully considered by the Honourable the Chief Justice and the Judges. In their Lordships' opinion all these memorials deserve the sympathetic consideration of the Government and they may well be dealt with together, as Subordinate Judges and District Munsifs are members of one service and every matter which affects Subordinate Judges affects also the District Munsifs who look forward to promotion to Subordinate Judgeships.

"2. The prayers of the Subordinate Judges are with slight variations as follows, viz.:—

(*a*) that the pay of their three grades may be raised to Rs. 1,000, Rs. 800 and Rs. 600, respectively;

(*b*) that, when acting vacancies occur in the first or second grades, acting promotions may be made from the second and third grades

(c) that instead of earning by active service for eleven months privilege leave for one month on half pay, as under the present rules, they may be allowed to earn privilege leave for 15 days on full pay;

(d) that two Judgeships of the Presidency Court of Small Causes may be reserved for Subordinate Judges;

(e) that one of the Presidency Magistrates' appointments may be open to Subordinate Judges; and

(f) that the period of service required for earning their full pension may be reduced to 20 years.

"The prayers of the District Munsifs are—

(a) that the pay of their four grades may be raised to Rs. 500, Rs. 400, Rs. 300 and Rs. 250, respectively;

(b) that officers acting in the last grade may receive the full pay of that grade;

(c) that appointments as first-grade District Munsifs or Subordinate Judges may not be given to members of the Bar or other persons not in the Judicial branch of the Provincial Civil Service but may be reserved for District Munsifs, that, if this prayer cannot be granted, the number of first-grade District Munsifs' appointments and Subordinate Judges' appointments open to persons other than District Munsifs may be decided once for all and that a certain number of District Judgeships and Judgeships of the Presidency Court of Small Causes may be reserved for District Munsifs originally appointed to the fourth grade;

(d) that the annual vacation of District Munsifs' Courts may be extended to two months or in the alternative that District Munsifs may be allowed privilege leave on full pay for two weeks each year and may be permitted to combine it with the vacation; and

(e) that the period of service required for earning their full pension may be reduced to 22 years.

3. * * *

"4. A stronger argument however and one more relied on by the memorialists in support of their prayer for higher pay is that in the quarter of a century since the present scale of pay was fixed there has been a great increase in general prices and also an increase in the standard of living among the class of educated men from which the judicial service is recruited. The general increase in price is notorious, and it presses hardly on all persons in receipt of fixed incomes. The cost of higher education has also increased and is likely to increase still more. It presses heavily on the District Munsifs, who so often have to work in small stations where there are no facilities for the education of their children and who therefore have to maintain two houses or to board their children out in places where there are suitable schools. The general standard of living has also risen and has become more expensive. There is no doubt that the Subordinate Judge and District Munsif of to-day are poorer men than their predecessors of 25 years ago relatively to the vakils and clients who appear before them. It is a serious question whether the pay of the District Munsifs in the lower grades is now sufficient to support the position and dignity which they ought to hold in public estimation and which will always depend in no small degree on the remuneration which they receive. Nor should it be forgotten that the educational qualifications now required of judicial officers are higher and cost more to obtain than was the case in 1884. There was then only 16 Subordinate Judges and District Munsifs who had taken the University degree in Law. Now there are no less than 131 who are Bachelors of Laws and have undergone the more expensive training required for that degree.

"5. It is alsopointed out that the remuneration given to the Executive branch (Deputy Collectors and Magistrates) of the Provincial Service is higher than that given to the Judicial branch. This will appear clearly from the following statement in which the first three grades of Deputy Collectors may be taken to correspond to the Subordinate Judges and the last four to the District Munsifs:—

Deputy Collectors and Magistrates.

	Rs.
I grade	800.
II ,, ...	700.
III ,, ...	600.
IV ,, ...	500.
V ,, ...	400.
VI ,, ...	300.
VII ,, ...	250

Subordinate Judges.

I grade	800.
II ,, ...	650.
III ,, ...	500.

District Munsifs.

I grade	400.
II ,, ...	300.
III ,, ...	250.
IV ,, ...	200.

"It will be observed that the executive officer begins on Rs. 50 a month more than the Judicial officer and receives Rs. 50 or Rs. 100 more in every grade throughout the scale except the highest. It will not be contended that the work of the judicial officers is less exacting or less responsible than that of the executive officers, or that the officers are themselves less capable or less highly qualified by the education and character. As regards education, a large majority of the judicial service, especially in the junior grades, are men with University degrees in Law as well as in Arts. As pointed out above, 131 have taken the two degrees of Bachelor of Arts and Bachelor of Laws, 69 have the additional qualification of being High Court Vakils, six have taken the higher degree of Master of Arts and five that of Master of Laws. There are only nine who are not graduates of a University. The Honourable the Chief Justice and the Judges are not aware of any valid reason why the Judicial branch of the Provincial Service should be remunerated on a lower scale than the Executive branch . . . .

"The Subordinate Judges ask that the pay of their three grades may be raised from Rs. 500, Rs. 650 and Rs. 800 to Rs. 600, Rs. 800 and Rs. 1,000, respectively. It may be noted in passing that Subordinate Judges in Bengal are paid on the scale proposed by the memorialists; but no strong argument can be drawn from the scale of pay in another Presidency, where no doubt various other considerations have weight. It appears to be more appropriate to place our Subordinate Judges on par with the Executive branch of the Provincial Service in this Presidency, in which the cost of living and the general conditions of service are more or less the same for both branches. So far as the District Munsifs are concerned it is true that in the lower grades they are considerably younger than the Deputy Collectors in the corresponding grades, but this is fully counterbalanced by the fact that so many more of the District Munsifs are men who have received an expensive University education before admission to Government service. It may perhaps be said, as a general reply to the memorialists, that it is necessary to raise the pay of any class of Government servants when the supply of candidates for admission to that class is equal to the demand and that for appointments in the Judicial service there is at present an abundant supply of qualified applicants. It is no doubt true that there are plenty of applicants who are qualified according to our rules. The present pay and prospects attract a good class of candidates; but with a few exceptions they are not of the best class, and we ought to have nothing but the very best for our judiciary. After considering all the circumstances the Honourable the Chief Justice and the Judges recommend that the pay of the three grades of Subordinate Judges should now be raised to correspond with the pay of the first three grades of Deputy Collectors and that the pay of the four grades of District Munsifs be raised to correspond with the pay of the last four grades of Deputy Collectors. I am to add that the Hon'ble Mr. Justice Sankaran Nair is of opinion that First-grade Subordinate Judges should receive Rs. 1,000 a month and that the Hon'ble Mr. Justice Sundara Aiyar recommends that the pay of the three grades of Subordinate Judges should be Rs. 1,000, Rs. 800 and Rs. 600 respectively.

"6. In connection with their pay many of the District Munsifs ask that District Munsifs acting in the fourth grade should receive the full pay of that grade. In the opinion of the Honourable the Chief Justice and the Judges this would be a reasonable and proper concession, at least in the case of men appointed direct from the Bar, as the great majority of District Munsifs now are. Advocates and Vakils appointed to act as District Munsifs have to give up their practice, and they are liable to revert for one or more intervals before being confirmed, though arrangements are made to avoid this so far as possible. When acting under the present rules they receive only Rs. 100 a month, and they usually have to act for six months or more. It appears to the High Court to be altogether wrong that men entrusted with high Judicial powers should receive such inadequate remuneration. In the opinion of the High Court such acting District Munsifs should receive the full pay of their appointments. In the case of men already in service (*e.g.*, District Court Sheristadars), there is no need for any change in the present rules, as their pay and acting allowance together give them a higher salary and they have their permanent appointment to fall back on if they are obliged to revert for a time.

"7. In this connection I am also to invite attention to my letter of 7th December 1910, regarding the disproportionately large number of officers working as Subordinate Judges who draw only Rs. 500 a month. As has been stated on several occasions the High Court is strongly of opinion that Rs. 500 is low pay for the important work which Subordinate Judges have to do. In their order No. 55, Judicial, dated 12th January 1911, the Government were pleased to state that this would be borne in mind when the grading of Subordinate Judges was next considered. I am to request that in dealing with these memorials this aspect of the matter may receive due attention.

"8. Another important prayer in the memorials is that certain appointments may be reserved for the Judicial branch of the Provincial Service. The Subordinate Judges ask that two of the Small Cause Court Judgeships and one of the Presidency Magistrates' appointments may be reserved for them. It may be doubted whether the training and practice which a District Munsif gets in the disposal of civil work is specially calculated to fit him for the post of a Presidency Magistrate, whose judicial work is confined to criminal matters and is of a summary character, and who in times of disturbance might have important executive duties to perform. In their Lordships' opinion, Presidency Magistrates' appointments are more appropriately filled by specially qualified Deputy Magistrates. For the Judgeships of the Presidency Court of Small Causes there is no doubt that the experience of District Munsifs and Subordinate Judges in work of the same character in the mufassal does specially fit them, and there is no reason why they should not be appointed, as they often are, to these posts. It is probable however that the Government would prefer not to lay down any hard and fast rule in the matter, but to deal with each vacancy as it occurs, and their Lordships do not wish to make any recommendation on this point except that the claims of the Provincial Service should be considered with those of other applicants when vacancies occur.

"9. The District Munsifs unanimously and very strongly protest against vakils or other members of the Bar who have not served in the lower grades being appointed as Subordinate Judges or first-grade District Munsifs. Their arguments may be stated best in their own words. The District Munsif of Ranipettai writes:—

'There is yet another important matter 'which I crave leave to state for the gracious 'consideration of their Lordships. The whole 'service views with dismay the three recent 'appointments in quick succession of members 'of the Bar as Subordinate Judges and as a 'first-grade Munsif. Ever since 1885 their 'Lordships have not adopted such a course; and 'if District Munsifs of the earlier period who 'were not graduates in law made competent Sub-'Judges, it would seem that there is no real need 'at the present day for taking men straight way 'from the Bar for the higher appointments. 'There was a time when two Presidency 'Magistrates, two Small Cause Judges and the 'City Civil Judge were all persons who had 'distinguished themselves in service. Indeed the 'late Sir T. Muthusamy Aiyar rose to the High 'Court Bench after a long career in the Subordi-'nate Judicial Service. In 1894 four District 'Judgeships were thrown open to the Provincial 'Service; but only two appointments have for

'all practical purposes been given to members of 'the subordinate judiciary. The field for promo- 'tion has gradually been narrowed with the result 'that a Sub-Judge from the rank of District 'Munsifs is now considered fit only to fill tempo- 'rary vacancies in the small court. Under the 'present conditions it takes nearly 14 years for a 'District Munsif of the last grade to become a 'first-grade Munsif and another four or five years 'to get Rs. 500 as Sub-Judge last grade. About '18 or 19 years have to elapse, therefore, before 'he can aspire to the position of a Subordinate 'Judge on a pay of Rs. 500. This interval in the 'case of District Munsifs is already very great 'and the policy lately inaugurated would, it is 'apprehended, considerably retard, if not alto- 'gether block, the chances of a District Munsif 'rising sufficiently high and thereby earning the 'fruits of long-devoted service. Three more 'appointments of Vakils and Barristers of com- 'paratively young age at once as Subordinate 'Judges or as District Munsifs of the first-grade 'would in the course of a few years so effectively 'fill up the higher grades that one already in 'service must rest content with a first-grade 'District Munsifi or with the last grade Sub- 'Judgeship before one arrives at the age of retire- 'ment. A continuance of this practice might by 'impeding the prospects of District Munsifs and 'rendering them uncertain tend to produce dis- 'content. In public interest it is respectfully 'submitted that it is most desirable that this 'service should not deteriorate either in conse- 'quence of disappointment among the officers or 'by making the service less attractive to men of 'capacity and efficiency.

'I therefore pray that their Lordships will be 'pleased to take steps for reserving to District 'Munsifs all the higher appointments open to 'the members of the subordinate judiciary as a 'reward for honest and efficient service. If, 'however, it is resolved to make in future similar 'appointment as those mentioned in the preced- 'ing paragraph, I humbly venture to suggest that 'the number of first-grade Munsifships and Sub- 'Judgeships which are to go to the Bar and the 'number of District Judgeships which are to go 'to Sub-Judges so appointed should be fixed once 'for all. Unless this is done and unless mem- 'bers of the Bar are appointed as first-grade 'Munsifs and as Sub-Judges only when vacancies 'arise in the number so fixed, it will be impossible 'for the present first-grade Munsifs to become 'District Judges and for the rest to attain even 'to the grade of Sub-Judges.'

"The three appointments to which the memorialists refer are—

(*a*) that of Mr. C. K. Srinivasa Rao, who was appointed direct to a first-grade Subordinate Judgeship in 1908, when he was 43 years of age;

(*b*) that of Mr. A. S. Balasubramania Aiyar, who was appointed to act as a third-grade Subordinate Judge in 1910, when he was 38 years of age; and

(*c*) that of Mr. P. C. Lobo, who was appointed to act as a first-grade District Munsif in 1910, when he was 32 years of age.

"When Mr. Srinivasa Rao was appointed, he was younger than 13 of the Subordinate Judges of the second and third grades whom he superseded; Mr. Balasubramania Aiyar when appointed was younger than any of the first-grade District Munsifs whom he superseded; and Mr. Lobo when appointed was almost the youngest District Munsif in the service. These appointments hit the memorialists in two ways—*firstly*, all who were superseded lost the step which they would have got if the vacancies had been filled from their ranks, and *secondly*, the men appointed being much younger than those whom they superseded will therefore remain much longer in service before retirement and thus retard the flow of promotion to the higher grades. It is easy to see that, if men from outside are brought into the various grades when they are younger than the men already in those grades, they will in time occupy all the highest appointments and remain in them for years to the exclusion of the older men superseded, who will reach the age limit and be obliged to retire without the possibility of attaining the highest appointments. The three appointments mentioned, following in rapid succession, created a general impression that it was intended to recruit the upper grades of the Judicial branch of the Provincial Service (those of Subordinate Judges and first-grade District Munsifs) to a great extent direct from the Bar instead of from the general body of District Munsifs. The Honourable the Chief Justice and the Judges believe that these particular appointments may all be regarded as of an exceptional character and that the Government have no such intention as that which the memorialists fear. But it is certain that the fear is widespread among the District Munsifs and is the cause of general alarm, or, as some of them say, of "dismay." It need hardly be said that it is the higher prizes at the top of a service or profession which mainly attract recruits to it. Any system of practice which diminishes the number of such prizes open to the lower ranks diminishes *pro tanto* the inducements to enter the service at the bottom. Any practice of filling the higher appointments direct from the Bar, or even the fear that any such practice is likely to be adopted in the future, is likely to be fatal to the recruitment of the best men, or even of good men, in the lower grades. Men have hitherto entered at the bottom of the list of District Munsifs in the assured hope that, if they work well and honestly, they will gradually rise and reach the higher posts; and this hope has compensated them for years of strenuous work on small pay with all the disadvantage of being obliged to change their homes every three years or oftener and to go anywhere from Ganjām to Cape Comorin at a few days' notice, often serving for years in small and unhealthy stations without any facilities for the education of their children or the other amenities of life which men of their education and antecedents greatly value. It is easy to see that, if this hope is defeated by the appointment of men direct from the Bar to many of the higher posts, men who are willing to enter Government service at the bottom of the list or District Munsifs will often prefer to enjoy the advantages of living and practising in Madras or other large centres and will look forward to getting into one of the higher appointments *per saltum* later on. The result will be that instead of getting many good men in the lower grades, as we have in the past, we shall get only second or third rate men in those grades, and the general level of

excellence in the service will be seriously lowered. Their Lordships propose to inform the District Munsifs from whom they have received memorials that the High Court does not intend to make any change in the usual practice in making appointments to first-grade District Munsifs' posts, nor are they prepared to recommend to the Government any departure from the practice which has prevailed hitherto in regard to Subordinate Judges' appointments.

"9A . . . . Nor do their Lordships support the request that Subordinate Judges should be allowed to earn privilege leave on full pay for 15 days by 11 months' active service instead of privilege leave on half pay for a month under the present rules. The request of the District Munsifs that their annual vacation should be extended from six weeks to two months is a matter with which the High Court can deal under the Madras Civil Courts Act, 1873. The proposal has been considered frequently by the High Court and has been rejected for a number of reasons. Among others it may be mentioned that District Munsifs as a body are much younger men than Subordinate Judges and their work, though heavy, is on the whole less exacting and involves less responsibility than that of Subordinate Judges. Moreover the addition of half a month to the vacation of every District Munsifs' Courts would reduce the working time of each court by about 5 per cent. and would make it necessary to add 5 per cent., *i.e.*, about six officers to the number of District Munsifs employed. The alternative proposal that District Munsifs should be allowed to take privilege leave on full pay for two weeks every year and to combine it with their vacation is still less admissible. Nearly every District Munsif would ask for such leave every year, and, if the leave were granted, it would be necessary to appoint an acting District Munsif for almost every court in the Presidency, which would be in the highest degree inconvenient and would cost almost as much as the creation of the new courts which would be required if the vacation of District Munsifs were extended to two months.

"10. Lastly the memorialists pray that the period of service required for earning their full pensions may be reduced to 20 or 22 years in consideration of the facts that the majority of District Munsifs are now appointed from the Bar when they are over 30 years of age and many of them as late as in their 35th year and that therefore it will be impossible for them to serve 25 years before they reach the age of 55 with the result that many of them may be forced to retire before they have earned their full pensions. Officers appointed direct from the Bar to the Judicial branch of the Provincial Service when over 30 years of age have been exempted from article 478 of the Civil Service Regulations, under which in calculating the pension of other officers appointed when over 30 one-fortieth part is deducted for every year by which their age when appointed exceeds 30—*vide* G.O. No. 892, Judicial, dated 6th June 1904. But the memorialists ask for something more than this concession, which does not remove their difficulty in earning full pensions. In view of the fact that the ordinary limit of age for first appointment as a District Munsif was raised to 35 in order that men of riper experience might be secured for the judicial service and of the strenuous and exacting nature of the work of Subordinate Judges and District Munsifs, which is shown among other things by the considerable number of such officers who in recent years have died while in service, the Honourable the Chief Justice and the Judges wish to recommend for the favourable consideration of Government the memorialists' prayer that the period of service required for earning a full pension should be reduced.

"11. I return the memorials from Subordinate Judges received with your letter, and I enclose the memorials received with your letter, and I also enclose the memorials received by the High Court from District Munsifs with copies of the letters of the District Judges through whom they were submitted."

89 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—Officiating promotions *are* now made in the different grades of District Munsifs. I think they should also be made in the case of Sub-Judges. Nearly all the officers in the small first grade of Sub-Judges are usually acting as District and Sessions Judges or in other higher appointments. Consequently very few Sub-Judges do in fact get paid as first-grade men. The refusal of officiating promotion between the grades is a cause of serious pecuniary loss through all the grades, which is the more felt as such promotion is allowed among District Munsifs.

90 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes. See reply to question (104) relating to Indian Civil Service.

91 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

92 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

93 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

94 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

95 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

96 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

97 (37). Generally speaking, do any of the present leave rules applicable to the Provincia

Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?

98 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—(31 to 37 and 39) Officers of the Provincial Civil Service are not entitled in the Judicial branch to any leave on full pay. They get vacations each year on full pay. They take very little furlough, presumably because they do not like the loss of pay which it involves. I think, too, that most of them when in health prefer the interest of daily work to the leisure of furlough. We hear very few complaints in regard to leave. Many District Munsifs, however, ask for two months' vacation, instead of six weeks, the time now sanctioned. This the High Court has always refused for reasons stated in paragraph 9 of letter extracts from which are annexed to reply to question (24) *supra*. I do not know that any changes in the rules are required.

99 (38). In particular are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—The Judicial branch does not suffer from excessive transfers. District Munsifs are ordinarily transferred as a matter of policy once in three years.

100 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes, but see proposal in paragraph 10 of letter extracts from which are annexed to reply to question (24) *supra*.

Sir RALPH BENSON, called and examined.

101. (*Chairman.*) You are, I understand, the senior Puisne Judge of the High Court of Madras?—That is so.

102. I understand that you are the senior Civil Servant in India?—I believe that is so, unless Sir George Knox of the Allahabad High Court is still in India.

103. May I offer on behalf of my colleagues and myself our best congratulations on that?—Thank you.

104. Will you be good enough to tell the Commission what your past experience has been and what positions you have held in the service?—I began in the usual way as Assistant Collector in the Salem district in 1873, and after holding a divisional charge there, I was transferred to Cuddapah and held a divisional charge there during the great famine of 1876–78. After that I became Assistant Commissioner in the Nilgiri district. At that time the Nilgiris were under a different system of administration from the rest of the Presidency; there was a special Act, the object of which was to have a smaller and cheaper establishment than in the ordinary district. I was Assistant Commissioner there, and that involved the position of being also a District Munsif, and Sub-Judge, and a District Magistrate, as well as a number of other offices that were combined with it—Treasury Deputy Collector, Secretary to the Municipality, and Secretary to the Local Fund Board, and I think several other offices. After being there for some time I was employed as Special Settlement Officer for that district. The Government resolved to undertake a special settlement, and that occupied about three years. Afterwards I was Forest Settlement Officer for a time there. Then I became Registrar of the High Court. After that I was in the Secretariat as Under Secretary to Government in the Revenue Department and then in the Public Department, and subsequently Secretary to the Board of Revenue. In 1888 I was appointed a District Judge, and I remained a District and Sessions Judge for eight years until 1896, when, after a period of special duty under Government, I was eventually selected for the High Court, and since 1896 I have been a Judge of the High Court.

105. You have had a wide and long experience?—I have.

106. You have been good enough to answer in a very ample and explicit form the questions that have been submitted to you, and the Commission are very grateful for the trouble you have taken. At the end of your examination I will ask you to be good enough to hand in your answers to be placed on the notes. I gather from these answers that you accept the present system of open competition for the Indian Civil Service as satisfactory in principle, or rather in practice?—That is so.

107. You would, for your own part, prefer a system of limited selection by the Civil Service Commissioners for a proportion of the vacancies, but you are doubtful whether public opinion at home would approve of such a departure from the principle of open competition?—That is so.

108. I believe you are opposed to simultaneous examinations being held in India and in England?—I am. I do not think they would answer.

109. And to any system for filling a fixed proportion of the vacancies in the Indian Civil Service by Natives of India recruited by separate examinations in India?—I do not think that would be feasible.

110. You are not in favour of any separate method of recruitment for the Judicial branch of the Indian Civil Service?—No.

111. You desire an improved system of training for that branch?—That is so. I think the present system, if those selected have a proper opportunity for adequate training, is as good a system as we can adopt.

112. You give us in a very explicit and elaborate form the scheme which you would suggest for that improved system of training?—Yes.

113. You consider that the age-limits for the open competition should be 20–22, or 21–23?—I should say that that would perhaps, on the whole, be the most suitable age.

114. And you would prefer a two years' probation to a one-year probation?—Certainly.

115. A two years' probation at approved Universities in England?—That is so.

116. You say also that in your opinion civilians should arrive in India at or soon after 23 years of age?—I think that about that age is the most suitable.

117. If the age-limits for examination were 21–23 a successful candidate, under your scheme, might be 25 years of age on arriving in India. Would you say that was too old?—I do not say that it is certainly too old, but there is a tendency perhaps for men to become stale if they go on having examinations up to 25 at home, followed by further examinations out here, which are necessary.

118. You suggest in your answers that many of the men who came to India when the age-limits were low were immature?—Yes. At the time when I entered the service the minimum age was 17, with a probation period of two years, and a man passing at 17 and having two years at home might come out at about 19, or very soon after. I think we had certain instances of men who were too immature for the work that was expected of them within a short time of their arrival in India.

119. So far as your experience goes, have you noticed any sign that the men who now come out at 25 are too old to adapt themselves readily to the details of their work in this country?—I cannot say that I have, but I have heard it mentioned in conversation that it is rather too old. I do not think so myself.

120. You have no strong opinion on the subject?—My opinion is that it is not on the whole too late, although perhaps I would prefer a somewhat earlier age.

121. On the question of the admission of Indians to the service, you consider that, so far as purely judicial work is concerned, it could be done quite satisfactorily by Natives of India not being members of the Indian Civil Service?—Yes, the purely judicial civil work.

122. But that the man with the Indian Civil Service experience has a very great advantage over another man who has not got that experience in respect of the administrative and criminal work which a District and Sessions Judge has to perform?—That is so.

123. Do you think that the great majority of the posts of District and Sessions Judge should be filled by Indian Civil Service men?—I do.

124. Can you tell the Commission what proportion of those posts is at present so filled?—Eighteen out of 22.

125. I gather from your answers that in your opinion the Indian Civil Service man starts with more experience of criminal cases and the Provincial Civil Service man with more experience of civil cases?—That is so.

126. And subsequently the Indian Civil Service man comes out best, because of his superior general education and experience?—That is so.

127. Generally speaking, you are against laying down any fixed proportion of posts in the Indian Civil Service to be reserved for Europeans?—Yes; I do not think it necessary to do so.

128. On the question of probation and training after admission to the service you think the probationers should attend the Law Courts and report cases, and that there should be more instruction in Civil Law and Jurisprudence than is the case at present?—I certainly think we want more instruction than we have at present. Part of the instruction we had in my time—it is now given up—consisted in attending the various courts from the Police Court up to the Privy Council. I think it was useful, but it is not enough; you want a great deal more.

129. I understand the principle is now definitely laid down, but has not yet been put in practice, that Indian Civil Service officers should be given some real legal training before they begin to officiate as District and Sessions Judges?—Yes. As the result of correspondence which has been going on for eight or ten years between the High Court and the Government and the Secretary of State a scheme has almost been finally adopted, only some details remaining to be settled.

130. The scheme which you yourself would favour appears to be the selection for the Judicial branch shortly before the end of the eighth year of service?—Yes.

131. The candidates for the Judicial branch would then spend two years in England, one on furlough, and the other on study-leave?—Yes.

132. In which time they would be expected to pass the Bar Final Examination?—Yes.

133. Then on coming back to India they would spend two years or so as Assistant District and Sessions Judges?—Yes.

134. And then in your opinion they would be fit to officiate as District and Sessions Judges?—Yes.

135. Do you think on the whole that this scheme has definite advantages over an alternative scheme providing for a period of practical training before the candidates take study-leave?—It fits in better with the existing state of administration in the Madras Presidency. Whether it is better in itself, apart from fitting in with the administration, I have no strong opinion. I am quite prepared to accept the scheme which the Government of India prefer, but it does not so well fit in with our Presidency arrangements here.

136. You recommend certain improvements in the authorized salaries of Indian Civil Service officers, notably an increase in the initial rate from Rs. 400 to Rs. 500 per month?—Yes.

137. And a time-scale up to Rs. 1,500 by annual increments of Rs. 100?—Yes.

138. Would you consider the increased minimum necessary even if candidates were appointed at a younger age than they are at present?—I think Rs. 500 is as little as a European in that position can live on in this country. He has to keep horses and undergo a considerable expenditure. I think Rs. 500 is a very moderate allowance to give to a man in that position.

139. You consider that the due representation of all classes and communities should be, and actually is, secured in the appointments made to the Provincial Civil Service?—Yes.

140. By due representation do you mean representation on a population basis or on some other basis, such as educational qualifications?—Not a population basis only. A population basis would give the non-Brahmans a very large majority. We have to take account of the fact that certain classes are very much more highly educated in proportion to population than other classes.

141. You are in favour of grading the Munsifs and Sub-Judges on the same lines as have been

approved for the Executive branch of the Provincial Civil Service?—Yes.

142. I understand that in most other provinces the Munsifs start at a lower rate of pay than the Deputy Collector or Extra Assistant Commissioner. Is there any consideration peculiar to Madras which would justify the difference of treatment which you propose in this respect?—I think perhaps we get rather older men, and a very large number of them are University men; they are practically all University graduates and have legal degrees. Men of their standing and education are entitled to the salary we suggest for them, which after all is only the same that their brothers in the Executive line, as Deputy Collectors, receive.

143. I have taken you broadly over your answers, and I am not going to attempt to occupy your time or the time of the Commission by going into the details of all the questions and answers. We are very grateful for the trouble you have taken. My colleagues will now ask you questions upon the statements and opinions you have expressed in your answers?—I shall be pleased to answer them.

144. (*Lord Ronaldshay.*) I should like to ask first a question with regard to your answer to question (5). You say that the prospects of the Indian Civil Service have decreased, and that one considerable reason for that is the withdrawal of European medical aid. Will you tell me since when, and roughly speaking to what extent, European medical aid has been withdrawn?—I cannot give any exact details, but it is a fact that within recent years the number of European District Medical Officers have become less than formerly, and it is a very great drawback to a man, especially a married man with wife and children, if he finds that there is no medical officer in the district. A man can never be sure whether there will or will not be. In some districts there are European Medical officers, and in others there are not. A man may be posted to a district where there is no European Medical officer, and it is undoubtedly a very great source of anxiety to men who have wives and children liable to sickness, as they are in this country, especially very sudden sickness.

145. I suppose the reason for the withdrawal of European medical aid is that the cadre of the European service is not sufficiently large to cover the ground?—I can hardly say what the reason is, as it is not a matter I have gone into.

146. With regard to the present system of examination, you think that a system of combined nomination and examination is beyond the region of practical politics?—That is the impression I have.

147. Assuming for the moment that that were not so, are you of opinion that a system of combined nomination and examination would give you a class of man who was more suited to discharging the duties which fall upon the officers in this country than you get under the present system?—I think it might operate to exclude some few who now are not very suitable men, but broadly speaking the class that we get is a very good class. Such a system would perhaps exclude a few of those who come in now, and the service would be better, perhaps, without them. There are, I think, very few.

148. I am not quite clear as to your views with regard to the age-limit for examination. You would like to see men come out to this country at about the age of 23, and you wish that these men should have a probationary period of two years in England before they come out?—Yes.

149. Therefore I assume that you think the age-limit for the competitive examination in England should be reduced to 19 to 21?—No, I do not think that; that was not my intention. What I said was that the open competition might run from 20–22, or from 21–23. At the end of my answer I say "Perhaps, on the whole, the best age-limits would be 20–22 or 21–23." The object of that was to give more opportunity for an University course.

150. But in answer to Question (18), you say you would like these men to come out to India at about the age of 23. If the age-limit for the examination is to be from 20–22 or from 21–23, and they are then to have a probationary period of two years in England, they could not possibly come out?—That is so, but supposing a man passes at 21, and then has two years, he would come out at 23. The lowest age I have put down for going up for examination is 20, so that if a man went up at 20 or 21, he could still come out at 23. Of course I do not attempt to fix 23 as absolutely the best age; it is merely about that time. What I have said in another part of the answer is that you cannot expect his character to be sufficiently set to meet the responsibilities and the conditions of life out here at an age earlier than 23. I think it might very well be 24 or 35, the present age. I have no quarrel with either of them provided there is a sufficient training beforehand.

151. Turning to question (26), I see that you say that Mr. P. K. Dadachanji, the sixth officer in the table you give, was reduced from a Head Assistant Collector for misconduct in some riots in 1909. Have you any objection to telling us what the character of the misconduct was?—I have not read the papers since the time. That is a note that was put in by the office which drew up this statement for me. I have some recollection of it; it was cowardice in the face of a very serious riot. I understand that he ran away when he ought to have held his ground.

152. Turning to questions (51) and (52), you say that in your opinion one Indian language only should be taught. Do you mean by that that the grammar and ground-work of one language only should be taught in England, but that a second language should be learned on the arrival of the recruit in this country?—Yes, if he was posted to a part of the country where the second language was spoken. The idea is rather to lighten the course at home for the two years so as to admit of more attention being given to law. If a man learns one of the Dravidian language well, he has at all events a knowledge of the fundamental grammar of all the Dravidian languages. They are a special family of languages that prevail in Southern India. I think one language learned thoroughly well would be perhaps better than two learned indifferently. I learned two myself.

153. But you do not go quite so far as to suggest that a man should be taught only one language and then restricted to the area for the whole of his service where that language is current?—I think it would be an inconvenience to restrict him, administratively inconvenient.

154. In answer to question (88), you say you do not think it is desirable that there should be any further separation between executive and judicial functions, and you mention expense as one of the objections to any further change in this direction. Is it mainly on the ground of expense that you are opposed to change in that direction?—No. I do not think expense to be the first consideration. It knits the whole administration together to have the union there is now between the executive and judicial functions. They must unite at some point on the way up to the highest authority, and I think the point at which they do unite now is practically a good arrangement. They all represent the justice of the King in one form or another, either the executive authority of the King or the King as a source of justice. They must eventually unite at some point.

155. You are quite definite that the training which an Indian Civilian gets during his earlier years in the service, his training as an executive officer, is a very valuable experience for him when he comes to occupy the position of District and Sessions Judge?—Most certainly, especially in regard to his position as Sessions Judge. His long experience as a Magistrate extending over ten or twelve years is usually extremely valuable; in fact, it would be difficult to expect him to do his duty satisfactorily without some such experience and training.

156. But I suppose the Natives of India who hold the position of District and Sessions Judge at the present time have undergone a similar training or experience?—If they are members of the Indian Civil Service they have. If they are not members of that service but are Provincial Service men they have not.

157. The Provincial Service men are, therefore, not so well qualified as all-round men to fill the position of District and Sessions Judge as the men who have gone through the training provided by the Indian Civil Service?—In my opinion they are not.

158. With regard to the Imperial branch of the service, you recommend a time-scale of pay, in the lower grades at any rate. Do you think the introduction of such a system of pay would in any way act as a check upon the industry of the officer? Would the knowledge that he was certain to receive these steady increases of pay by the efflux of time in your opinion act as any check upon his industry?—I do not think it would. The present rule is that a man is not promoted until he passes the departmental examinations, and there might be some such limitation in this case too, that he should not receive the time increments unless he passes the departmental examinations within a reasonable period, which might be laid down.

159. With regard to the scheme of legal training which you advocate, I see that what may be described as an experiment was made in this Presidency. You speak in your evidence of Mr. Munro, who was appointed by way of experiment in training junior civilians for judicial work. Can you tell us what has happened to Mr. Munro and whether the experiment was a successful one?—Mr. Munro after that period of training as a Sub-Judge became a District and Sessions Judge, and eventually became a Judge of the High Court. He retired about a year and a half ago. It certainly was successful in his case. He was a distinguished Judge.

160. With regard to the appointments of Sub-Judges, which you describe in your evidence as temporary, do these temporary posts become permanent ones?—Some do and some do not. At present the large number of temporary ones is due to enquiries that are going on with a view to a considerable addition to the permanent number; consequently the number of positions which would in the ordinary course have been made permanent are awaiting the report of the Commission which is reporting on the whole matter. That is one cause why there are so many. Another is that, for some reason or other which we find it very difficult to understand, there has been an enormous increase in litigation within the last few years, and it has been necessary to appoint temporary Judges to help to clear it off. We are in hopes that some of them may not be required permanently; in fact, we know some of them will not. But as often as a man works off arrears in one place they accumulate in another, and he has to be appointed temporarily to another place. It is an unsatisfactory system, but it seems to be one that we cannot help; it is the only way we can keep down arrears, which fluctuate greatly in different courts.

161. But in point of fact at the present moment, with a cadre of only eighteen, I understand you have really thirty Sub-Judges at work?—That is so. We have, I believe, twelve, and one has been just appointed since this answer was written, making thirteen.

162. But you do not anticipate that that will mean there will be thirty permanent appointments in the future?—I hope there will not be so many as thirty, but there will be very many more than the present number. We cannot determine the number until the Commissioner has reported.

163. Are you in favour of the Sub-Judges being recruited solely from the District Munsifs?—I think I may say that I should certainly wish to see the very great majority of them so recruited, but there may be circumstances which justify a departure from that rule. There have been some few departures, and I think the Government is right in reserving the power to make an appointment direct if they desire to do so. Broadly speaking, I think the appointments should be all made from the service. Men enter the service on very low pay, Rs. 200 a month, and are no doubt prompted by the prospect of sure promotion in the long run provided that they do good work.

164. (*Sir Theodore Morison.*) With regard to your answer to question (24), you say you are not prepared to lay down any fixed proportion of European subjects employed in the higher posts of the Civil Administration, but you think it is essential that the European element in the Civil Administration should be sufficiently strong both in point of numbers and position to guarantee two things that follow?—Yes.

165. Do you think that the European element at the present moment is sufficiently strong to guarantee that?—I hope so.

who had taken a University degree plus the Bar examination and a training in criminal work, as Magistrates for a certain number of years, do you think that the higher Judicial services in this country could be efficiently manned in that way? I am only putting a proposal forward. Take away the Judicial service from the Indian Civil Service altogether, and man that service by men who have taken a B.A. at any of the Universities in England—or in India for the matter of that—a University degree plus examination at the Bar in Law, plus a probationary period in languages, and service for two or three years in criminal work in the Presidency, magisterial work, which of course would also give some experience of civil work: do you not think the Judicial work of the country would be likely to be equally well done if the Judicial service was manned in that way?—I do not know. I think you said two or three years' practice.

202. You may suggest a larger number of years as I am only giving it to you roughly?—I think if they had a period of training in criminal work and also in general administration they would be all the better for that. I think they would then form reasonably good District and Sessions Judges.

203. They might be expected to form them?—I think they might be expected to form them, but of course all these things depend on results, and we cannot be sure what the results might be. But that would come something very near the training which men have, or rather which we propose they should have.

204. The only difference being that in the one case you get in men ready for that work, while in the other case, after they enter the service, the State has to take special pains and incur expense. In the one case you get a man who has passed his examination in law, and who has taken his university course and degree, and what he wants is some special knowledge of language and experience in criminal work, and some knowledge of administration?—He would be very young to be put into the position of judicial head of a district. I am assuming that you have a man shortly after he has been called to the Bar and that you then give him what you suggest, two or three years.

205. Or perhaps four or five years?—That might make him perhaps 25 or 26. It would be a most unusual thing to put such a man in charge of a district as judicial head of the district, hearing appeals from Magistrates who were much older and more experienced than himself, including the District Magistrate, who might be a man of twenty-five years' experience.

206. That has always been so, unfortunately, in this country, because men have not always had the training that you would expect. But I am not speaking of training. We might give them actual experience by making them sit along with the Judge. I think you have answered my question by saying that they would be expected to make quite as good Judges as we had at present?—I do not think I said quite as good Judges. I said that they might be expected to make reasonably good Judges, but I qualified it by the statement that I do not think at that age they would be suitable for appointment as judicial heads of one of our large districts with perhaps two or three million people in it.

207. It is only in respect to that qualification that my next question arises. How many years' experience do you think they should have in this country of criminal and civil administration after the course they have taken at home—how many years do you think would be sufficient?—Perhaps twelve or fourteen.

208. Twelve or fourteen years' experience of what?—Of general administration and especially of criminal work; perhaps ten, twelve, or fourteen.

209. Have you seen the list of posts reserved for the Civil Service, the schedule to the Act of 1861, appendix 2 of that Act?—Yes, I see the list.

210. Take the first heading in the schedule: what would be your objections to leaving out of that schedule the post of Junior Secretaries and Under Secretaries?—I do not know that I have any objection, but I do not profess to speak about appointments outside the Judicial service. These appointments are appointments with regard to which I have had some experience but not very much.

211. I will be quite content with your opinion after your long experience?—I am not quite sure that I followed your question.

212. This schedule reserves certain classes of posts for the Indian Civil Service. Would there be any objection to removing the two posts of Junior Secretary and Under Secretary? They are not heads of departments; they are not persons with whom the head administration in any branch would lie. They are junior officers. Would there be any objection to removing these posts from those reserved for the Civil Service?—I think it would be better if you put that question to some of those who have had more experience of Under Secretaries than I have. I have never been a Secretary to Government nor a Member of Government, and therefore my experience of Under Secretaries is limited to my own case and a few of my fellow Under Secretaries.

213. What would be your opinion about Assistant Magistrates of the Provinces, Class 5?—I do not think there is any objection to removing a particular appointment of the Assistant Magistrates, but if you remove all the Assistant Magistrates, I do not know what is to become of the Indian Civil Service men when they first come out. They are appointed Assistant Magistrates when they first come out. I think a limited number might be removed from the schedule, but you must keep a sufficient number.

214. I do not mean that all the posts are to be taken away—Indian Civil Service men may still be appointed to those posts, but it is not necessary to reserve all of them for those men only?—I should suppose not, provided you still keep a sufficient number to maintain the administration.

215. Then additional and Assistant Judges, Class 2, might not all be reserved for the Indian Civil Service?—No, not necessarily. They are not at present so reserved.

216. In this Presidency they are not?—There are some of our Sub-Judges appointed as Assistant Sessions Judges.

217. In some Presidencies they often take the work of the Assistant Judge from him, but they call him a Subordinate Judge invested with Assistant Judge's powers?—Some of the Sub-Judges are invested with the powers of an Assistant Sessions Judge and they take the less important sessions cases.

218. Would you be able to answer questions with reference to the posts in the Revenue Branch given in that Schedule?—No. I do not think it would be advisable to examine me on that, because my knowledge is not such as would probably carry weight.

219. I gather from your answers to the interrogatories that in your opinion it would not be possible to fix any proportion of places to be reserved for Civilians or kept open for Provincial Service men?—It would not be possible to fix a permanent or definite proportion; any permanent proportion I ought to have said.

220. When the one-sixth was fixed was there any principle adopted? At present the proportion is that it may be one-sixth of the appointments which may be filled by Indians in the Civil Service cadre?—Yes.

221. Would it not be possible to raise the one-sixth to one-fifth or one-fourth?—It would be quite possible of course, but I do not know whether it would be advantageous. I suppose that is really what you wish me to say.

222. It is a question of advantage. You say it would not be advantageous?—I do not think it would at present. I think we have been going fairly fast in that direction.

223. Would there be any objection to prescribing a different age for Indian candidates from the age prescribed for European candidates for the Indian Civil Service?—It seems to me it would give a great advantage to the men who were allowed to enter at the later age; they would have a longer period of preparation. I am assuming of course that they go up for the same examination.

224. I am assuming that candidates have to take the same examination in England. Supposing there were circumstances under which Indians at a lower age found it inconvenient or extremely unsuitable to study up to the standard, would there be any objection to having a larger limit in the case of candidates from India than the age prescribed for the candidates appearing from home?—I do not see how you could attempt to send up men for the same examination at different ages, provided they are young men who are still learning. Of course, if they were men of forty or fifty, a year or two might not make any difference, but when you are dealing with young men who are still adding largely to their knowledge I think even six months may make an important difference in a man's probability of success.

225. I do not think you follow my question. One of the witnesses before the Commission in answer to interrogatories states that sixteen is the age for Matriculation in India?—That is the minimum fixed, I think, by some Universities.

226. Then he takes four years to get his B.A. degree, which he gets at the age of twenty?—It may be so in some Universities.

227. In most of the Universities?—Perhaps so.

228. After twenty he has to go home and study for a special course for the Indian Civil Service. After getting his general culture up to the B.A. degree here, he thinks of going home, and it is only after he has reached twenty that he can go home and study. These considerations make a slightly higher age more convenient to Indian students than to students at home. If, for such considerations, it was proposed that for students from English Universities and English Schools the age should be twenty-one, and for Indians twenty-three or twenty-four, what would you think of that?—I think it would raise an inequality in the conditions of competition, which would be altogether out of proportion to the advantage you suggest it would give. If a candidate means to go up for the Indian Civil Service he should arrange his previous education so as not to prevent his doing so.

229. You have proposed that a higher value should be given to legal subjects in the curriculum: will you mention what higher value you desire for the study of Law in the University course?—I would hardly venture, without more consideration than I have given to the subject, to state exactly what it should be. My object is that Law should from the beginning and all through a man's course, if he is intended for public life in India, have a larger share in his education than it now has. Law meets him at every turn, throughout the whole of his work.

230. Would you have any objection to giving the same value to the study of Sanscrit and Arabic as is given to Greek and Latin, putting them on the same level in the curriculum of study?—I cannot say that that is a matter I have paid any special attention to. It is a very difficult matter to arrange, and I do not profess to have given it that attention which would justify me in speaking.

231. Referring to the question I put to you some time back about the system of recruitment for the judicial service, supposing the system I proposed were adopted, the reason given in one of your answers for having Civilian District Judges, on account of the Statute which says that not less than one-third of the High Court Judges must be Civilians, would not apply, because if the system were adopted there would be no objection to the repeal of that Statute. Let me make myself clear. One of the grounds given for maintaining a certain proportion of I.C.S. District and Sessions Judges is that the statute requires that not less than one-third of the Judges on the Bench must be Civilian Judges?—Yes.

232. Supposing the system I propose of manning the judicial service from trained Barristers with University distinctions and special training in administration in the country were adopted, would there be any objection to the repeal of the statute?—Under your scheme would there be any Indian Civil Service Judges left, or would all the Judges be appointed in the way you propose?

233. They would be all appointed under my scheme?—I do not see how any question could arise, because there would be no Civilian Judges left, and therefore the statute must become inoperative; whether it is repealed or not really does not matter except that it would be a peculiar state of things to have a Statute with nothing on which it could operate.

234. In your printed answers you refer to two Subordinate Judges, I think, employed as Assistant Judges to help to deal with the criminal work of this Province?—Yes.

235. May I ask whether you found the work of those Assistant Sessions Judges satisfactory?—I think it was as satisfactory as one could expect. It must be remembered that they had no

previous knowledge, or certainly no previous training or practice, of criminal cases, and therefore naturally they were not as good as men who had previous practice; but they had experience of judicial and civil work, and taking all that into account I think their work was reasonably satisfactory.

236. There are first-class sub-divisional Magistrates: have they any civil work in this Presidency?—No, except in some very exceptional cases like the Agency tracts, and I think there are two other wild tracts similar to them in the Coimbatore district, and one in another district. They are however quite exceptional. Broadly speaking they have no duties of that kind.

237. Referring to the tables you have given in your answer to question (25) do not you think that in any event the inferior magistrate and the other munsifs have been always filled by Indians more or less? The District Munsifs and what you might call the inferior Magistrates, have generally been Indians?—Yes, practically for a long time they have been. I cannot say what it was in very old days, but for many years past they have been.

238. With regard to question (88), as to the separation of the judicial and the executive branches, there are cases under the Forest and Revenue Acts which are disposed of by the inferior Magistrates, are there not?—I believe so.

239. Do you think that appeals in such cases should lie to the superior revenue officer, who is also an appellate Criminal Judge over him? In principle is it fair that offences under these special Acts which are disposed of by inferior Magistrates should lie to an officer who happens to be invested with criminal appellate powers, but who is the direct Revenue superior of the Magistrates themselves?—In principle it might be better if there was not that connection, but in practice I do not think any harm results from it.

240. Would you have any objection to a separation as regards this specific point I mention, that appeals in these cases should lie to the District and Sessions Judge and not to the District Magistrate?—I am not speaking of a complete separation. The great objection to it would be throwing on the District and Sessions Judge, who is a high officer, a large number of appeals in very petty matters. The fines and punishments inflicted for breaches of those special laws are usually very small. There are a considerable number of cases and if all the appeals went to the Sessions Judge it would clog his more important work very much.

241. Then you could go to the Assistant Judge if Assistant Judges are appointed?—Where there are such, but there are only two in the Presidency out of twenty-two districts.

242. (*Mr. Gokhale.*) You say in reply to question (3), that the present system is equally suitable for the admission of Natives of India; will you kindly tell us what you mean by "equally suitable"?—I mean that it is a test of the qualities which are required for the service.

243. Do you think it is fair to the people of India to have an examination at such a long distance from this country?—I quite realise that they suffer from a disadvantage in having to go so far. It adds to the expense. Also a young man going to England is perhaps exposed to temptation away from home. I quite realise all that.

244. It is also possible that our best young men are not able to go?—I suppose that may be so.

245. Are you aware that since 1853, when the system was instituted, over 2,700 men have entered the Civil Service, out of whom only three per cent. are Natives of India?—I have not gone into the figures.

246. Are you aware that so far back as 1859 the Secretary of State appointed a Committee of his Council consisting of five distinguished retired officials to study this question, and they unanimously recommended that the only fair arrangement was to hold simultaneous examinations in England and India?—It may be so.

247. Are you also aware that Lord Lytton, in a confidential Minute which he wrote in 1879, spoke of the present system in these terms: "We had to choose between prohibiting the Natives of India and cheating them, and we have chosen the least straightforward course"? I only want to point out to you the condemnation of the system, which you regard as suitable to Indians, by responsible persons?—I have no knowledge whether your quotations are correct or not, but I assume that they are.

248. You say that the present proportion of the listed appointments is satisfactory: you are in favour of the existing arrangement?—Yes, I think so.

249. I suppose you are aware that the rules of 1879, which have since been superseded, promised the people of India one-sixth of the total recruitment for the Indian Civil Service; that one man was to be appointed here for every five who entered there?—Yes.

250. There are at present about thirteen hundred Civilians in this country?—It may be so.

251. One-sixth of that would be over two hundred. The present listed appointments—those that are absorbed in the Provincial Service and also those that are kept apart—are about 103?—You are asking me now about figures for the whole of India generally. I may state at once that I have not gone into the question from the point of view of the figures of India generally, and therefore I do not think anything can be gained by asking me about them. I have not gone into the figures and can neither say yes nor no to anything you say.

252. The proportion for Madras is very nearly the same. You say that the present arrangement is satisfactory and that the proportion of one-sixth which was promised in 1869 cannot be increased just now?—If you look at my answers I think you will find that I commenced by stating that my replies were with regard to the Judicial Department in connection with all these matters, except when it otherwise appeared to the contrary.

253. In reply to question (24) you speak of a minimum of Europeans being maintained in the country, and in answer to a question by Sir Theodore Morison you said the proportion could not be diminished at present?—I said I do not think it would be to the advantage of the country to diminish it.

254. My point is that we have not even worked up to the figure which was thought reasonable in 1879?—We have so far as the Judicial Department in this Presidency is concerned

255. Excuse me: the answer to question (24) is about the European element in the service of the whole country, and is not confined to the Judicial Service?—I have laid down there what I think are the two principles that should guide us.

256. I am coming to that. You are speaking there of the total number of Europeans in the service in this country, and I want to point out that we have not yet worked up even to the one-sixth which was thought to be reasonable by Government in 1879?—It may be so; I do not know.

257. Education has advanced since 1879, and you think that proportion would be satisfactory to-day?—I do not think it is purely a question of education. It depends on many other considerations besides the number of B.A.'s that pass each year, or the number of those who attend school. No doubt generally the progress of education ought to tend, and I hope does tend, in that direction.

258. You speak of the present number being necessary for the stability of British rule. Do not you think that the contentment of the educated classes is an important element in this stability?—I think it is.

259. Do you think that if you do not advance in admitting more and more Indians to higher places in the public service this contentment will remain?—I do not think we ought to look at it from the point of view of having more or less Indians in the public service. The object ought to be to appoint the best men we have for the various appointments.

260. You yourself go against that by saying that a certain proportion of Europeans must be maintained?—I think you misunderstand me. If you refer to my answer you will see what I said.

261. In reply to question (24) you insist on a certain minimum, and in reply to a question by Sir Theodore Morison . . . . ?—I think you will find I do not insist on any minimum beyond laying down the conditions which should decide the number from time to time.

262. If I am wrong I do not want to press the point—I think your question suggests that my answer is different from what it is.

263. I take also the answer you gave to Sir Theodore Morison, that you think the present proportion is satisfactory, and that the present number of Europeans should not be diminished?—That is my own opinion.

264. My question arises out of that. If the present number is not to be reduced, how are more Indians to be appointed to higher places?—Let them go up for the examinations. With the spread of education, I should hope a larger number would be able to pass by the open door.

265. They would not be Europeans. Do you mean by Europeans those who have passed the English examination, or do you mean that the present number of Europeans cannot be reduced?—For present purposes I think the Indians who have undergone the education and entered the Civil Service in the prescribed way by open competition may be treated as Europeans from the aspect I speak of here. It is true I used the word European, but I am content to substitute the words "Indian Civil Servant."

266. The Provincial Service is looked upon as an inferior Service, is it not?—I suppose you may call it inferior; it is not so highly paid and has not such high responsibilities.

267. The appointments made to the listed posts open to the Provincial Service are individual appointments, made to each individual post separately, are they not? All the posts do not hang together as a service, but an Indian appointed to any particular post is appointed to that post only and he is not a member of any special service?—That is so; I believe they are not classed as Members of the Indian Civil Service, which of course they are not, nor do they continue to be members of the Provincial Civil Service. They are selected from the Provincial Service to fill these listed appointments. I suppose they may be regarded as in a class by themselves.

268. In answer to question (24) you say that a certain proportion of European officers is necessary to maintain the purity of the public service. You know of course that when the salaries paid to Europeans were low, the standard of purity was also low, in the days of Clive and in fact up to the days of Cornwallis?—I believe there was a good deal left to be desired at that time.

269. In answer to question (5) you say the work has greatly increased and the amenities of life in many of the smaller stations have been greatly reduced by the diminution of the European element. Are you aware that in 1904 a Return was laid on the table of the Viceroy's Council by Lord Curzon's Government pointing out the number of Europeans in the public service from time to time, from 1867 up to that time, and that that Return shows that the number of Europeans in the public service has actually increased? I will give you the figures and you will see?—What is the use of giving me the figures? I cannot tell whether they are correct or not.

270. You say that the European element has diminished?—I say it has in this Presidency.

271. In this Presidency in 1867 there were 420 European officers; in 1903 there were 543. That does not show a diminution?—If those figures are correct it does not. It is merely a matter of arithmetic.

272. The Return is here. If the number of European officers in the Public Service has increased owing to the creation of many new appointments. . . . . ?—The new appointments may be in connection with the control of the Presidency station, or in certain large stations. For instance some stations have increased. I should say the Coimbatore district will have quite a number of additional establishments, the Forest College, the College of Agriculture, and various other headquarters. There are district stations where to my own knowledge there are very many less Europeans than formerly, and it is in those stations that I say the amenities of life from the European point of view have diminished.

273. I quite see that you are giving that impression, but I want to put it to you that statistically that impression may not be capable of being established?—I am not convinced. In your figures you assume they would be distributed over all the stations equally. A great deal depends on that. I think the tendency is rather to have possibly a larger number in the central points of control.

274. I am taking the Presidency as a whole?—I am speaking of individual stations up-country, district headquarters.

275. You speak of the withdrawal of European medical aid. Do European officers object to Indian Medical Service men?—I think European ladies object to them very much for themselves and their children—that is my experience.

276. Coming now to the question of Indian District Judges, some questions were put to you about the capacity of the five Indian Civilian Judges. Would you say that the average among the European Civilian Judges would be higher than that of the five to whom reference was made?—I mentioned one of them as very good, and I mentioned two of them as about the average, and I mentioned one of them I think as a failure.

277. Do you think that the average among the European Judges would be very different?—Yes, I think it is better.

278. It is better?—Distinctly better.

279. I do not know much about this Presidency, but some years ago the Bombay Government had to pass over twelve District Judges before they thought they could take a man for the High Court . . . .?—I do not know what they did in Bombay twelve years ago.

280. You of course think well of the Provincial Service District Judges here?—Yes, I do think well of them, more especially as Civil Judicial Officers.

281. You say that the Indian District Judges in their administrative capacity do not stand comparison with the European District Judges?—That is so.

282. Is there anything in the records of the High Court to show that the High Court has had to find fault with the capacity of the Indian District Judges?—There may be, but I cannot just for the moment answer that.

283. If the High Court has had to find fault it must be on the records?—It is one thing to find fault and another thing to have one's opinion in respect to capacity.

284. Would it be possible to get a Return from the High Court of cases of finding fault with the respective administrative capacity of the Indian Judges and the European Judges?—I suppose it would be possible to get it.

285. I would like to move that a Return be obtained. Have there been cases where European District Judges have not been able to detect embezzlement and things of that kind, and the Indian Judges have succeeded, to your knowledge?—No.

286. Are you aware that at Vizagapatam some time ago certain things were going on for three years which the European Judge could not detect, and the Indian Judge who succeeded the European Judge discovered the frauds?—I have some recollection of it. A thing may be discovered at any time, or it may be concealed for a long time.

287. You say that Indian District Judges are less satisfactory towards the end of their career?—Yes, that is my experience.

288. Is it a fact that the High Court often recommends extensions?—Yes, we do.

289. Why is that done?—Because we think they are worthy of it in the cases in which we do make recommendation.

290. So that you cannot say as a rule that the Indian District Judges are less satisfactory towards the close of their careers?—Less satisfactory than at the earlier part of their careers. If they are not less satisfactory we go on giving them extensions for a long time. When they gradually become less satisfactory we refuse to give them extension.

291. With regard to the criminal work of Indians and Europeans, I suppose it would be possible to get from the High Court a Return showing the number of applications for transfer from first-class Indian Magistrates and first-class European Magistrates?—I think it could be obtained. The High Court would not have it; it would have to come from the districts.

292. It would be also possible to obtain a Return showing in how many cases the decisions of first-class Indian Magistrates have been reversed on appeal, and in how many cases the decisions of European first-class Magistrates have been reversed?—No doubt it could be obtained.

293. One of the grounds upon which you are in favour of the existing system is that it is economical. You say the present system is all right and amongst other things you mention that it is economical. Have you ever calculated what the cost would be in this Presidency for separating the Judicial and Executive functions?—No, I have not.

294. You are in favour of an increased scale of salaries for the members of the Indian Civil Service?—Slightly for the juniors during the first few years.

295. That will lead to increased cost, will it not?—Yes, it will.

296. You have no objection to that?—No, not for the purpose for which it is asked.

297. (*Mr. Sly.*) What is your opinion of the system under which successful candidates, immediately after the open competitive examination, should be required to elect, or be selected for certain Judicial and Executive Branches, and undergo a separate course of probation and training for?—Do you mean as to the age when they should be, or whether they should be required at all to do it?

298. That immediately after the open competitive examination they should be required to?—I think it is too soon to ask them to determine. I think they are in a much better position to give a reasoned choice, and one that is likely to remain and represent their inclination, if they make the selection after a few years' experience of life in India. They know more what the conditions are, and they are in a better position to make a choice which will be well reasoned at the time, and likely to be lasting.

299. Could suitable Law Lecturers be found in this Presidency from amongst the members of the Bar or the Professors of the Law College to give instruction to successful candidates of the Indian Civil Service in the general principles of Law, a course similar to that you recommend for probationers to undergo, if probationers were brought out immediately to this country after passing the open competitive examination at home?—They have great difficulty in getting suitable Lecturers for the Law College. I suppose it is very much a matter of pounds, shillings, and pence, the attractions that you offer, as to the class of man you get. But in the Law College here we find it difficult to obtain suitable men: it interferes with private practice. The best men are already fully occupied with private practice which is probably more lucrative and more agreeable to them than lecturing to a class.

300. Does the existing Provincial Judicial Civil Service attract the best men with the best qualifications that are available for open recruitment?—It attracts a very good class. I do not say that it always attracts the very best men—probably it does not—but it does attract on the whole quite a good class.

301. If a higher Judicial Service were created in India, would there be any superior class of Local Barristers or other members of the local Bar who could be recruited for such a service?—Are you speaking now of a service in which you would wish to recruit young men as soon as they were qualified and fit to be selected, or are you speaking of a service where you would recruit older men for higher appointments?

302. A service which would be recruited from comparatively young men in substitution of the existing Judicial Branch of the Indian Civil Service?—No. I think we should have to choose from the same class that we now choose our Provincial Service from, that is to say, men who have taken their B.A. and B.L. and become, for the most part, High Court Vakils, and otherwise. That is the class of men we get. It would, of course, depend on what conditions were offered to them, but I take it it would be from that class of men that we should have to recruit.

303. Do you consider that a large number of acting appointments in your Provincial Judicial Service detract from the attractions of that service, and that any difficulty is experienced in securing good men to act for those short periods?—No: we have no difficulty in securing good men. We always have a very large list of well-qualified candidates. Our real difficulty is to make a selection amongst so many who are apparently nearly equal. They are always ready to act in a short vacancy, because they know, if they do reasonably well, it will lead to a permanent appointment. We go on the system that once we appoint a man to act we put him in from time to time when vacancies occur, and finally he is appointed and his appointment is eventually confirmed.

304. And similarly does a large accumulation of officers in the lowest grade have any effect on the recruitment?—There is not a very large accumulation in the lowest grade of Munsifs. It is in the lowest grade of the Sub-Judges that there is at present what I may call an abnormal accumulation due to the circumstances I mentioned. Among the Munsifs there are only about five or six temporary appointments out of a regular cadre of 131. The lowest grade is not larger than any other grade.

305. In that case it is in your opinion unnecessary to give leave?—We have not found it necessary hitherto. They do not take leave very much, and we have no difficulty in filling up the leave vacancies.

306. (*Mr. Macdonald.*) With reference to questions (45) and (46) in your proof, with regard to Universities, you propose that the successful candidates should be allowed only to go to certain Universities which you describe as residential Universities. As a matter of fact, does not that mean that they can only go to Oxford, Cambridge and Dublin?—I do not know whether there are others. I said "other residential Universities" in order that they might have the opportunity of going to any where there are facilities for residence. I do not know whether there are any Universities of that kind.

307. You know that it would exclude London?—I believe it would.

308. And that it would be excluding four of the Scotch Universities?—I suppose it would.

309. And it would exclude Universities like Birmingham?—Yes, I suppose so.

310. Do you really mean to say that residence means "culture and knowledge," in the words of your answer to question (46)?—I think that men who reside at the residential Universities would have opportunities for culture and knowledge which men at non-residential Universities have not got.

311. There are various other things besides culture and knowledge at residential Universities, are there not?—Yes.

312. And would you mix them up all together; you would take the drawbacks with the benefits?—I do not know that there are great drawbacks. There are certain distractions. Perhaps they are a little too much given to games and so on, but after all, I consider games have rather a beneficial effect.

313. Let us take a specific case. Are you aware of the political science course that is being run now in connection with the London University?—No.

314. In connection with the School of Economics?—No.

315. Do you know about the Economic course connected with Birmingham University?—No. I have no recent knowledge of the Universities at all.

316. You have answered question (46) really on imperfect information?—On such information as I have.

317. Supposing we were to limit it to residential Universities, is it your suggestion to the Commission that a man who has not been at these Universities before he passed his examination, or who has not been at a public school before he passed his examination, is going to derive great benefit by a residence of two years after he has passed his examination at these Universities?—I think that he would derive benefit.

318. Benefit so great that the other Universities might be excluded?—If he has to choose from different Universities, I think those that he can reside in have advantages over those where he cannot. It is a case of choice.

319. Irrespective of the curriculum?—I think the curriculum should be satisfactory in all.

320. In your proof you give us a very interesting scheme of training, and I might ask you a question or two with regard to it so that my mind might be clear. It is based upon the assumption that you cannot recruit, as we do in England, the whole of your Judicial Service from men who have been practising at the Bar?—Yes.

321. And amongst other reasons—you will correct me if I am wrong—I think perhaps one of the chief reasons you give is that your lower Judicial appointments carry such an exceedingly small remuneration that you cannot get good Barristers to accept them?—Are you speaking now of the appointments in the Provincial Service, the Munsifs, and Sub-Judges.

322. I include them ?—Yes, I think it would be quite impossible to get Barristers to accept those posts.

323. Therefore they have to be recruited either from a class of Lawyer whose income at the Bar is very small, or that part of the Judicial function has to be performed by men who are trained for a wider field of activity, the ordinary Civil Service ?—The Provincial appointments are not held by the Indian Civil Service.

324. The magisterial appointments ?—Are you speaking of the Indian Civil Service appointments ? I was under the impression that you understood Munsifs and Sub-Judges have no magisterial powers.

325. I am trying to shorten my questions, and by shortening them I am taking the whole Judicial system. Your Judicial system, as I understand it, is based partly on Indian Civil Service appointments, the magisterial section ?—Yes.

326. Partly upon Munsifs and Judges who are Provincial ?—No, that is a mistake. The Munsifs have no magisterial work.

327. I say partly of Munsifs and other Judicial appointments.—You mean taking the whole Judicial system, Civil and Criminal altogether ?

328. Yes ?—Yes, there are two lines, the Civil line, the lower appointments of which are held by Munsifs and Sub-Judges, and the higher appointments by the District Judges who are mainly drawn from the Indian Civil Service and partly from the Provincial Service.

329. And you have a double reason, as I understand, why all your judiciary cannot be gained upon a practice at the Bar. First of all, that your Provincial Judicial Service carries such a low salary at the bottom that you cannot get a good Barrister to take it ?—Certainly.

330. Secondly, that your Indian Civil Service magisterial functions are essential to the proper fulfilment of Indian Civil Service general functions ?—Yes.

331. And that if you try to create a separate judiciary right from the bottom up to the High Court you would be met by those two obstacles at the very beginning ?—Yes.

332. I do not see how you are to get Barristers to take up the lower appointments unless you altogether change the scale. My conception of your fundamental point from which you start is so far accurate ?—So far as I understand it, yes.

333. In order to meet the difficulty, you propose a special system of training ?—Yes.

334. Now may I read through your proposals so that I may see if I rightly understand them. I am going to deal with the Indian Civil Service section alone. It really covers the whole memorandum. Dismiss from your mind the question of the Provincial Service as I am dealing with the Indian Civil Service side. You get your candidate, who has passed his examination to begin with. Then, at any rate very substantially, at the expense of the Government you propose to give him two years' probation in England ?—Yes, in common with all the Indian Civil Servants.

335. I am dealing with the Indian Civil Service. Two years' probation in England largely at the expense of the Government, and you are going to give them substantial grants to enable them to carry on their studies ?—Yes.

336. Then they come to India and do eight years' work ?—Yes.

337. You accept the eight-year period ?—That fits in with the conditions of this Presidency.

338. And also fits in with the furlough—you make a point of that. Then they go home and they get one year in Chambers if they are going into the Judicial line, largely if not exclusively at the expense of the Government ?—That was the proposal, that part of the expense at all events should be paid.

339. Then in addition to that they take a year's furlough, again at the expense of the Government ?—Of course under the existing rule they are entitled to two years' at the end of the first eight.

340. An average of three months a year ?—Yes.

341. We will knock out the furlough and assume that they did not take it. They come back and then they have another two years' training—one year, according to your scheme, if I read it aright, exclusively training, and the second year you suggest that if a man is a good man he may be worth his money, but still you put down two years' training. That means from the time a man passes his examination until the time that he becomes a Judge, after his training is over, a period of thirteen years elapse, and five of these thirteen years are taken up in training the man for his business, and eight years are taken up in doing his ordinary work for which he is having his full pay ?—That is including the two years' probation before coming to India.

342. It is including the two years' probation in England, one year in Chambers, and two years after he comes back. You give a man eight years' civil work and five years' training ?—It comes to that.

343. (*Mr. Madge.*) You have said in your answer to question (3), which I wish to consider in connection with your answer to question (6), that you consider the present system of competitive examinations satisfactory ?—Yes, as satisfactory as conditions will admit of. I think it is as good as we can devise.

344. It does not in any way approach or test a considerable proportion of the qualities that make an Englishman a good officer in India ?—No, that is quite true.

345. That is to say, that although under present conditions you think it can be accepted, it is not a satisfactory system ?—It is not, as I say, altogether satisfactory in principle, but in practice I think it secures a very good class of man. As I said in my answer, if some means of giving weight to character could be found it would be even more satisfactory.

346. Taking that in connection with your answer to question (6), although you have five different sub-heads, the question of character is not determined by any practical suggestions put forward, and yet it is one of the most important qualifications for the Service ?—It is exceedingly difficult to give character its due weight in any system. I have not yet seen any system in which it is given due weight. It is difficult to ascertain, or to estimate, or to allow for.

347. May I suggest to you in the light of your own past experience that questions of this sort ought to be considered in the light of the interest of the great masses in this country and their welfare rather than that of any particular class, educated or otherwise ?—I entirely subscribe to that suggestion.

348. Secondly, if the Government were in a position to ascertain the real feeling of the masses in the country, it would be quite right to be guided by their knowledge of those feelings and their desires, at least, to a certain extent ?—Their feelings and desires may not always be what we may think best for them.

349. It is the duty of the Government to consider the real interests of the masses in preference to those of any other class ?—I quite accept that.

350. Then you have told us you consider the experience of a District officer very valuable as part of his qualification as a Judge ?—Yes.

351. You have first stated that the period might be fixed at eight years, and in your later answers you told us that it might be extended to 12 or 14, leaving us to understand, as a general rule, the longer the period was the better it would be ?—The greater the experience and the knowledge the man has the better, but I am not prepared to say that what is commonly called bifurcation—that is selection of either Revenue or Judicial as the permanent line—would not be better at an earlier date. I suggested eight years as the time because it fitted in with the administration here, but I also added that I have no objection to the Government introducing a scheme which makes the selection earlier.

352. Cases have doubtless come within your knowledge in which, owing to local considerations, the Government have transferred officers from Judicial to Executive office, on grounds that they considered right. Take Burma for instance; there in recent years transfers have taken place from the Executive to the Judicial at a much later period ?—I believe it is so; I have heard of cases.

353. In view of facts of that kind—although they may be exceptional they are of considerable importance—do you think it would be wiser, instead of having a hard and fast rule, to allow the Government a discretion in the matter ?—I think they must always be allowed a discretion. In speaking of anything like a system I rather regard it as the normal condition, but always subject to special exceptions. For instance, there are cases in which a man's health prevents him from following the very active life which a District Magistrate ought to pursue in order to do his work well. Such a man may make an excellent Judge, although he is unable to do the constant travelling which falls to the lot of a District Magistrate. In those cases the Government might have the power of utilising his services in a way he is most suitable for.

354. The tendency of recent public discussions and public opinion being towards the fixing of a rule, would not a hard and fast rule of that kind operate against the public interests in certain very important instances ?—If it were rigidly carried out and without regard to special circumstances I think it would, but speaking broadly as a normal course of action I do not think that it would. It would be a rule laid down for guidance rather than for absolute adherence.

355. If your answers are accepted as proposing or agreeing to a scheme of bifurcation, do you not think it would improve it to have a clause vesting the Government with discretion in such matters ?—I think so, certainly.

356. Not making it hard and fast ?—I think there ought to be discretion.

357. As regards the presence of medical officers at certain stations—I do not speak with reference to English or Indian ladies—do not you think it a reasonable thing for a lady of any race to prefer a medical attendant of her own race ?—It seems to me reasonable.

358. In that case do you not think that the Government, considering the number of families scattered throughout this country, ought to take that point into consideration in any future rules it might make on the subject ?—I think it would be very desirable they should do so. I have no doubt that they would do so.

359. I do not know to what scheme you have referred, but in Bengal the proposal to bifurcate I think was at nine years: it was said it would probably cost fifteen lakhs of rupees to carry out the scheme with a limit of nine years' service, that there would be a waste of power and it would be necessary to appoint a second officer in many districts for one branch of duty ?—It would depend on what the conditions were. Probably Bengal officers would give more information than I can.

360. Could you tell us what it would cost in this Presidency if a scheme of bifurcation were to be carried out fully ?—I have not made any calculation; I do not quite see why it should cost anything; I do not see where the cost comes in except of course for the period referred to by Mr. Macdonald, the period of training. There would be of course expense during that period, but I think you get value for your money if you train in that way.

361. I am not sufficiently familiar with the details of administration to say why it should have cost a certain sum anywhere, but it was because there would be a loss of power in the employment of separate officers who have now to perform combined functions. Would there be no such loss here ?—I do not think so not according to our scheme. I do not see where the loss comes in.

362. (*Mr. Abdur Rahim.*) I understand from your answers that you consider the present condition of the Provincial Service quite satisfactory, that District Munsifs and Subordinate Judges are good Judges generally speaking ?—Yes, I think on the whole they are a very satisfactory service.

363. Are you prepared to suggest any change in the matter of selection of those officers ?—No, we take all the precautions we can in making the selections, and if any suggestions for improving it were made, we should be only too pleased to follow them.

364. Suppose it was suggested that competitive examinations should be introduced for selecting District Munsifs to start with, or Subordinate Judges, proceeding on the results of the examinations by marks ?—Straight off into the Judicial Service ?

365. Yes, and then give them training as Judges: would you consider that a better method of selection ?—No; I do not think it would be as satisfactory as our present methods.

366. Under the present system I think—you can correct me if I am wrong—most of the District Munsifs are High Court Vakils ?—At present about one-half are.

367. And they are graduates of the Universities ?—Yes, the great majority of them.

368. The tendency is to confine the posts to graduates as far as possible ?—That is so.

369. They are graduates in Arts as well as in Law ?—Yes.

370. I believe you have been Vice-Chancellor of the University and Member of the Senate for a very long time ?—That is so.

371. In your experience is the standard pretty high both in Arts and Law ?—Yes.

372. I take it that the age at which they pass the B.L. Examinations would be about 23 or 22 ?—I think the age is rather higher, but I know that some men do succeed in passing very young. They may enter the University at 16.

373. Will the average age be 23 to 24 for the B.L. ?—They are not allowed to join the Law College until they have passed the B.A., I think. Then men may not enter for the university until they are about 18 or something like that, or possibly later, and they take four years to get their degree.

374. Is it three or four years here ?—I think it is four years; the F.A. at the end of two years and the B.A. at the end of four.

375. (*Mr. Subrahmanyam Pantulu.*) It is the same now ?—I think so.

376. (*Mr. Abdur Rahim.*) Then after taking their Degree in Arts they have to spend four years in passing the examination for B.L. ?—For the B.L. I think three years is the ordinary course.

377. If they are successful in the examination, in order to be enrolled as a vakil of the High Court, they have to be apprenticed to some senior practitioner ?—Yes, I think for a period of a year.

378. During that year they have to take notes of cases ?—Yes.

379. And report cases ?—Yes.

380. And do junior's work ?—That is so.

381. When they are enrolled as vakils of the High Court they have to produce certificates of character ?—Yes.

382. As a rule nowadays, I take it, the District Munsifs do not get their first acting appointment until they are about 35 years old ?—Thirty-five is the limit. No one can be appointed after 35, but they may get their acting appointments at any time. I should say they get their first acting appointments generally at about 32, but possibly 33.

383. Between 33 and 35 is the usual age ?—It varies a good deal. When we get an exceedingly brilliant man we put him in at once. Sometimes men are put in as young as 27 or something like that.

384. I am speaking of the general practice ?—It would be after 30 at all events.

385. Between 30 and 35 ?—Yes.

386. By that time they have had experience of the profession for about 8 or 10 years ?—Hardly so much according to my calculation, but it might be.

387. Nobody would expect that they would have had any large practice ?—Men who see their way to a very large practice would probably not apply at that time.

388. The High Court makes the selection ? All the Judges meet together and make a list of candidates who in their opinion are fit to be appointed ?—Yes.

389. I suppose some Judge or other knows pretty well about the man whom he recommends; he has either appeared before him or he knows him personally ?—Very often the individual Judges know the candidates, but we rely very largely on the reports of the District Judges, because selections are made not only from the High Court Bar, but very largely from the District Bars, and in regard to those selections we rely on the recommendations largely of District Judges and Sub-Judges. Anybody who has practised before them can get certificates as to how they have done their work and as to character.

390. With regard to those practising in the High Court, some of the Judges, or perhaps more than one, know the man they are going to recommend ?—It is so sometimes.

391. They know for instance from the cases they have been conducting before them whether they have a sound knowledge of law, whether they can express themselves properly, whether they are honourable, frank, and straightforward towards their opponents. All these things are taken into consideration by the Judges who take the responsibility of recommending them ?—No doubt.

392. And they have means of judging the merits of these particular candidates ?—Yes, very often.

393. I think you will recollect cases in which a candidate who had a very fair knowledge of law, an intelligent man, has not been selected because of certain infirmities of temper or some such reason ?—That is so.

394. Persons so selected first get acting appointments, the general period of which is about one or two years ?—I think the average period is between six months and a year; it seldom goes beyond a year, and I do not think it is less than six months.

395. Then they are appointed as probationers ?—Probationers for two years unless they have been in Government service previously, and in that case there is no probation.

396. And cases have occurred in which men who have been on probation have been found to be unfit ?—That is so.

397. And they have been rejected ?—Yes.

398. The District Munsifs are generally appointed Subordinate Judges ?—The Subordinate Judges are selected from the District Munsifs almost exclusively.

399. And the general rule is that the District Munsifs are not to expect that they will be appointed Subordinate Judges simply by seniority ?—No, they do not expect it by seniority. It is altogether by selection, but seniority is given due weight naturally as it includes experience.

400. The High Court in recommending the appointment of Munsifs as Subordinate Judges have to take into consideration not only seniority but also their work as District Munsifs. Then when Subordinate Judges are appointed District or Sessions Judges a further sifting goes on, I take it ?—I take it it is so. That is also by selection, very careful selection.

401. Having regard to the course of training and the method of selection, you will agree, I think, that it is really a very safe method of selection ?—Yes, I think it is.

402. Compared with this method, would not a competitive test be a very defective method for selecting Judges ?—It would be a very much less satisfactory method, I think.

403. You said it would be difficult to get barristers—but I will use the word "pleaders" as including both barristers and vakils—for the higher Judicial appointments from the Bar: you would expect higher qualifications than those required for District Munsifs ?—What appointments are you now speaking of ?

404. District and Sessions Judges ?—Naturally I should expect higher qualifications.

405. Qualifications which make for a good Judge ?—Yes.

406. May I take it that your experience of the legal profession in India is not very intimate; it is confined to what you have observed from the Bench ?—Yes, I was never a practising barrister.

407. I take it you would not be in a position to say what class of men would be available supposing there was a proposal to appoint direct from the Bar to District Judge ?—You never know what a man will take until you offer it to him. I have not an inside knowledge.

408. Take the Madras Bar, do not you think there are at least four or five men, Englishmen as well as Indians, who have considerable experience of the profession, who might accept the appointment of District Judges ?—I think there are pleaders at most Bars who would be prepared to take a Judgeship on the terms we give.

409. There are some Barristers who would not accept even a High Court Judgeship—not perhaps in Madras, but in India generally ?—I have heard of cases of men who were unwilling to accept a High Court Judgeship.

410. There would be at least four or five very good men, men who have qualified in the profession, who would accept a Judgeship ?—They would be qualified as Barristers, but whether they would be the men best qualified for the appointments I cannot say.

411. Let me tell you from my own experience what the training of a Barrister ordinarily is. We have already seen what is the training a Munsif undergoes, a man who is willing to accept 200 rupees a month and forego all prospects. Now take the qualifications of an English Barrister. A great many of them are University men, some of whom have taken very good degrees. They have passed an examination for the Bar, which is now more difficult than it used to be, then they read in the Chambers of practising Barristers for perhaps two or three years, and then act as "devils" to men in practice. They attend Courts and go on circuit and for a long time they are not entrusted with any responsible briefs. They generally work with their seniors and watch how cases are conducted. After some time they begin to briefs. During all this period the men with whom they have been working would know all about them, and the Judges before whom they had to conduct cases would know, just as the Judges of the High Court here know about the men who are appointed Munsifs. Would you not say that this is a very good training for a Judge ?—Yes, I think it is a very good training.

412. Even for a District Judge in India ?—You were referring to the training a Barrister gets at home and if that were supplemented by some Indian experience it would be a very good training.

413. I put it to you that a Barrister here also goes through pretty nearly the same experience, at any rate in large centres ?—Yes.

414. Your difficulty in appointing English Barristers would be the want of Indian experience, but supposing he is willing to come out as an Assistant Judge, would you have any objection to that ?—He would take up his duties as an Assistant Sessions Judge without any previous knowledge of either the language of the country or the customs of the people or their institutions. Unless he made a special study he could not have that knowledge of their ways of thought and ways of life which a man acquires by residence amongst them here.

415. I admit there would be a certain value in local experience, but Judicial work consists in deciding upon the evidence ?—Yes, as regards the purely Judicial work, but to appreciate the evidence you want a good deal of experience.

416. You want a great deal of knowledge of human nature to be a good Judge, but that I take it can be acquired in England as well as in India ?—No doubt the motives that actuate men throughout the world are very similar.

417. You will also concede that a man doing Judicial work, either criminal or civil, examining witnesses or seeing witnesses examined, gets a considerable inside knowledge of human nature ?—I think they do.

418. Do you agree with me that that is a better method of getting inside knowledge of human nature ?—I am not so sure. The ways of witnesses, as you know, are not always the ways of men outside the Court.

419. May I put it to you like this. In cross-examining a witness the most successful cross-examiner is the man who knows human nature best ?—Provided he has a good deal of intelligence it is a very high qualification.

420. Taking a Barrister with the training I have mentioned, do not you think he ought to be, generally speaking, quite competent to appreciate evidence ?—I think it would depend very much on the kind of man he was examining. If he were examining one of his own race, with whose ways of thought and method of life and habits he was familiar, he would gain a great deal, but when he comes to examine men whose habits and ways of thought, social relations, customs and religion, and everything, are different from his own, I think he might often find himself in difficulties.

421. In testing the truthfulness of a witness would you suggest that your knowledge of the customs of the country would help you in deciding a case ? You cannot go outside the evidence before you; you cannot act upon the general notions of the truthfulness or otherwise of any class of witnesses. My suggestion is that it is possible to exaggerate the importance of the knowledge of a particular class of people because the Judges by Law are confined to the records of evidence as given ?—They are not obliged to believe what the witness states: they

must decide whether they think he is speaking the truth.

422. But you have to judge from the answers he has given. With regard to the scheme for training, you would begin training after a Civil Service man has been here for eight years? During those eight years what sort of work would he be doing?—Largely magisterial work, trying criminal cases. He would be also doing Revenue work, supervising Revenue establishments. He would have connection with the Local Fund Boards and Municipalities; he would have been sitting on both those boards, and he would have a considerable mass of miscellaneous work.

423. Have duties in connection with Municipalities, Local Boards, etc., anything to do with Judicial work?—No; it gives one a knowledge of affairs and people.

424. By revenue work do you mean trying revenue cases?—He would have most of the trial of revenue cases and also have functions connected with the checking of the collection of the revenue. In some districts they have a great many revenue cases to try; it depends on the nature of the district, whether it has zamindaris or landed estates, and so on.

425. By criminal work I suppose you mean the trying of criminal cases?—The trial of criminal cases; and when he becomes a Divisional Magistrate there would be the trial of appeals and the supervision of Subordinate Magistrates.

426. Administrative supervision?—Both Administrative and Appellate; they very often write to the Divisional Magistrate for instructions as to what they ought to do in a case.

427. You lay great importance on criminal work as part of the functions of a District and Sessions Judge?—Yes.

428. During the eight years the civilian's experience would be confined to trying criminal cases and some revenue cases?—Yes; there may be some small branches of judicial work, but that is practically what his experience would be.

429. I suppose you will admit that so far as the knowledge of law is concerned criminal work does not go very far to secure it?—I think a knowledge of criminal law is a considerable branch of law.

430. In the profession a man would not be considered a good lawyer unless he was really a good man in what is called civil work, which is the bulk of the work?—It depends on what kind of man you are thinking of. If you want a good criminal lawyer it is not necessary for him to know much of Civil law. If you want a good general lawyer he must include a knowledge of civil law.

431. May I take it that for the equipment of a High Court Judge what you require is a knowledge and familiarity with civil law mostly, in that most of his duties consist in administering civil law?—Probably two-thirds or possibly three-fourths of the work in the High Court is civil and the remainder criminal, but the functions connected with the criminal law are very important.

432. If a man is fairly well versed in the Criminal Procedure Code and the Penal Code would he be able to discharge his duties properly?—If he had absorbed the principles of both. They are the fundamental basis of criminal law, but there is a great deal of other criminal law—special Acts.

433. Magistrates, generally speaking, study the Criminal Procedure Code, the Penal Code, and the Evidence Act?—Yes.

434. And that is found to suffice for Criminal work in the case of Magistrates?—Those are the chief things that have to be studied in connection with criminal law.

435. Civil Law has a much wider range?—No doubt.

436. I take it under your scheme early training begins, so far as civil work is concerned, after ten or eleven years?—About the tenth year or so.

437. And that training is by trying cases?—That is as regards civil work.

438. Do not you think it is rather wrong in principle that a Judge should acquire his experience of civil work by trying cases?—I suppose it is the way everyone has to begin experience of Judicial work.

439. But a man at the Bar has considerable experience before he is a Judge?—Not of trying cases.

440. Of conducting cases?—Yes.

441. Do you think that does not give a man experience?—I do not deny that it does.

442. I take it your system does not compare with the system that prevails in England, and might prevail in India were it not for some other considerations you mention—I mean of making direct appointments from the Bar?—I believe the practice in England is to make appointments direct from the Bar.

443. Even those of stipendiary Magistrates?—I do not know what the practice is as regards stipendiary Magistrates.

444. Are not Metropolitan Magistrates appointed from the Bar?—And the Judges do the criminal work there also, both criminal as well as civil work.

445. With your experience of the state of things here do you say the Indian District Judges or Magistrates do not do their work satisfactorily?—Speaking very broadly I do not say they do not do their work fairly well. Some do it excellently and others do it very indifferently.

446. There is nothing in the fact of his being an Indian that would stand in his way of doing criminal work properly?—I do not think so.

447. You say it is a question of training?—Yes.

448. I agree with you that a man who has no experience of criminal work will not do it so well as a man with better qualifications and more experience?—I think that is elementary.

(Adjourned for a short time.)

449. (*Mr. Abdur Rahim.*) As regards separation of the two functions, Judicial and Executive, do you not think it an objection that the District Magistrate, who is the head of the Police, and responsible for the peace of his district, should supervise the work of the Magistrates under him, that is, the Subordinate Magistrates. In trying police cases, the Subordinate Magistrate might be under the fear that the result might or might not, in certain cases, suit the ideas of the District Magistrate?—I do not see why their interest in the peace of the district could not be as great as that of the District Magistrate. They are all responsible for the peace of the district within the limits of their own jurisdictions.

450. But the Magistrate trying a criminal case is not responsible for the result, while the Police officer investigating the case is anxious to secure the conviction of the accused he has sent up—Yes; but it is the Magistrate who is responsible. I do not think that the District Magistrate has any interest apart from that of obtaining justice in the case. If the man is guilty, get him convicted, and if he is not, not. But, as a matter of fact, the District Magistrate has practically nothing to do with the trial of cases by second or third class Magistrates. There may be an appeal to him if it is a second or third class Magistrate, but if it is a first-class Magistrate the appeal goes to the Sessions Judge.

451. Apart from any question of interfering with the actual trial of cases, or influencing them, is not the Subordinate Magistrate likely to think that, if there were a large number of acquittals in a certain class of cases, he would incur the displeasure of the District Magistrate?—I do not think so. I think that any Magistrate who held that opinion is hardly fit for his position.

452. But supposing that is so, that would be a good argument for separating the two functions?—If there was any considerable fear, that might possibly be so; but I do not think that there is, and I do not think that there ought to be.

453. As regards the cost, I do not know that you have thought over any scheme for separation, or whether you are altogether opposed to separation?—I have tried to think out what schemes might be adopted, but I have not been able to develop any satisfactory scheme, and that is why I am against it.

454. Have you read Sir Harvey Adamson's scheme, proposed by him three or four years ago?—No; I cannot say that I know the scheme you refer to.

455. Do you agree that for testing a man's capacity for administrative work, the competitive examination is a more uncertain test than testing his capacity for Judicial work, or at least it is quite as uncertain in one case as the other?—I am of opinion that for administrative work experience is even more important; but it is difficult to compare the two. I should find it rather difficult to give an answer to that. It is a subject upon which one might perhaps write an essay, but it is difficult to say "Yes" or "No" to a point of that kind.

456. What I mean is this, that the qualities required for a good administrator are, if anything, more varied and more indefinable than the qualities required for a good Judicial officer?—Well, perhaps they are.

457. As regards the Provincial Judicial Civil Service, do you not think that the age at which Munsifs are appointed might be somewhat usefully reduced in practice, say, to about 28 or 30?—Yes, as a matter of administration. I have lately come to the conclusion that perhaps approaching 35 is rather late, considering all things, and that probably it would be better to catch our men about 30, or a very little over 30.

458. There are some listed offices open to them: four or five. Suppose you got younger men than are appointed now-a-days: those who are now appointed District and Sessions Judges are appointed very late in life?—It depends upon what you call "late." They are mature men.

459. After 50?—I do not think that the age is as high as that usually. There may be some cases; it is approaching 50 in some cases, but it may be much younger. There is nothing to prevent them from being appointed earlier if they are considered the most suitable men at the time.

460. That, as a matter of fact, is the practice, and this, I believe, is owing to the lateness of the age at which they are appointed Munsifs?—They are selected from the best men among the Munsifs. In using the word "best," I mean good men who are experienced. That becomes a valuable part of their goodness and no doubt it is practically always that they are selected from among the senior Munsifs.

461. For listed appointments,—the appointments of District and Sessions Judges,—it is necessary that those who are selected should have experience of criminal work?—Certainly; it would be an advantage to have such an experience. To some extent it is provided for in the two Sub-Judges who are Assistant Sessions Judges.

462. If you had somewhat younger men, then perhaps they would be more up to the administrative work?—Perhaps so—they might be.

463. Have you, in your experience, noticed any want of experience with regard to administrative work so far as Indian members of the Civil Service in the Judicial Branch are concerned?—I think that we do notice it in the correspondence; we have correspondence with regard to a great number of subjects, as I dare say you know.

464. Have you any serious objection to training members of the Civil Service from the very beginning, that is, those who are intended for Judicial work, as soon as they have completed their studies, during the period of probation in England, and from the time they arrive in India? Do you not think that their training should be quite different from the training of those who are intended for the executive line; that is to say, the bifurcation should be at the very beginning?—I think I pointed out that in order to place a man at the head of the Judicial administration of a district with a population of two or three millions with appellate powers over Magistrates with 10, 15, or perhaps 25 years' service, you want a man of some age. I do not think you can take a young man just because he has passed an examination or because he has had some training in Judicial work. The question of age and experience is very important when you come to that.

465. I suggest that the training of Judicial officers should be separate from that of the Revenue officer from the very beginning?—If it was purely and simply Judicial work, I think he would lose a part of the general, wide experience, which he gains from his miscellaneous and magisterial duties now.

466. Supposing it was necessary to choose between two alternatives—higher Judicial efficiency, lower Judicial efficiency and more efficient administrative ability in District Judges?—I think that if you place them all in compartments like that, Judicial ability and success is more important than administrative; but I regard administrative work as distinctly important. It is sometimes lost sight of, and that is why I mentioned it.

467. As a vernaculur test for the Provincial Civil Service, Urdu is not one of the languages?—Not in this Presidency.

468. But is not there a very large section of Muhammadans who speak or understand Urdu?—I am told that if one spoke pure Urdu a great many Muhammadans would not understand it. They would understand Tamil and Malayalam. The Moplahs of Malabar, I do not suppose, could speak Urdu at all. They are a section of Muhammadans. I doubt if the Marakayars in the South would know very much about what you and educated men would call Urdu. Of course they use a certain number of Hindustani words, but their ordinary language is Tamil.

469. The Muhammadans have to know Urdu for religious purposes and also Arabic. If in addition to that they are required to study two vernacular languages, do not you think it rather hampers them?—No doubt it is an additional burden upon them.

470. For Europeans and Eurasians I think only one vernacular is required?—If you are now speaking of tests for the Provincial Civil Service, I believe that is so.

471. (*Sir Valentine Chirol.*) There is one point I should like to clear up, as some misunderstanding might arise out of the answers to questions put by Mr. Gokhale with regard to the amenities of life for European members of the Civil Service. You stated that it is within your experience that in a certain number of stations in this Province the number of Europeans has diminished, and Mr. Gokhale quoted against you statistics referring to the increase of Europeans employed in the whole Province?—That is so.

472. I take it that you are referring to individual stations?—Yes.

473. And that therefore the increase in the whole number of Europeans employed which has chiefly arisen, I understand, from the creation of separate departments mostly posted to two or three different centres in this Province, chiefly to Madras, does not in the least affect your statement with regard to the decrease of Europeans in individual stations?—Yes, that is the point I tried to explain to Mr. Gokhale.

474. I only wanted to get that point out further. With regard to the diminution of the popularity of the Indian Civil Service amongst Europeans, the rates of the salaries of the Civil Servants have not been raised for many years past, have they? And the conditions of service from that point of view remain very much what they were in past years?—That is so, but about two years ago there was an improvement in the grading of the Judicial Department, and a slight increase was made in their pecuniary prospects with a view to placing that branch of the service on a par with the general pecuniary attractiveness of the Revenue line.

475. That was rather to balance the advantages of the Judicial and Executive branches of the service?—That is so.

476. Is it a fact that within your experience the cost of living has increased very considerably during your period of service, or, say, during the last ten years of your service?—I think it is notorious that it has.

477. I do not want to go into that question, as we shall take the information which will be given to us as the result of an enquiry into the general rise in prices. I only wanted to ask you whether it was within your experience that the cost of living has increased very considerably whereas the salaries of the Civil Service have dropped?—The cost of living has largely increased.

478. You have given us a statement showing the number of European and Indian Judges in the Province; can you give us any statement as to the respective castes and communities from which the Indian officers of the Judicial service are drawn?—I could by taking the list and going through it. As far as I understand, your question refers to those who are numbered in my statement (question *25*, *p. 5*). I could not give you any figures without making calculations.

479. I suppose the High Court or some authority here could give us a statement of the castes and communities?—There would be no difficulty at all. I could do it myself but it would mean going through the names.

480. I desire to ask for a return in that connection?—I have information with regard to the Munsifs and Sub-Judges, but I do not think it includes the District Judges. I could get you information upon that point. I obtained it from the High Court office in connection with one of the later questions. I find that there are 18 Sub-Judges, permanent. Fifteen of them are Brahmans. There are no Muhammadans, and no Europeans, but there are three non-Brahman Hindus. Among the temporary Sub-Judges seven are Brahmans and six are non-Brahmans. I need not take into account a couple of men who are acting. Among the District Munsifs 91 of the permanent ones are Brahmans; two are Muhammadans; one is a European, or, at least, I believe him to be a European, but it is not quite certain whether he is a European or a native, that is to say, born and domiciled in India, but he is down in the list as a European; and there are 34 non-Brahmans. Among the acting District Munsifs, there are 17 Brahmans and 10 non-Brahmans. That is how they stand at present.

481. To your knowledge is there any marked difference in the general intellectual attainments of Indians who go into the Provincial Judicial Service, and Indians who get into the Civil Service by going to England and passing the competitive examination there: though they may not belong to different classes of the community, is there any marked difference in their intellectual equipment?—The numbers are very small to draw anything like a generalisation from. The number of Indian Civil Service men in the Judicial service is only four or five, and of the Provincial Civil Service there are only four at present. It is a very small number to draw a generalisation from. I do not think it would be safe for me to do so on such a small number.

482. (*Sir Murray Hammick.*) With reference to what Mr. Ramsay Macdonald asked you about Universities when you spoke of a residential University, I suppose you meant a University at which the undergraduates are under some kind of discipline?—Yes.

483. In objecting to Universities which do not provide for the residence of their undergraduates, you mean that the undergraduates at such Universities are liable to the temptations which are always to be found in town life in England, and without the discipline they would have at such Universities as Oxford, Cambridge and Dublin?—Yes, that is one of the points.

484. Mr. Macdonald appeared to come to the conclusion, or at any rate inferred, that five years, I think it was, out of 13 years of an Indian Civil Service man's service who was being trained for the Judicial, would be spent practically under Government salary without doing any work for Government; but I understand under your recommendation there are two years' training in England,—one year would be spent in study leave, and two years afterwards would be spent in India in doing the work of an additional Assistant District Judge or Sub-Judge?—Yes, that is so.

485. Therefore during those two years out of that five years the officer would be giving Government a considerable amount of service for the money he received?—I expressly stated in my memorandum that during the first year he is not to be expected to turn out a full tale of work as he would be largely engaged in study. In the second year of course he might very well turn out a full tale of work.

486. (*Mr. Oldfield.*) You told us that it was not always possible to post men in accordance with their knowledge of a language on administrative grounds, and that it would not always be possible to post them in the country in which the one language they had learnt is spoken. The two chief languages are Tamil and Telugu. There is also Uriya and Malayalam and Canarese in South Canara?—Yes.

487. In the Telugu country there is a considerable extent of feverish tracts—in the Agency tracts?—Yes.

488. The climate of Malabar often does not suit the officers?—That is so.

489. It would therefore be that from administrative reasons the officers who learn the languages of some of those tracts cannot continue working in them?—Quite so.

490. With reference to the confusion with regard to the executive functions as separate from the executive and judicial functions, I think there is a certain amount of confusion, and that some of the members of the Commission are not aware of our system here. Firstly, does the District Magistrate in Madras frequently try cases himself?—Very rarely does he try cases himself. It is only when there are special circumstances which render it desirable that he should do so. His work is almost entirely administrative and appellate, and supervising.

491. He has been referred to as the head of the police in a sense. Is the District Magistrate the head of the police in Madras?—In each district there is a Superintendent and other superior officers of the police who do practically all the police work. They consult the District Magistrate on important questions connected with cases, but he has very little direct control over the actions of the police. In special cases he may be asked to advise about cases that are difficult. The police report their proceedings to the Divisional Magistrate, if they are of any importance, and he keeps an eye upon all that they are doing.

492. Is it a fact that the police officers' and superintendents' diaries go to the Inspector-General through the District Magistrates?—I am not quite sure what the procedure is, but it may be so.

493. A question was put to you regarding the position of the Magistrate who tries forest offences and charges under special laws, revenue and excise; it was suggested to you that the subordinate Magistrates are in an uncomfortable position because these prosecutions are instituted under the supervision of the District Magistrate who is also the head of the revenue district. Forest offences, and offences under special laws, are, I think, almost entirely dealt with by second and third class Magistrates?—I think so, unless for some reason they are of unusual importance.

494. To whom do the appeals from the second and third class Magistrates lie?—According to the Code they lie to the District Magistrate. In practice they are all tried by the Sub-divisional Magistrate. The District Magistrate hardly ever hears an appeal himself. He has power to transfer them either individually or by classes.

495. Except in special cases a District Magistrate never hears an appeal other than from a European second or third class Magistrate. He takes their appeal?—I cannot say that I know that: I can only speak broadly. He tries hardly any cases of appeals from second and third class Magistrates.

496. Has the Divisional Magistrate in his revenue capacity any concern with forest administration?—No, I believe not. The Forest officer perhaps is regarded as an Assistant of the Collector, who is the District Magistrate, not the Divisional Magistrate. I doubt whether the Divisional Officer has anything to do with it unless matters are referred to him specially. He may have in that case.

497. The remainder of the class of cases we are dealing with are the cases under the Excise law—cases of Salt and Abkāri. Has the Divisional Magistrate anything to do with their institution?—I do not think so. There is a special department that deals with them. If the Divisional Magistrate got an information he would be bound to make enquiries. If information was given to him he would have to do so; but in the ordinary case there is a special department charged with dealing with these matters, and they would be the ordinary persons to institute complaints.

498. Then except in very special cases the persons who appeal have nothing to do with the institution of the cases?—I should say little or nothing: in most cases nothing.

499. I think you told us that these Divisional Magistrates had no civil judicial work to do, but you corrected that statement afterwards. I want to make it quite plain. He disposes of a great deal of rent litigation where there is rent litigation to be disposed of?—Yes.

500. And he disposes of a great deal of the litigation with regard to hereditary offices in some districts?—Yes, among the village servants and others.

501. With regard to the directly judicial part of this enquiry and with regard to administrative work, you have laid stress upon it: I want to add this, the administrative work includes, I think, supervision of all the appointments in the district. Every appointment in the district, that is, every appointment to every court in the

district, has to be approved by the District Judge?—Yes. It is all subject to his approval or to his veto, as the case may be.

502. In this country the courts execute their own decrees; there is nothing corresponding with a sheriff?—Not up-country. There is in Madras of course.

503. That is in the town of Madras; I am speaking of the mufassal?—Yes.

504. There is a large establishment, I believe, for that purpose?—Yes, a very large establishment under the Nasir and Deputy Nasir.

505. Low-paid persons?—Yes, amins and process-servers.

506. In the ordinary District Court it runs to about 100, I have taken these figures from the High Court?—Yes, I dare say that may be so, if it is one of the large District Courts with other Courts attached.

507. And in the ordinary Munsif Courts it runs to over 40?—That would be about it.

508. All these persons are under the supervision of the District Judges?—Yes.

509. And it is necessary that their work should be supervised carefully?—Yes.

510. It is a fact, is it not, that they have great opportunities for malpractice?—That is so. It is necessary that a very tight hand should be kept over them.

511. The District Judge is also responsible, is he not, for advising the High Court on a number of administrative questions?—Yes.

512. Then as regards criminal work—I shall put only two points to you. The young civilian, as you have told us, does work of a great many descriptions: the Government of this country covers a good deal of distance, and he is in control of the land: he is the revenue officer, and he has the disposal of the land of the country?—Yes.

513. And water?—There are irrigation engineers, but he has a good deal to say with regard to the arrangement for distribution.

514. And arrangements for local self-government?—There are the Local and Municipal Councils. He has something to say with regard to their work.

515. Education?—There is a special department for that. As a matter of fact he is generally consulted on all important matters.

516. Medical relief?—He has more to do with sanitation.

517. He has also, as you told us, to do with rent litigation?—Yes.

518. His outlook in life is very wide?—No doubt.

519. He gets a considerable acquaintance with public law; the law relating to all these State services?—Yes, considerable acquaintance.

520. As regards the other point, the necessity for police experience in dealing with Sessions work; as the Divisional Magistrate tours the country, is it one of his duties to inspect the police stations?—It used to be in my time, but I do not know that it is now.

521. It is necessary that the Divisional Magistrate should keep in touch with the police of his division?—Yes.

522. Do you find it difficult in the trial of Sessions cases to understand the working of the police in their investigations?—Speaking for myself, I do not; but I can quite understand that men who are unfamiliar with the system might do so.

523. Perhaps I have not made myself clear. Do you think that a knowledge of the system is necessary?—Yes; it is a distinct assistance to anyone dealing with Sessions cases.

524. You think it is desirable that the Judge should have a knowledge of the system and of the way the police deviate from it in the interests both of the prosecution and of the accused?—Yes.

525. The alternative to the European Judge which has been suggested is the promotion of the subordinate Judge. The subordinate Judge becomes a Munsif at about the age of 30 to 35. Has he usually had much criminal practice before that date?—I should say not, usually. Their practice is considerably more on the civil than on the criminal side; at least I should think so, but individuals may have some criminal practice.

526. I do not know that there are not some exceptions, but the vast majority?—The majority, I should say, practise almost entirely on the civil side.

527. His practice also keeps him in the town?—I suppose so, unless he gets attractive fees to go out.

528. With regard to the Indian Bar, do you consider that the relations between the Indian Bar and the Indian Judge are more harmonious than between the Indian Bar and the European Judge as a rule?—I should not think so. I think, as a rule, European Judges are on excellent terms with the Bar. That is my experience of it. I myself was a District Judge for eight years, and I always received the greatest possible assistance from the Bar. I was on most friendly terms with them.

529. Can you say that the Indian Bar is characterised as possessing any particular qualities which differ from those of the European?—I think it may be generally stated that the Oriental mind, including the Indian, is more subtle than the European mind. That I think is a general statement which may be made.

530. A great proportion of the litigation now relates to statutory law?—Yes.

531. Does that affect the tendency you have mentioned?—Do you mean in the construction of the exact words of a Statute?

532. I will take, as an instance the Civil Procedure Code?—Yes, it may do so to some extent.

533. Do you consider such a tendency a good tendency in the legal profession of the country?—I think it can be carried too far. It is good up to a certain point, but it is liable to be carried too far, I think.

534. With reference to one question that was put to you as to the recruitment of the Bench from the Bar, can you tell me whether that system is followed outside the United Kingdom in Europe?—I believe that in the chief Continental nations appointments to Judicial office direct from the Bar are not the practice. I find that in Germany they have a system which is not very unlike that which we have suggested for adoption in connection with the training of junior civilians. I believe the practice in Germany is to enter the service by competitive examination after about three years at a University. Roughly, that would more or less correspond with the period of probation which

we have here, or rather which we propose to have, of two years, and allowing something for the preliminary study of law for the open competition, after they are selected at the competitive examination. I should say that they are studying law at the time they are at the University. Then they are appointed to various other offices—not Judicial offices—for a period of four years. That I take it, corresponds somewhat with our period of employment in the ordinary revenue line as Magistrates, Assistant Collectors and Head Assistants. At the end of that time there is another examination. They are then made Judges. That is the system in Germany. I believe the system in France is similar. To put it shortly the system in Germany is somewhat similar to our system.

535. In several of the questions about the uncovenanted service there is a good deal of reference to the appointment of District Munsifs at the age of 35. I think that began in 1904?—I think that is the correct date. It is mentioned in one of my answers. It was raised from 30 to 35.

536. That was by the High Court after due consideration?—Yes, it was; but we are now doubtful whether it is very satisfactory. We are inclined to think that the age of 35 in practice is too old.

537. You do not desire to make any particular statement as to the reasons in connection with the matter?—No, I do not think so. It is a matter to be judged very largely by experience.

538. You have given us, I see an opinion as to the work of the Indian officers recruited in Europe; was that an opinion as to their Judical work which had come before you alone, or was it as to their character as officers. Did your opinion deal with them in their strictly Judical work, or did it deal with them as officers generally?—Their Judical work. I had no opportunities of judging otherwise.

539. (*Mr. Ramachandra Rao.*) In reply to question (25) you enumerate the responsible duties of a Collector, and then you say that under the present conditions such appointments should be limited in number. If the local Government considers that some persons may be appointed from the Provincial Service, you have no objection?—If they are prepared to list a larger number of posts.

540. I presume the local Government is the best judge?—Yes, I have said so in my answer. They are the only authority that can judge with a full knowledge of all the circumstances both for and against.

541. You became a District Judge in 1888 and have not worked in the executive line since?—That is so.

542. So that you have had no opportunity of judging the competency of Collectors for the last 25 years?—I cannot say that I have as regards their general work. Their criminal work occasionally comes before me.

543. And so far as their executive work is concerned?—I have had no opportunities of judging as to that, except general notions on the subject.

544. (*Mr. Subrahmanyam Pantulu.*) In answer to question (5) you state that work has greatly increased, and the amenities of life in many of the smaller stations have been greatly reduced by the diminution of the European element and notably by the withdrawal of European medical aid. Do you think that amenities have increased by improved facilities of travel so as to enable officers to go to stations where there are Europeans?—There has been some extension of the railway communication.

545. Therefore the amenities have increased a little?—As far as that goes.

546. Are you aware that in many stations now there is a European element which is different from the official element in some stations, such as missionaries?—In some stations no doubt.

547. So that in that way the amenities have increased?—Yes, that may be in some stations, but not in others.

548. As regards the withdrawal of European medical aid, although you may not have European medical aid from English officers, I suppose in every station where a European is employed you would have English medical treatment, though it may be administered by an Indian?—I think in most stations there would be some inferior officers—I do not mean in the headquarters station, where he would be a duly qualified man. In the smaller stations there would be what we call a hospital assistant. I believe lately their name has been changed to "Sub-Assistant Surgeon." In most stations where there is a European there would be an officer who has undergone European training.

549. There are hardly any stations in the Presidency where Europeans are employed where there is only a hospital assistant; either there must be an assistant surgeon, or what we call an apothecary—an officer higher than a mere hospital assistant; it must be so, must it not?—I am not prepared to say that, but there are some very out-of-the-way places where Europeans are employed. As you might gather from my answer to Mr. Chaubal, I was not referring to very small stations.

550. The stations where Civil Servants are employed are stations where they are employed either as Assistant Collectors or Sub-Collectors?—They generally are.

551. The stations where an Assistant Collector or a Sub-Collector is employed are generally supplied with a high officer?—That I do not say.

552. In answer to question (9) you say "I do not see on what principle any proportion could be fixed, nor do I think that admission to the Indian Civil Service by examination in India would be at all a satisfactory method of recruitment." May I call your attention to the fact that when the resolution of Parliament to hold simultaneous examinations in England and in India was referred to the local Governments for their opinion, the Madras Government said that the European element might be restricted to two-thirds of the appointments?—They may have done so—I believe they did.

553. Do you now say that you are satisfied with the present state of things?—I ought to say that according to my recollection there was dissent upon that subject.

554. As regards the subjects in which the competitive examination is held in England would you like any of the Indian vernaculars or Indian law to be prescribed, so as to give an option to candidates to take up those subjects? We have got English law and classical languages and

the English language. If so disposed would you allow Indian students to take up any vernacular of India or Indian law as one of the subjects for competitive examination in order that they may make use of that language, if they fail, according to the principle laid down by Lord Macaulay?—I think I would prefer to leave that matter to the Civil Service Commissioners, who have more information upon the subjects of examination than I have. I think it would be well to give more weight to Law generally.

555. In answer to question (25) you say that the administrative duties of a District Judge are less than those of a District Magistrate?—Yes.

556. The Civil Courts Act lays down that the appointments in the Munsif's Court and Sub-Court should be made by the officer who presides over the Court and the District Judge is not able to make such appointments?—No, he has power of veto.

557. The appointments are made by each officer who presides over the particular Court?—Yes.

558. The only high appointments in the District Courts are three—the translator, the head-writer and the Sheristadar whose pay is Rs. 75, Rs. 100, and Rs. 150 respectively?—I am not quite sure what the scale of payments at present is. It may be correct but I cannot say. I am not quite sure what the range of the salaries is.

559. In the case of a man who has risen to the position of District Judge from the position of a District Munsif, the officer would have a better knowledge of the working of the District Munsif Courts and Sub-Courts than the Sub-Collector who is at once made a District Judge direct?—Yes, he probably would.

560. And so an Indian Judge will be able to do inspection as efficiently as an English Judge?—He would start with more knowledge of the details.

561. Mr. Oldfield has referred to the work the District Judge does in controlling the process establishment. There is also the same process establishment in the Munsif Courts and the Sub-Courts more or less, though not so much as that entertained by the District Court?—In some cases, but not in all.

562. So that a man who has risen from the position of Munsif would be able to control the establishment much better than a man who has gone to the post of District Judge at once?—That would largely depend upon his personal equation.

563. That is a different matter. An Indian might be as capable as an Englishman. The same applies to the Copyists' Department. The Munsif has a Copyist Department of the same nature that the District Court has got?—Yes.

564. You have said in reply to Mr. Gokhale that you cannot now state that an Indian Judge who has been appointed to these appointments after this system has come into force has failed in his duties. You cannot quote an instance from your memory now?—No.

565. Are you aware of an Indian District Judge finding out irregularities after taking charge of the Court?—There are plenty of cases in which District Judges have found irregularities within a longer or shorter period.

566. May I remind you of the case of Mr. Fernandez. Embezzlement of bills was going on for a number of years, and he got the man convicted immediately after he took charge of the Court?—There is such a case.

567. I suppose you are aware of cases of embezzlement committed in Courts presided over by European Judges, but not detected by them for a number of years? I would remind you of Salem and Mayaveram?—Yes, I know about the Salem case. It is quite a recent case. It was detected by the present District Judge, Mr. Harding.

568. You give credit to the Indian Judges for doing the Civil work creditably, because they have experience? Supposing they are also given training by investing most of them with the powers of Assistant Sessions Judges they would be capable District and Sessions Judges when they come to that Court?—No doubt it would improve their knowledge of criminal law.

569. Some civilians are found wanting in knowledge of civil law from want of experience: How would you like a system of dividing civil and criminal work between District Courts and Sub-Courts, and thus giving opportunities to European Judges to gain experience in civil law, as well as Indian Judges to gain experience in criminal law before they rise to such places?—I have not quite followed the scheme you propose.

570. I propose that wherever there is a Sub-Court and District Court the Sub-Judge should be invested with Assistant Sessions Judge's powers, and thus given an opportunity to learn his work before he becomes a District Judge?—Only a fraction of Sub-Judges become District and Sessions Judges; and unless they become Sessions Judges they have no occasion to do Criminal work. For those Sub-Judges who are not eventually to become District Judges, their time in learning criminal work would be thrown away: they would learn their work at the expense of people they were trying, which is not a desirable result.

571. Is it not desirable in such districts to invest Sub-Judges with a Sessions Judge's power, and so relieve the Sessions Judges of a proportion of their Sessions work?—It is a matter of administration with regard to each district. I would not like to give a general answer upon that subject.

572. You say in your statement "naturally only a limited percentage of the District and Sessions Judges shew the capacity and qualities essential in a Judge of the High Court, and if the field from which the selection has to be made is greatly narrowed it must re-act unfavourably on the standard of the High Court which it is essential to maintain": but if they are trained specially so many places need not be reserved to them?—No doubt the better the training is of the individuals in the field, the less necessity for a wide field. That, I think, is what you want.

573. You further say, "In this connection I think it is not always realised that *by far the greater part* of the work is in the hands of Indians, and the proportion in their hands is steadily and rapidly increasing under the existing system." At present the sub-magistrates do more or less all the lower class of criminal work, do they not?—Yes.

574. The Sessions Judges do exclusively criminal work without any revenue work combined

575. The only officers who are combining revenue and judicial work are the District Magistrates, Sub-Divisional Magistrates, the Tahsildars and Deputy Tahsildars, and the District Magistrates hardly ever try a case themselves?—That is so.

576. Mr. Cardew in his written replies has stated that the lower sub-magistrates are as a class corrupt?—We get a good many allegations of corruption against all classes of officers out here, but we do not always believe them. I should not like it to be taken that I regard that class of Magistrates as generally corrupt.

577. How would their position be improved if their salary was raised, and if they were included in the Munsifs' cadre?—I think high pay generally gets value in some form or other, and I think that you may get it with regard to honesty as well as other things.

578. By including them in the higher Provincial Service I suppose you can relieve the Divisional officers of magisterial duties and make them only Executive administrative officers, separating the Judicial from the Revenue side?—No; I think that would be a very bad arrangement.

579. In the next paragraph of your statement you say that there are 22 District and Sessions Judges and that of these 6 are Indians and 16 are Europeans: I believe that in that six you include the two who are civilians also?—The two Indian Civil Service men are included in that six. That is classification by race.

580. In answer to question (24) you say: "I do most strongly hold that it is essential that the European element in the civil administration should be sufficiently strong both in point of numbers and position to guarantee the present high standard of purity and efficiency not only in the every-day administration of public affairs, but also in those times of special stress that from time to time arise owing to widespread calamity, such as famine and plague, when exceptional energy and administrative capacity are required." After the present system has come into force has any case come to your notice where their honesty and purity could be doubted?—It is only about two months ago that we had to dismiss a District Munsif for corruption. Just recently another District Munsif has been tried by a Special Commissioner for corruption; and there are charges pending against a third District Munsif which have been made by the District Judge and which are in process of being enquired into. That is just at the present time.

581. I am speaking of the District Judges' appointments—men who have been appointed District Judges from the Sub-Judge's Court?—What is your question?

582. Since the time of the system of promoting Sub-Judges as District Judges—since 1904, the Madras Government has thrown open four Judicial places, and promotion has been made to those places from Sub-Judges' places. Do you know of any case of a Sub-Judge, so promoted to one of those district appointments, having misbehaved and given you reason to suspect his honesty?—No, certainly not; but about that time a certain Sub-Judge was dismissed for corruption.

583. Is it your opinion that Sub-Judges and Indian District Judges begin well and that subsequently their work deteriorates; whereas the work of Civilians improves as they advance in age?—That is generally the effect of my answer.

584. Do you think that the tone of the Provincial listed appointments has considerably improved since you have graciously allowed one of the District Judges to get to the High Court?—The time is too short. I do not expect any improvement in such a short time. It is only a few months since that appointment was made. I have no doubt, however, that it will have a most encouraging effect

585. I suppose you have noticed a deterioration of work among Civilians when they have no hopes of getting raised to the High Court; and also that the work of younger men deteriorates when they have no hopes of being raised to the High Court?—No. There are several District Judges who have been passed over for promotion to the High Court, and I cannot say that their work has deteriorated: on the contrary, I think it has rather improved.

586. Do you not think that a Munsif Sub-Judge who has exercised limited jurisdiction and passed judgments which are appealable would make a better District Judge than a barrister or a pleader without any experience of looking at two sides impartially?—You mean that the man who is made a Judge, having been an Advocate, is likely to suffer from advocating the claims of one side or the other rather strongly instead of acting in a perfectly impartial judicial manner?

587. That is what I mean.—I think it would depend very largely upon temperament. I do not think it would be safe to lay down any very general principle upon that point.

588. With regard to the present practice by which District Munsifs are appointed, have you any objection to embody the practice in the rules framed for the recruitment of the service instead of its being at the discretion of the High Court?—Personally I do not think it is desirable to embody such a practice in formal Rules, since these require the sanction of Government, and could not be departed from, even though special circumstances may make it desirable to depart from them in particular cases as often happens.

589. But if another Chief Justice comes the present practice may be deviated from?—The practice is the practice sanctioned by the High Court, not the Chief Justice?

590. (*Mr. Chaubal.*) In order to illustrate a point I should like to ask one or two questions with regard to magisterial work. Supposing a second or third-class Magistrate acquits an accused, the District Magistrate has got to recommend an appeal to the Government, he has to write to Government for sanctioning an appeal against an acquittal?—Yes, appeals against acquittals can only be made by Government, and no doubt Government acts upon the advice of the District Magistrate.

591. Therefore in asking the District Magistrate to write to Government for sanctioning an appeal, the District Superintendent of Police, or the officer concerned in whose department the offence is committed, represents the case to the District Magistrate, and upon that the District Magistrate writes to the Government?—I suppose that probably would be the procedure if the Superintendent of Police thought the acquittal was

wrong. Anybody may move the District Magistrate to recommend the Government to appeal.

592. But often it is the department itself which moves the District Magistrate to apply?—In grave cases no doubt it would be.

593. And in recommending the Government to allow an appeal against an acquittal, is it within your knowledge that the District Magistrate himself goes into the evidence or takes the opinion of the officer representing the department?—That is a very general question; but I have not yet met a District Magistrate who, I believe, would act in the way you suggest.

594. And that is?—That he would leave to a subordinate a most important duty which the law casts upon him.

595. I am not speaking of leaving to a subordinate. What I want to know is this. Supposing a District Superintendent of Police sends his report upon the whole case, and the reason why he considers acquittal to be wrong, is it within your knowledge that the District Magistrate acts upon the report and himself goes into the evidence and tries to come to a conclusion as to what he would have done if he had had that evidence before him?—I should say that the District Magistrate considers the case most carefully before he recommends an appeal against an acquittal. Appeals against acquittals are not favoured by the High Court, and Government is very chary about making them except in strong cases.

596. It is, I suppose, within your knowledge that several recommendations of Collectors and District Magistrates, for appeals against acquittals have to be negatived by Government?—I have no knowledge of what Government does in the matter. It is only when the matter comes before the Court that we get any knowledge of it.

(The witness withdrew.)

Maharaja Sir Velugoti Sri RAJAGOPALA KRISHNA YACHENDRULAVARU Bahadur, K.C.I.E., Panchahazari Mansabdar of Venkatagiri.

Written answers relating to the Indian Civil Service.

597 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination in England for the Indian Civil Service is satisfactory in principle as far as those who can compete at that examination are concerned.

598 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is also suitable for the admission of such of the Natives of India who can go to England and compete at the competitive examination held there. For those, however, who are not able to do so on account of certain practical difficulties such as religious and caste scruples, I think that some other provision should be made. Under the present system, certain classes of His Majesty's Indian subjects, which include some which have the largest stake in the country and have therefore the best claims for a fair share in its administration, are shut out. The system that I would propose in order to remedy this defect is the recruitment of a fixed portion of the vacancies of the Indian Civil Service cadre by means of a separate examination held in India which should be as high in its standard as the examination held in England. That examination should not be a competitive one but should merely qualify students for entering the Civil Service. A certain number of posts in the Civil Service should be reserved for those who pass the examination in India and the Government should fill the vacancies caused in them from among the candidates who have qualified themselves by passing that examination. The examination should be held in a number of important centres in India including the capital towns of all provinces in order to enable students from all parts of India to appear for the same with more or less equal convenience. The reason why I suggest a non-competitive examination is that a recruitment to the Civil Service by competition would still shut out the members of certain classes in the interest of which, among others, I recommend a separate examination in India, such as the aristocratic class to which no other service would be so suitable as the Civil Service. Unless some relaxation is made in the method of recruitment to the service by the Natives of India, there would not be a sufficient inducement for the members of those classes to come forward and make an attempt to qualify themselves for the service, because they would at the outset despair of success in a competitive examination for which an unduly and unwholesomely excessive amount of hard work and a great deal of useless cram would be necessary, and keep back altogether for fear of certain failure. Considering the present stagnant condition of those classes, I submit that it would be desirable to make it possible for them to enter the service by merely qualifying themselves by passing the examination. By this I do not mean that the claims of those who occupy the higher places and are thus found to be markedly superior in general capacity to others should be disregarded. But what I say is that *after the selection of such brilliant students*, much importance need not be attached to the difference of a few marks gained by the other students provided all of them secure a pass in the examination. For, when we come to mediocrities, there would be no injustice in taking into consideration other principles in choosing between them, such as representation of important classes and respectable families in India. But it may be said that some members of the classes and families referred to above, if found competent, may be appointed to the Civil Service by Government by the exercise of its power of nomination. But I am not at all in favour of this course. I think that every one seeking admission into the Civil Service should pass the examination prescribed as a common test for that service. If any persons who have not so passed are nominated by Government they are sure to prove utter failures in the discharge of their duties, or at any rate would be far less efficient than their brethren in the service. In this connection I may add that the introduction to the Civil Service of members of aristocratic and respectable families in India would greatly enhance the prestige of the Civil Service and command a high respect for the service from the people. Even in the case of the members of the Civil Service recruited in England, there has been in certain quarters an idea that those recruited under the present system are not so sympathetic as those that used to be recruited formerly from among the members of selected families in England. Whether there is truth in this or not, there is in my opinion no doubt that members belonging to respectable families in India are likely to prove more sympathetic than those belonging to insignificant families.

599 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I think that a separate non-competitive examination held in India would be more desirable for the reasons stated in my answer to question (3).

600 (7). What would be your opinion with regard to filling a fixed a proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—As submitted in my answer to question (3) I am in favour of filling a fixed portion of the vacancies in the Indian Civil Service cadre by Natives of India recruited by means of a separate examination in India. That examination should, in my opinion, be the same for the whole of India though it should be simultaneously held in one or more centres in each province. A third of the Civil Service posts in the executive branch should be reserved to be filled up by those passing this examination.

601 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I think it desirable that due consideration may be had to the representation of some important classes and communities when making the selection to the Civil Service from among the candidates passing the examination in India as far as that is possible to be done with due regard to the fitness of the candidates selected.

602 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—Officers of the Provincial Civil Service who are found to possess distinguished merit and ability and who are eminently fitted for admission into the ranks of the Indian Civil Service may still be promoted to listed posts as at present.

603 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—There need be no separate method of reecruitment for the judicial branch of the Indian Civil Service, the present system being quite sufficient; nor need the separate examination held in India be taken as qualifying for the judicial branch, because the present system of appointing vakils of the High Court and the District Courts is working very well and needs no supplementing. All the posts of the District Judges reserved for Indians may therefore be filled partly by promotion from the subordinate judicial service and partly by selection from among the experienced High Court vakils. As regards the appointments to the judicial branch from among those coming out successful in the Civil Service examination in England, I would make the following suggestion, namely:—

From among the candidates who come out successful in the Civil Service examination held in England some of them should be appointed, even before the commencement of the period of their probation, to the judicial branch, the others being appointed to the executive. Those appointed for the judicial branch should have a separate course of instruction to be undergone during the period of their probation and should also be made to undergo training under District Judges for some time after their arrival in India and before they begin actual service. Further, the line of the official career of those appointed for the judicial branch should be entirely different from that of those selected for the executive branch. That is to say, those selected for the judicial branch should, after their training under District Judges is over, be, in the first instance, appointed to some suitable posts in the subordinate judicial service and thence in due course promoted to District Judgeship, as those selected for the Executive branch are in the first instance appointed as Assistant Collectors and thence promoted to higher posts. If, on the other hand, all persons coming out successful in the Civil Service Examination are appointed in the Executive branch and kept in that branch until after they become Sub-Collectors or Collectors, and then all on a sudden appointed as District Judges, they, or at any rate many of them, will find themselves unable to cope with their duties of trying important original civil suits and disposing of important appeals against the decisions of the subordinate judicial officers who are far more learned in the Civil law and far more experienced in the administration of civil justice than themselves. The system proposed above would be strictly in accordance with the present theory regarding the conditions of service in the Indian Civil Service, viz., "that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones."

604 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons.—The age limits for candidates at the competitive examination in England may be fixed at 22 to 24.

605 (14). What in your opinion is the most suitable age at which junior civilians recruited in

England should commence their official duties in India? If the suggestion made in answer to question (13) be adopted, the age at which junior civilians recruited in England would have to commence their official duties in India would be about 24 to 25.

606 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—No differentiation need be made if the age limits are fixed as above suggested in answer to questions (13) and (14).

607 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not think that the old system of appointment of "Statutory Civilians" worked well and hence I would not recommend the revival of that system now.

608 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes. They should undergo a period of probation before being admitted to the service.

609 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation may be one or two years. I am not of course competent to suggest a course of study for the probationers' course, but I would only say that the course of study prescribed for those appointed to the Judicial branch should be different from that prescribed for those appointed to the Executive branch, the former including Criminal and Revenue Law of India and the latter Civil and Criminal Law of India.

610 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

611 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—So far as the candidates at the examinations in England are concerned, the probationers' course of instruction may be undergone in England. But those recruited in India should not be required to go to England to spend the period of their probation. Facilities should be provided for their probation in all the provinces of India, so that students appointed in any province may undergo the probationers' course of instruction in that province alone.

612 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes.

613 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Those appointed to the Judicial branch of the Indian Civil Service should be trained under District Judges and those appointed to the Executive branch should be trained under Collectors.

614 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.—As already stated the course of instruction prescribed respectively for those appointed to the Executive and Judicial Branches should be such as would give them a good knowledge of law necessary for each of those branches. Then they must also be respectively trained by Collectors and District Judges.

615 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Yes. Please refer to my answer to question (30).

616 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.—Yes. Please refer to my answer to question (11).

617 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No differentiation is necessary.

MAHARAJA OF VENKATAGIRI, called and examined.

618. (*Chairman.*) You are the President of the Madras Landholders' Association?—Yes, I am.

619. What is your caste?—My caste is Velama sub-division of the Kshatriya.

620. In your public capacity of President of the Madras Landholders' Association, and in your personal capacity, you have had a considerable experience of the Indian and Provincial Civil Services?—Yes.

621. At the end of your evidence which you are about to give us I will ask you to put in your statement?—I will do so.

622. I see you say in your answers to the questions that the present system of open competition is satisfactory as far as it goes?—Yes.

623. But that in view of the practical difficulties which so many Indians must find in going to England to take the examination, provision should be made for the recruitment of a fixed proportion of the vacancies in India?—Yes.

624. What you advocate for India is a non-competitive qualifying examination, held in the various Presidencies and Provinces?—Yes.

625. You also recommend the continuance of the listed-post system as supplementary to the scheme you propose for recruitment in India?—Yes.

626. And you recommend that one-third of the posts in the Executive Branch of the Indian Civil Service should be recruited by means of examination in India?—Yes.

627. What you contemplate is that candidates in England should be eligible for both branches of the Indian Civil Service but that those recruited in India should be eligible only for the Executive Branch?—Yes.

628. Therefore, I take it, you consider that although the listed-post system sufficiently meets requirements in the case of the judicial branch it would not do so in the case of the executive branch?—I should think so.

629. (*Mr. Abdur Rahim.*) Would you think of introducing competitive examinations in selecting officers for your estate? That is to say, when you wish to employ persons for managing your zamindari, would you in selecting officers introduce a competitive test?—I do not introduce a competitive test.

630. As regards Judges who are appointed from the Bar or from the subordinate Judicial Service, are you satisfied with the present number?—I am not satisfied. Half of the District Judges should be natives.

631. (*Mr. Sly.*) Do you recommend recruitment by separate examination in India to be held at different centres, but to be the same examination for the whole of India?—Yes, the same.

632. You consider that candidates who pass that examination would be suitable for employment in any part of India?—I should think so.

633. Do you consider that a Madrasi would be suitable for employment in Northern India?—Yes, if it was the same examination.

634. And you consider that a Pathan would be suitable for employment down in Madras?—Yes, I should think so.

635. (*Mr. Chaubal.*) Can you specifically mention any of the classes you referred to in whose interests you say that a separate examination here is wanted?—Zamindars here in Madras, and important families members of which have been serving the Government in high posts, or served under the Native States as Diwans. Their children can command the respect of the people.

636. Does your scheme mean that it is only the sons of those people who are capable of appearing at that examination, or do you think it should be open to all?—It should be open to all. The Government may select from the persons who pass it.

637. The examination is to be one for the aristocratic classes as well as for others?—It should be one for all.

638. (*Sir Theodore Morison.*) In the administration of your own zamindari what classes of persons do you employ in the administrative posts?—There is a good deal of difference between zamindari affairs and those of the Government. We have got limited powers: in fact no powers at all. We employ a Diwan.

639. What class is the Diwan?—Any class. We employ Brahmins, Sudras, Vaisyas, all sorts of people, even Muhammadans.

640. Do you employ Sudras?—Sudras too, sometimes.

641. (*Lord Ronaldshay.*) How many members has your Association?—More than 100. I cannot, however, give you the exact number, but if you want it I will get it for you.

642. Generally speaking you are able to represent their views?—Yes, but in this case my view is a different one from that of the body. The case of the majority of the members is different, this is only my individual opinion. The opinion of the body has been given separately to the Commission.

643. You do not speak for the majority of the members?—What I have said in my statement is my own opinion.

644. (*Mr. Oldfield.*) Is your objection to examinations being held in England based upon religious scruples of crossing the sea?—Yes, religious scruples also under the present arrangements of conveyance, etc.

645. The religious scruples are still elements in the question?—Yes.

646. That is so far as candidates of your own class and caste are concerned?—Not only my own caste; there are Brahmins, and other people.

647. You think it is the sea difficulty?—Some of the zamindari families do not allow their sons to go to England.

648. Is the religious scruple still in existence?—Yes.

649. Do those scruples exist among the Brahmins or among the Sudras?—They exist among everybody in Madras.

650. You yourself would feel scruples about going across the sea?—Yes, I should feel scruples about doing so.

651. (*Mr. Ramachandra Rao.*) You have one of the biggest zamindaris in the Presidency?—Yes, it is one of the biggest.

652. And you are President of the Madras Landholders' Association?—Yes.

653. You came into charge of the zamindari many years ago?—Yes, more than thirty years ago.

654. And you have considerable experience of several Indian and European officers?—Yes.

655. How do you compare Indian officers with Europeans in the matter of efficiency? Do you think that Indian officers whose work you have seen is quite as efficient as European officers whose work you have seen?—The work of the Indian officers is still new to me. The recruitment of Europeans is greater.

656. But what about the work of the Indian officers you have seen?—Some of them are efficient.

657. Are they as sympathetic as European officers?—Some of them are sympathetic and some of them are not, just as European officers.

658. You have seen the behaviour of Indian officers in the case of riots and you think they are competent to manage them as far as your experience goes?—Yes.

659. In your answers you have spoken of a separate examination?—Yes.

660. That is if that examination be sanctioned: but afterwards those people are not put into the Civil Service List. Are you in favour of such an examination?—They must be put upon the same level.

661. But if they are put on the inferior list you do not want it?—No, I do not want it.

662. (*Mr. Subrahmanyam Pantulu.*) I believe you come from a district where Indian Judges have presided over the District Court for a long time?—Yes.

663. Off and on Europeans have presided over the District?—Yes.

664. What is your opinion of the work done by the Indians as compared with the Europeans: is it inferior, or does it come up to the average, or what?—Of late years there have only been Indian Judges. For a long time Europeans sat upon the bench. There are able people in both classes.

665. Some of the cases which have arisen in your estate have been decided by the Indian magistrates as well as European magistrates; have they not?—Yes.

666. What is your opinion with regard to their work?—I have had but little experience of magisterial work.

(The witness withdrew.)

M.R.Ry. Diwan Bahadur M. ADINARAYANA AIYA Garu, Tondiarpet, Madras.

Written answers relating to the Indian Civil Service.

667 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It is satisfactory in principle as an adequate test of high general culture.

668 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—As a test for qualification to the Judiciary, it is defective. The remedy for this should be provided in the probationary stage.

669 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system does not give equal opportunity to "Natives of India." The alteration I suggest to remedy this defect is to hold simultaneous competitive examinations in England and India.

670 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—I think there is no harm in the combination. On the other hand, it appears to be an advantage in maintaining a high and uniform standard of culture.

671 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.—I consider recruitment by an open competitive examination is the most satisfactory in principle.

672 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I advocate a system of simultaneous examination in India and in England open in both cases to all natural-born subjects of His Majesty.

673 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not favour separate examination for Natives of India by provinces or for the whole of India, nor do I accept the principle of fixing a definite proportion of the appointments to be filled by Natives of India.

674 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am in favour of simultaneous examinations, but I also recognise the desirability that all classes and communities should as far as practicable be represented in the Indian Civil Service and to this end I would use the powers given by the Indian Civil Services Act of 1861 (24 and 25 Vict., c. 54), and the Government of India Act of 1870 (33 Vict., c. 3), by instituting a system of combined nomination and examination, and by promotion from local services, for superior merit and ability.

675 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—The main entrance to the Indian Civil Service should be through simultaneous examinations and Natives of India should be eligible for appointment in England, though under the Acts of 1861 and 1870, some may still be recruited in India as indicated in my answer to the previous question.

676 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I do not advocate any system of selection in India for the Natives of India to take the place of recruitment by simultaneous examinations. The present system of Provincial Civil Service will remain as supplementary to recruitment through simultaneous examinations. But one modification I recommend in the conditions governing the Provincial Civil Service is that of the listed appointments transferred to that service, those from the grades of Collectors of districts and District Judges upwards should carry the same pay when held by Provincial Service men as when held by men who have entered through simultaneous examinations.

677 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Recruitment for the Judicial branch of the Indian Civil Service would be satisfactory if it could be made

from the English and Indian Bar, removing the whole of the judicial branch from the purview of open competitive examination as now conducted. Failing this I would suggest that the men selected at the open competitive examination should be immediately called upon to decide whether they elect the Judicial or Revenue branch of the service, and the studies in the probationary period should, as regards those who elect for the Judicial branch, be so directed as to secure for them the necessary equipment of legal knowledge. They should also, after their arrival in India, be trained in subordinate judicial appointments, so that they may learn their work thoroughly.

678 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present statutory definition of the term "Natives of India" as given in section 6 of the Government of India Act, 1870 (33 Vict., c. 3).

679 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I propose no change in the present age limits 22 to 24, either for the present examination in England or for the simultaneous examinations in England and India that I recommend. The present age limits ensure high cultural attainment.

680 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—My opinion is 25 or 26 years would be the proper age to commence official duties for junior civilians.

681 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I do not recommend any differentiation in age limits for Natives of India and other natural-born subjects of His Majesty. Please see my answer to question (13) above.

682 (16). What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I would introduce Persian also into the authorized syllabus of subjects, and equalize the marks allotted for Sanskrit, Arabic and Persian with those allotted for Latin and Greek.

683 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.—I do not recommend any differentiation.

684 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—In the schedule to the Civil Service Act of 1861 (24 and 25 Vic., c. 54) the posts now reserved are enumerated. If the suggestion to recruit the judicial branch from the English and Indian Bar be accepted, all the appointments under the head "Judicial" in that schedule may be removed from reservation, and only Revenue offices reserved for the Indian Civil Service. If, however, this be impracticable, the present schedule may remain, omitting therefrom Junior Secretaries, Under Secretaries to Government, Accountant-General and Comptroller-General.

Some reservation is necessary to ensure adequate life careers and field of promotion, so that men of high education and character may be attracted to the service both in England and in India.

685 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do not accept the necessity for a minimum proportion of European subjects of His Majesty in the higher posts of the Civil administration as an absolute proposition. This question proceeds on the assumption that for the maintenance of the English character of the administration, a minimum proportion of European element is necessary, and that if there were no such restriction the service would be swamped by Natives of India. Under the method of simultaneous examination advocated by me, there need be no fear that Natives of India would swamp the service. I therefore think no minimum proportion of European element need now be discussed.

686 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—My answer to this question is yes, with the qualification that the competitive examination should be held simultaneously in England and India.

687 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not think that the old system of statutory civilians should be revived.

688 (22). If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—I do not advocate the system of recruiting Military officers for the Indian Civil Service. Such a system has long since ceased in this Presidency.

689 (23). Do you consider that such a system should be restricted to the recruitment of Military officers, or extended to the recruitment of selected officers from other Indian services?—I do not advocate recruitment of Military officers. But

selected officers from what is called the Provincial Service may be taken in under the Government of India Act of 1870 (33 Vic., c. 3).

690 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—My opinion as regards the system of listed appointments is that it affords a channel for securing the representation of the various communities of the land in the higher appointments on a basis of tried capacity and merit.

691 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—The present rule may stand to admit of recruitment by a combined system of nomination and competition from the various communities in the land.

692 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

693 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

694 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The probation period may extend to two years. During this period, those who elect for the judicial branch should be required to pass the Barrister's degree or otherwise qualify for a legal career. Natives of India who pass at a simultaneous examination in India and are selected should be required to proceed to England and pass the final examination there, taking also one of the modern European languages such as French, German or Italian. And the Europeans who pass the competitive examinations and are selected, and who elect for the judicial branch should further be required during the probationary period to pass in one of the vernacular languages of the Presidency in which they elect to serve. In other respects, the present course of studies for probationers may continue.

695 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Please see my reply to the previous question.

696 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I think the probationers' course of instruction could best be spent in England both for Natives of India and of other natural-born subjects of His Majesty.

697 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No. I do not think such a college in India necessary.

698 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am for the probationary period being spent in England for all. I therefore do not think it necessary for each province to make its own arrangements.

699 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The training as regards those who take up the judicial branch of the service will have to be clearly defined. In other respects the present arrangements for training answer well enough. Please also see answer to question (37) below.

700 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—In the majority of cases, the knowledge of Indian languages on the part of European members of the Indian Civil Service has gone down and is not adequate. This is due to the more or less universal adoption of English in all correspondence both in offices and by the public. I cannot think of any special measures necessary for remedying the defect. It depends on the personal interest of the officers concerned.

701 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch?—Those who elect for the judicial branch of the service, should during the period of their probation be required to go through a course in the Inns of Court, and graduate as Barristers and they should also on arrival in India be trained in the offices of District Munsif and Magistrate, and gradually passed through the stages of Sub-Judges and Joint Magistrates before being made District Judges.

For others the present course of instruction in the probationary period and training given after arrival in India will be enough.

702 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—No.

703 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—Please see answer to question (37).

704 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

705 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.—The officers recruited in India will be those taken under the Act of 1870 (33 Vict., c. 3). In the case of those who get in through their tried merit and capacity in service, no training is necessary. In the case of the few who may be taken by direct recruitment to the Provincial Service, that service in the lower grades will furnish the necessary opportunity for qualifying for the work, and in their case also no special system of training or probation is called for.

So also in the case of direct recruitment from the Bar in India, for judicial branch, practice at the Bar will have ensured adequate training in the case of the men so recruited.

706 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

707 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance should be abolished, and the same notified so that future entrants may know the conditions under which they enter the service. The abolition should be restricted to future entrants.

708 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—As regards listed appointments held by Statutory Civilians and officers of the Provincial Civil Service, I am of opinion that for the appointments below the grade of District Collectors and Judges, merged in the Provincial Service or held by Statutory Civilians, the rates of pay as now obtaining on the basis of two-thirds of the pay drawn in similar posts by members of the Indian Civil Service may stand; but as regards the posts of District Collectors and District Judges and higher appointments, the Statutory Civilians and officers of the Provincial Service, when once they reach them, they should be given the same pay as that of the members of the Indian Civil Service. In the appointments so excepted, I would include also the listed offices of one Under Secretary to Government, and one Secretary to the Board of Revenue.

709 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Service holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No remarks to offer, except that furlough leave may be allowed to be taken generally at shorter intervals than 10 and 8 years in regard to Statutory Civilians and members of the Provincial Civil Services holding listed appointments from the grade of District Collectors, District Judges and upwards.

710 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave and pension in the Indian Civil Service?—No remarks to offer except that power to compel retirement on gratuity where officers do not turn out well, shall be reserved.

Written answers relating to the Provincial Service.

711 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think the conditions are suitable, except that for direct recruitment, a combined system of nomination and examination should be insisted on.

712 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

713 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes. All communities are represented. The present arrangements are enough for the purpose.

714 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—Present arrangements are enough—please see also reply to question (41).

715 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—No remarks to offer. In view of the increase in district and divisional charges recently made, some increase in the number of Deputy Collectors may be desirable.

716 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—All magisterial functions now attached to the executive branch may be transferred to the judicial branch.

717 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The term Uncovenanted service may be revived in place of Provincial Service or the term Madras Civil Service may be adopted. The same service in other provinces may be designated by the name of the province concerned being added.

718 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes, generally; except that as regards the listed offices of one Under Secretary to Government, one Secretary to Board of Revenue, of District Collectors and Judges, and appointments higher than them,

the salaries should be equal to those given to members of the Indian Civil Service.

719 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes, generally; but I suggest that the highest grades of Deputy Collectors and Sub-Judges should be paid Rs. 1,000 instead of Rs. 800 as at present and the grading of the cadre may be adjusted with reference to this maximum—District Munsifs in the judicial branch also may start with Rs. 250 instead of Rs. 200.

720 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Please see answers to questions (59) and (60).

721 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what ground?—I think the present maximum pension of Rs. 5,000 per annum may be raised to Rs. 6,000. When one reaches the highest grade in service he is generally old, and the pension should be adequate to maintain him in a fairly good position relatively to that he held while in service.

Mr. M. Adinarayana Aiya called and examined.

722. (*Chairman.*) What is your occupation?—I am a Government pensioner.

723. What public posts have you filled?—I was Deputy Commissioner, Revenue Settlement, when I retired. I have also been for a short time an Additional Member of the Legislative Council.

724. What is your caste?—I am a Brahmin.

725. In the answers which you have given to the questions, you accept as satisfactory the principle of selection to the Indian Civil Service by open competition?—Yes.

726. Would you like to have simultaneous examinations in England and in India?—Yes.

727. And, in addition, you consider that Indians should from time to time be appointed to posts in the Indian Civil Service cadre, under the Statutes of 1861 and 1870?—Yes.

728. You say you do not accept the necessity for fixing a minimum proportion of Europeans?—No, I do not accept it.

729. You have no fear of Indian candidates clearing the board?—No, not for a considerable time.

730. Therefore you do not feel that there is any necessity to fix a minimum proportion of Europeans at the present time?—That is so.

731. Supposing that there was a possibility of Indian candidates sweeping the board in the near future, would you still say that it was unnecessary to fix a minimum proportion of Europeans?—My own opinion is that the present system of examination is a handicap even if the examination be held in India,—that very few Indians can hope to pass. Such as do pass will be eminently desirable acquisitions to the service.

732. You are in favour of continuing the system of listed posts as a means of securing the representation of various communities?—Yes.

733. You regard as important the representation of the various communities?—Yes, that is, in the Provincial Service. Recruitment under the Act of 1870 will be a lower plane of service. There you can use a combined system of nomination and examination and use it as a preparatory ground for the representation of all communities in the land; but so far as the higher Civil Service is concerned a simultaneous examination held in England and in India would be by itself a sufficient guarantee to restrict the field in such a way as to render inoperative any fear either of swamping, or of the ingress of undesirable men.

734. You think that the choice between the judicial and the executive branch should be made immediately after appointment to the Indian Civil Service?—I think so.

735. Would the scheme which you propose involve the transfer from the Provincial Civil Service to the Indian Civil Service of a certain number of posts in the judicial branch?—I have not considered that point, but I should utilise the Provincial Service lower appointments—District Munsifs and Sub-Judges—for the training of men who will be grafted into the Civil Service through the competitive examination.

736. I notice you say that listed-post officers of the rank of District officers should be given the same rate of pay as Indian Civil Service officers in similar employ instead of as at present approximately two-thirds?—Yes.

737. Will you explain to us why you suggest the granting of a uniform rate of pay at this stage?—It is not like the other minor Provincial Service appointments, which are on a lower level and form a class by themselves. When an officer rises in the Provincial Civil Service to the position of a District Collector or District Judge he represents in a manner the highest development of indigenous talent, and I do not see why from him should be held back the emoluments which go to the Civil Service in its proper course, and I think it would be invidious to make a distinction between officers discharging the same class of duties with the same responsibilities and after a life-long trial of a man's capacity and ability.

738. (*Lord Ronaldshay.*) You advocate simultaneous examinations because of the difficulties which lie in the way of Indians going to England for their examinations?—Yes.

739. What would you say are the chief difficulties which lie in the way?—It is simply a chance whether a man will be able to pass through the examination. This is one thing. The next thing is that the brightest man may not have the means to be able to go, and I do not see why we should shut the door against the best man or any man who wants to obtain entrance through that difficult test.

740. Are there great difficulties on account of caste and religion in the way of Indians going to England?—There is still a lingering feeling about it; but I will not put it altogether on the ground of religion. I put it rather as a question

of justice to the people. It is the Indian Civil Service, and I do not see why Indians should not have the chance in their own country.

741. You want to have the examination simultaneously in this country, and in England?—Yes.

742. I understand that in addition to that you still want to reserve the system of listed posts?—Yes, and for this reason, because I do not anticipate that for a considerable time to come there will be any perceptible addition to the number of men who will obtain entrance into the Civil Service. When that question arises it will be time to consider it.

743. (*Sir Theodore Morison.*) On what ground do you make the statement that you think there will not be a perceptible rise in the number of Indians who will get in?—First of all the examination is all in English; it is a foreign language to us. It is as heavy a handicap to the Indian as we can think of in the first place. Further, our people will be pitted against the best intellects of England—people who have the greatest conceivable advantages in the matter of education in their own country. The standard of the examination will be essentially English; and therefore considering the stage of advance in educational facilities in our country, I consider that for a considerable time, if our people make any head-way, it must be through sheer intellectual and moral superiority on their part rather than because of any particular advantage in the matter of education.

744. The handicap to which you refer is the handicap of the examination being in the English language?—Yes; it is all of an English character, the whole thing.

745. Is that a handicap which you would like to remove?—I do not wish to remove it, because the source of inspiration in all these matters with regard to standards that we set up for ourselves comes to us through that language and through the traditions of England.

746. I see you suggest that Persian should be added?—Yes.

747. Do you propose that the marks allotted to Persian should be the same as for English?—Yes. Persian is a classical language in which a large community in this country is much interested.

748. You put it upon a par, in the matter of difficulty, with Latin, Greek and Sanskrit—the same difficulty?—I think so. I must, however, own that I do not know Persian myself.

749. You are aware, are you not, that many Indians speak it as their mother tongue?—Yes, in the North. Persian has a classic literature of its own.

750. (*Mr. Chaubal.*) The difficulties with regard to going to England are gradually becoming less and less, are they not?—Yes, so far as the religious ground is concerned.

751. You have looked through the appendix which gives the curriculum of the studies for the Civil Service Examination?—Yes.

752. Do you think that there are educational institutions at present in the country which will be capable of giving the instruction required for that curriculum?—No, I do not think there are.

753. If a simultaneous examination were introduced here do you think that the number of people who now go to England and take advantage of the educational systems there and who study there is likely to get less?—I do not know. I cannot say anything about that point. The men may not have the facilities for examination here, and I cannot say what those facilities may be, but there may be conceivable cases in which people will try to prepare themselves here for the examination.

754. You do not follow my question. Supposing that there is the same examination held in India as is now held in England: then when there is this simultaneous examination do you or do you not expect that most of the Indians will appear for the examination which is held in India, and that the number of people who now go to England and appear for their examination there will gradually be less?—I cannot speak as to the proportion who may stop away from the examination in England, but there will be some.

755. Supposing there were a simultaneous examination, is there no fear that a larger number belonging to another community is likely to be successful in such an examination?—I think the ground for that apprehension is now diminishing. With the general spread of education all communities are trying to come up to a uniform level.

756. Please answer my question. Do you expect that result or not? If an examination is held here do you, or do you not, expect that most of the candidates who come out successful are likely to belong to a particular community?—I do not think so. I do not know what particular community you may have in view, but I do not think it will be exclusively confined to one individual community.

757. With regard to your own Presidency, supposing there were examinations in India, from what community would you expect the greater number of candidates would come?—The greater number would probably come from amongst the Brahmins in the present stage.

758. Have you any fear that those who get through their examinations in the future will also be Brahmins?—No, I have not.

759. But you yourself have admitted that if an examination was held here, at least until proper educational institutions are started in the country, the number of unsuccessful candidates is likely to be very large so far as the Indian examination is concerned?—Yes, if they were so foolish as to go up without preparation; but I have no reason to suppose that.

760. In answer to Sir Theodore Morison I understood you to say that you wanted the listed posts to continue because you do not expect that many people will get in through this door?—That is so.

761. If you do not expect many people to get in through this door, you naturally think that there will be a large number of failures at these Indian examinations?—I do not know that that necessarily follows.

762. Assume for a moment that a large number fail, do you not expect that there will be considerable discontent at the examination in this country and with its results?—I do not think so. Failure in the examination will not by itself be any cause for discontent.

763. You have suggested that recruitment for the Judicial Service should be from practising

lawyers and gentlemen at the Bar?—Yes, from both the English and the Indian Bar.

764. As far as your opinion goes, you do not expect any loss of efficiency in the administration of justice by recruiting the Judicial Branch from the Bar?—No.

765. With regard to the question of Persian, do you not think that so long as a candidate has an option of selecting any number of subjects he likes, the introduction of Persian will be quite harmless, assuming it to be an easy language, and you allot the proper number of marks to the subjects?—I agree.

766. But there is no reason why it should be excluded. If it is optional some candidates may take it up and others not?—Yes, that is so.

767. What you want is the recognition of it as a subject in the curriculum?—Yes. I may perhaps say this, that what Latin and Greek are to European civilization, Persian, Sanskrit and Arabic are to us—so far as the sources of civilization are concerned—the higher ideals.

768. My attention has been drawn to the point in your answers. You are not satisfied merely with the introduction of Persian, but you want the same number of marks to be allotted to that subject as to other languages?—Yes, that is so.

769. In this curriculum, where the candidates have the option of choosing any subjects they like, what is your opinion about the introduction of the Indian vernaculars as among the spoken languages in the curriculum?—Amongst the vernaculars of the Presidency in which they elect to serve their own mother tongue will probably be one. I would ask them to learn one of the modern European languages. That is what I have stated in my answer.

770. You may have a restriction as to a candidate for the Indian Civil Service not taking up his own vernacular, but my question to you now is this: are you or are you not in favour of the introduction into the Indian Civil Service curriculum of some of the vernacular languages of this country just as you have spoken of the languages of Europe in that curriculum?—I think the vernacular comes into the probationary period course of study. I would be content with that.

771. You would not introduce it?—No.

772. Of course you have been, as you say, a Government pensioner and a Deputy Commissioner. You know, therefore, the multifarious duties which a Collector of a district has to perform. Do you think that all these duties can be satisfactorily performed if you take away all magisterial powers from the Collector?—I have never been a Collector or anything like that; but from my own independent observation I should think that the Collector would have no difficulty in performing those duties without the magisterial powers.

773. Take, for instance, the Collector who is a District Magistrate and who is responsible for the peace of his district. Supposing there is a riot, you think that the officer who is at the head of the district and who is in charge and responsible for the peace of the district, can do without having any criminal powers?—I do not understand you to mean that the Collector must be the only officer responsible for the peace of the district.

774. I do not care what officer you call him if you transfer those duties to some one else?—Those who have the exercise of magisterial functions may be held responsible, in conjunction with the police, for the peace of the district.

775. Is it your scheme that when there is a separation between the Judicial and the Executive the person who is given Judicial powers should be made responsible for the peace of the district?—I think so. In whomsoever you repose the magisterial functions, he will be responsible, with the aid of the police.

776. Would you also give him the other duties?—Which other duties.

777. There are so many duties. Take, for instance, the case of troops moving from one place to another. The Collector wants to make arrangements for their easy removal from one district to another. Do you think the Collector will be able to manage that unless he has magisterial powers?—Yes, I should think he would be able to do so.

778. Do you think anybody would listen to his orders?—Why not? We are not in non-regulation provinces now. It is all definitely laid down.

779. I am not speaking of the mere collection of revenue. Of course the payment of assessments is a thing which the ryot has known for centuries past?—As a matter of fact I believe the Collector-Magistrate does not exercise his magisterial functions.

780. In your answer to question (8) you say, "I am in favour of simultaneous examinations, but I also recognize the desirability that all classes and communities should as far as practicable be represented in the Indian Civil Service, and to this end I would use the powers given by the Indian Civil Services Act of 1861, and the Government of India Act of 1870, by instituting a system of combined nomination and examination, and by promotion from local services for superior merit and ability." What services would you class those posts under?—You might call it a local service.

781. Would you keep it separate from the Indian Civil Service, or amalgamate it with it?—I say that it must be supplementary.

782. And you would call it a separate service?—Yes.

783. (*Mr. Gokhale.*) Though there may be no educational facilities now for the training of Indian Civil Service men, do you not think that in course of time such facilities will grow in this country?—Under the promised expansion of education facilities they may come.

784. If a simultaneous examination is instituted, numbers of backward Indians will gradually be able to avail themselves of it?—Yes.

785. Do you think that the institution of a simultaneous examination will have the effect of stimulating higher education in the country?—Yes.

786. I believe you know some members of the Indian Civil Service?—Yes.

787. Do you think they are swayed by caste feelings?—No.

788. Do you think that as a rule there would be any difference in this matter if examinations were held in India?—I want to supplement that answer with a reference to the qualification that I introduced—that men who pass in India should be required to go to England.

789. Supposing that the fear of some is realised, that in the first few years Brahmins and members of other advanced communities get in in large numbers, do you think that would affect the character of the public service?—I think not.

790. Do you not think that in course of time the members of other communities will come up and have their share?—They are sure to come up, they are coming up now.

791. So that the disadvantage will be temporary, supposing there is any, and it is inevitable because advanced communities will always have such advantages for a time?—Yes, in the same way as a man who is born rich will have temporary advantages.

792. With regard to the exclusion of vernaculars from the Indian Civil Service curriculum, do you not think that their exclusion places the Indian students at a disadvantage so far as the main competitive examination is concerned?—It does; but I am not afraid of having as much handicapping as you like, because I want them to get the highest attainments.

793. Quite true; but if this handicap were removed, would there be any harm? If Indian vernaculars were added to the curriculum and the present disadvantage so far as Indian students are concerned was removed, would there be any harm?—It will make the examination easier.

794. But do you think the examination will become unreasonably easy? Why should you place an Indian student at a special disadvantage when he is ready to pass the examination in a foreign language, as you yourself have pointed out?—I do not want to make that departure, because I should like them to have a thorough English education and be on the same level as their European compeers.

795. You would concede that point to the other side, really?—Yes.

796. With regard to the cases of riots, would not those cases be met if the Collectors had emergency powers?—Those are matters of detail. Those things can be devised.

797. For meeting the requirements of exceptional situations you do not think it is necessary to keep up the present combination of Executive and Judicial?—No, I do not think so.

798. (*Mr. Sly.*) You have stated that if there were a simultaneous examination there would at first be a majority of Brahmins exclusively?—When the question was put to me it was with reference to my province. As far as my knowledge of my province goes Brahmins might get the upper hand here in the present circumstances; but, compared with other provinces, as far as I have been able to observe, Brahmins are nowhere, and therefore I do not think you need apprehend anything from Brahmins so far as the examinations for the whole of India are concerned.

799. If an outcast happened to be successful, do you think he could be efficiently and suitably employed in the Government service?—Certainly. I think we are getting past that stage of exclusiveness now.

800. You think you could employ an outcast as a Magistrate or Collector, or in any other capacity?—Yes, I think so.

801. In your answer to question (11) as to the recruitment for the Judicial Branch you say "recruitment for the Judicial Branch of the Indian Civil Service would be satisfactory if it could be made from the English and Indian Bar." By "the English Bar" do you mean Englishmen at the Bar in India?—I will not restrict it to India alone; but you may take it that is what I meant.

802. You would include barristers appointed in England?—Yes. My idea was to make the conditions as far as possible equal, and not to make them in any way especially favourable.

803. Do you consider that the present prospects in the Provincial Civil Service are sufficiently attractive to secure the best talent in the country or not?—I should say, in the absence of any other outlet, all talent has to go through the Provincial Service now.

804. Does it get the best talent, or does it go into other professions or directions?—It goes into other professions. I think there is a perceptible falling off in the quality of recruits to the Provincial Service now, because it does not get as good prizes as it could get outside.

805. The question is not quite one of prizes. Does it get the best talent available in the country or not?—I say that the best talent is diverted to some extent.

806. (*Mr. Macdonald.*) You have answered question (3) in such a way as to give what in your opinion would be an equal opportunity for the natives of India?—Yes, if the examination is held in India also.

807. As I understand your subsequent evidence, you do not think that simultaneous examinations alone would do that. You want an alteration in the character of the examination itself?—I do not want it now.

808. Did you not say that the whole scheme of the examination was an English scheme?—Yes; and I want our people to go through that ordeal.

809. And you do not regard that as a handicap?—It is a necessary qualification, I should take it.

810. In order to have that equality of opportunity, would you press for a change in the syllabus as well?—The only change which occurs to me is to introduce Persian into the examination.

811. I understand in your answer to question (8) that when you say you are willing to agree to special nomination, you do not mean for vacancies in the Indian Civil Service, but only for vacancies in the Provincial Service?—Nominations combined with examination. It is not pure nomination that I suggest.

812. But that is only for the Provincial Service?—Yes.

813. Turning to question (19), which deals with the proposal to establish a European minimum in the service, you are opposed to that?—Yes.

814. Are you opposed to that on principle?—Yes, because my idea is that when once people are able to enter through that examination they will have reached a development which will render differentiation in their case unnecessary.

815. You do not agree with the doctrine that the administration of India is only certain if there is a European minimum?—I do not discuss the possibility of that position just now. I do not think that question arises as a matter of practical urgency.

816. Supposing I say it does, and that I want you to give evidence about it. Supposing I say to you that I do think it is a matter that has to be considered at present—that the Service might be swamped by Indians—are you opposed to the minimum of Europeans on principle or only as a matter of expediency?—On principle I am opposed to that differentiation.

817. You say, as a matter of fact, that the question will not arise?—It will not arise. The question is not now to consider what you will do if the Service were swamped by Indians. I ask you why you should raise that question. If they are examined in India, how does that alter the position at all?

818. If you contemplated that 100 per cent. of the vacancies in the Indian Civil Service were to be filled by Indian candidates next year, provided you had a simultaneous examination, you would still say that you would be opposed to the European minimum?—I should say so, because I should have such strong faith in the men who had passed through this ordeal. That is all I can say. But I should at the same time add, that the case you put is so very hypothetical that I do not think it is a matter for serious discussion.

819. You do not seem to have answered question [21(*b*)], which is as follows: "In your experience have the natives of India recruited by means of open competition in England proved on the average as efficient as members of the Indian Civil Service of the same standard recruited in the same manner?" According to your description of yourself you have been a Deputy Commissioner and have been connected with the Revenue Settlement?—Yes.

820. In the course of that experience have you met Europeans on the one hand and Indians on the other both recruited in England by the Civil Service examination?—I must tell you that I have not seen any England-recruited people as Collectors or anything like that. I have not come across any such.

821. Have you come across any men who have been raised from the Provincial Service to listed-posts?—I have.

822. In your experience of those men have they been quite as good as Europeans?—I think so.

823. You say you have had experience which would enable you to answer that question?—Yes, I think so.

824. (*Mr. Madge.*) Are you of opinion that British tone, which on all hands it is admitted to be desirable to attain in the administration, depends upon the scientific machinery, or only the personality of the officers who carry it out?—It depends upon the training and the education and the general culture and equipment of the officers. That is what I mean.

825. I asked whether it depends upon the personality of the officers or on the machinery of the system?—Upon the machinery of the system.

826. Then as regards the number of officers to be employed, considering that the heads of most of our Governments are English statesmen brought up in public life and imported into this country, not specially pledged in favour of the Civil Service, do you think they are the best judges as responsible men of the number of any particular class of officers who should be employed in the Civil Service, or practically irresponsible persons however respectable and honest they may be?—I cannot judge about that, I can only speak for myself. They must have their own ideas.

827. You have no distinct opinion on the alternatives?—No.

828. How do you propose to co-ordinate or equalise the results of examinations in this country and those at a great distance from here?—It is the same examination simultaneously held.

829. Is any part of it *viva voce*?—You may make it also *viva voce* here.

830. In the allotment of marks no two judges have the same assessment of particular results. Do you propose to bring about justice between two classes of people?—You might postpone the *viva voce* examination to a later date and ask these people who have passed out here in India to go to England if it is necessary. There is no harm in doing that.

831. And then suppose they failed there, what would be the result?—They would take their chance.

832. Then what becomes of the hardship of the handicap?—I do not believe that the *viva voce* examination takes up such a large portion of the examination. That is a contingency which would also apply to the probationary period, which I say must be spent in England.

833. If any portion of the probationary period involves a visit to England then comes in the question of hardship which you have laid stress on, and upon which others have also laid stress?—To a very large extent the holding of the simultaneous examination in India will have cleared the ground. In the subsequent stages the *viva voce* examination or the probationary period will come up. I think it must be part of their training that they must go to England.

834. You are of opinion that no particular class in this country predominates in the service of the Government, and if there is a contrary opinion you think that that is mistaken? I understand you to say that Brahmins do not predominate?—Yes.

835. Some one has asked you a question about the question of outcasts, and I think you said you had passed that stage?—I think so.

836. Do you mean that public opinion among the Hindu gentlemen throughout the Madras Presidency has passed that stage?—It has lately improved, and I do not think that there would be anywhere any objection. I have known instances of one or two of lower castes not in the Civil Service, but in offices entailing more intimate contact with people—I cannot mention any names—in which no objection has been taken to such a superior position being assigned.

837. Are you speaking of Government officials or gentlemen generally?—Government officials and private gentlemen also.

838. Then are those stories which trickle down to the North of India, about touching wells and so forth, fictions of the past?—Not in that sense. You were asking me about persons being placed in high positions. There is no objection to persons placed in high positions doing their duty. There would be no hindrance or obstacle thrown upon it.

839. (*Mr. Abdur Rahim.*) May I take it that you are not satisfied with the present number of Indians in the higher appointments?—I am not.

840. And that you desire to have more Indians?—Yes, according to their ability, as they are able to prove their fitness.

841. I did not suggest unqualified Indians. You desire to see more qualified Indians?—Yes.

842. You have stated your opinion that if a simultaneous examination was held there would be no increase in the number of Indians?—Not much.

843. Would you be satisfied with that result, would it be an improvement upon the present state of things?—Yes, I think there would be an improvement; some few more may get in.

844. Is that your reason for advocating simultaneous examinations?—It is not in the interest of the few that may get in, but in the interest of the equal treatment of our Nation that I make the proposition, and it may also prove the growing worth of the people as time progresses.

845. I am asking you to suppose for argument's sake that important provinces like the Punjab and the United Provinces, and important communities like the non-Brahmins of the Madras Presidency, are not successful to any appreciable extent in competing at the Civil Service examination if held in India, would you contemplate such a result with equanimity?—Yes, because when the people have gone through that ordeal of examination, and have reached that high culture, I do not apprehend any injury to the Service or the people from such a cause.

846. Do you think the provinces and the communities that are left out will equally contemplate the result with satisfaction?—Yes, because I provide that through the Provincial Service openings may be found for them as a supplementary arrangement.

847. Without consideration of the merits of individuals?—No, through nomination and combined examination and tried service and capacity.

848. As regards your supplementary scheme, I put it to you that members of the Provincial Service found most fitted to hold the higher appointments will be promoted to those higher appointments?—Yes.

849. And you will not pass over the more meritorious men simply because of a desire to secure class representation?—I do not quite follow you.

850. Try and understand my question. You say that inequality of class representation could be rectified by listed posts being left open as they are now. But in making appointments to listed posts in the Provincial Service I take it that the primary consideration which would weigh most with the Government would be the individual merits of the officers?—Certainly.

851. Then I do not see how by that means you will be able to secure representation of communities?—I do not believe anybody advocates that incompetent people should simply by reason of their communal qualifications be advanced to higher posts.

852. As regards class representation, you provide for that according to your scheme of listed posts?—Without having to pass through a very stiff examination, such as a competitive examination, these men might qualify by their ability in the practical work of administration, and can pave their way to the higher positions. That is all I mean.

853. The Provincial Service is practically confined to Natives of India as defined by the Statute, is not that so?—Yes.

854. In that case how will the English people be provided for?—There is a rule saying that if Europeans are to be appointed, the sanction of the Governor-General must be taken, but I believe there is no embargo against their appointment if there is any special need for such appointments. If there is any special need for such appointments there is nothing to prohibit them being made.

855. You know that listed appointments are very few to satisfy the necessities of representation?—We cannot help that.

856. Under your scheme it is illusory to say that there would be any representation?—According to their general qualifications and capacities people can rise up, and in the Provincial Service there are about 300 appointments, both Judicial and Revenue together.

857. What would you think of a scheme which combined competitive examination as well as selection?—With regard to the supreme competitive test I should like nothing to be kept back. The numbers should be published. Failure was suggested as a cause of dissatisfaction. Holding back numbers would be a most serious cause of discontent.

858. I suppose you know that there are Universities which have lists of successful candidates not arranged according to marks?—That is for the last grade I believe, and not for the higher grades. Your proposal would involve the abrogating of the higher examinations also.

859. Will you tell me your chief reason in support of competitive examination?—The highest talent must be available for the Service of the country.

860. That is to say the matter of a few marks are decisive; say 20 marks out of 2,000?—I do not say that it is an infallible test. I say it is the best test you can devise.

861. You do not suggest any such test with respect to Judicial appointments?—With respect to Judicial appointments, I say it is the practising men at the Bar who have established their capacity that you should take.

862. That is not a competitive test, or competitive examination?—I have not committed myself to one channel of selection for the Judicial. You will find, perhaps, that that would be the best way of doing it. If you are not willing to adopt that, you might adopt the alternative course I suggest.

863. Do I understand then that even for recruitment to the Provincial Judicial Service you would prefer a competitive test to the present mode of selection?—Competition with nomination, I say.

864. As regards the combination of Judicial and Executive functions, do you know that the chief objection to such combination is that the District Magistrate as the head of the police is responsible for the peace of the district, and also has control over the magistrates trying cases: do you consider that right?—I would prefer the magisterial functions being made part of the duties of a separate judiciary. That is what I said in my answer.

865. (*Sir Valentine Chirol.*) I should like to elucidate one point. I think I am right in saying that it is chiefly a sentimental value which you attach to a simultaneous examination in both countries, is not that so?—No, it is not merely sentimental.

866. I said chiefly?—Because of the possibilities of the future. Though the benefit immediately may be small it will knock out that sense of prohibition. It will open the door to posts with high emoluments on the part of the Indian population, and qualify them for the higher spheres of life. It is not merely, therefore, the sentimental point of view I am talking of. What I meant was that the number who might get in immediately may be small. It would not be altogether sentimental.

867. You attach so much value to that future result, partly at least sentimental, that you are indifferent to what the purely practical results would be, and whether no increase in the number of Indians occurs, or whether the whole of the English element is swept out is a matter of indifference to you?—I firmly believe that the contingency will not arise.

868. But if it does arise you would not mind?—No, I can consider the position when it arises, but I would not anticipate the point now.

869. (*Sir Murray Hammick.*) I understood you to say in answer to Mr. Ramsay Macdonald that if English recruitment to the Civil Service ceased in the next few years owing to your scheme of simultaneous examinations it would make no difference to you, and that you would not object because you consider the high standard at which boys would arrive in passing the examination in this country would make up for any deficiency of Europeans in the Service. Is that what you said?—Did I say so? I meant to say that it was an extremely hypothetical case; but if Indians did develop to that degree and they swept the board completely, I am bound to say that I would give much consideration to that position.

870. The point I wish to put to you is this. Your proposal is, first of all to have simultaneous examinations, and secondly, to make a considerable number of Judicial appointments from the barristers out here?—The English Bar and the Indian Bar.

871. And thirdly it is to enlarge the number of listed posts?—I have not committed myself to an opinion with regard to enlargement.

872. You would retain the existing listed posts?—Yes.

873. Then you may take it that the number of appointments left for Europeans in England would be considerably smaller than it is now?—That is on the assumption that the Judicial Service is to be taken out of the purview.

874. Yes?—It will to that extent.

875. You may have heard already that there is a growing disinclination on the part of the youth in England to go up for the Indian Civil Service examination in England. Perhaps you have heard that?—Yes.

876. Is it not likely that the effect of this proposal of yours will be to so much further render unpopular the Indian career at Home that English competition for that Service will very much deteriorate in quality, and that boys who go up for examination in England will be by no means of the same character as they are now? Is not that likely to happen?—It proceeds on the assumption that you are going to remove the Judicial service from the purview of recruitment.

877. You propose it?—I propose it; but even so, I do not think you recruit more than 4 per cent. of the cadre at present.

878. You do not think that would have an effect upon the quality of the candidates who go up for examination in England?—If you could get equally good men in India I do not see any harm.

879. Supposing the quality of the candidates in England deteriorated, is it not probable that the standard of the examination will itself deteriorate, and that the quality of the admitted candidate in your simultaneous examination in India will deteriorate in India also?—If you want a larger number of appointments to be kept open for competitive examination you might not adopt the alternative suggestion made by me, but proceed to the proper training of the people who are elected to a Judicial career.

880. I am not asking what I want. I want to know what you want. Owing to the growing unpopularity in England, which will be so much emphasised by the scheme you propose, by taking away the Judicial appointments and having a simultaneous examination, is it not likely that the quality of the boy who goes up for the Indian Civil Service in England will deteriorate, and that in consequence the quality of those who appear and succeed in India at your simultaneous examination will deteriorate also?—I do not know why you should lower the qualification. You will have Indians also competing for the examination, and you might maintain it at the same high level.

881. If you instituted a simultaneous examination, do you not think that Brahmans will get in very largely in this Presidency during the next few years?—That will last only a very short time. If the educational facilities are going to be extended as they are proposed to be done people will all come more or less on the same level as regards education.

882. You think that will happen in the next few years?—At any rate in another generation.

883. That would be 25 years?—Yes.

884. And meanwhile the Brahmans will swamp the Service for the next 25 years?—I do not apprehend any harm from that, because they will have gone through an ordeal and equipment which will render them perfectly innocuous so far as caste or other predilections are concerned.

885. You think that Brahmans by passing the examination will have lost all caste prejudices?—Yes, because I insist that they should go to England also.

886. Are you not aware that at the present moment in certain districts the Brahman has made exceedingly little progress towards advancing in the direction which you intimate in the way of giving up his caste or admitting other people to his immediate presence and associating with him?—I may say that there is a great slackening of that caste exclusiveness, and I can speak to it from some personal knowledge.

887. Has it not been necessary, or has it not been established in the south of India for some time, that missionaries have to organise the digging of wells in villages, for instance in Tinnevelly, because Pariahs are not allowed to use the village wells?—I do not say that on sanitary grounds such separate location of wells in the present condition is undesirable; but as a matter of religious exclusiveness, so far as administrative questions are concerned, I think the difficulty is vanishing.

888. Is it not a fact that in schools up-country the presence of Pariah children is not allowed?—That is so in some cases.

889. Not in some cases: is it not a general fact throughout the Presidency?—In some of the outlying places there is some kind of difficulty.

890. As a third point, is it not your experience as Survey Officer up-country that you find serious difficulty in making Brahmans go into Pariah quarters?—So far as I am personally concerned when I was a Collector I experienced that difficulty; my Brahman Revenue Inspector stayed outside.

891. Has not that occurred to you as Survey Officer?—I have not hesitated to go; and perhaps my subordinates did not care to lag behind.

892. Is it not a fact that you have said that in Malabar, and all down the West Coast, the Pariah who passed the Civil Service would have no difficulty in surveying anywhere; but is it not a fact that in Malabar the Pariah is not allowed to approach the Brahman?—Even in Malabar a man of a certain status is treated well.

893. You said that there would be no reason to suppose that there would be any discontent from a large number of failures in this examination. Is it not a fact that disappointments and heart burnings caused by the large number of failures in the Matriculation examination in Madras a few years ago caused the Senate to relax the rules and allow a certain number of failures to pass?—The two are not parallel at all.

894. But that was a fact, was it not?—That was a fact, but the two are not parallel at all.

895. You say that this examination will stimulate education. Do you not think it possible that it may stimulate education in the wrong direction, and that it may stimulate cramming?—I think the Civil Service examination is an examination which does not encourage cram.

896. (*Mr. Oldfield.*) Are you a graduate?—No.

897. Have you paid any special attention to educational matters?—No, except that I passed through the school.

898. Simply as an ordinary member of the public?—Yes.

899. How long is it since you were a Magistrate?—I never was a Magistrate.

900. As regards Divisional matters, it is simply as an ordinary member of the public?—Yes.

901. With regard to the competitive examinations and the hardship of their being held in English—a foreign language—are the University examinations here held in English?—Yes.

902. Has there ever been a suggestion that they should be held in Tamil or a vernacular?—No, they cannot possibly be held in those languages.

(The witness withdrew.)

At Fort St. George, Madras.

Thursday, 9th January 1913.

SECOND DAY.

Present:

The Right Hon. the Lord ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

The Earl of Ronaldshay, M.P.	Abdur Rahim, Esq.
Sir Murray Hammick, K.C.S.I., C.I.E.	Gopal Krishna Gokhale, Esq., C.I.E.
Sir Theodore Morison, K.C.I.E.	Walter Culley Madge, Esq., C.I.E.
Sir Valentine Chirol.	Frank George Sly, Esq., C.S.I.
Mahadev Bhaskar Chaubal, Esq., C.S.I.	James Ramsay Macdonald, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. Oldfield, Esq., Acting Judge of the High Court of Judicature, Madras.	M.R.Ry. Diwan Bahadur R. Ramachandra Rao Avargal, Collector, Nellore.
	M.R.Ry. V. Subrahmanyam Pantulu Garu, District Judge, Cuddapah.

M. S. D. Butler, Esq., C.V.O., C.I.E. } (*Joint Secretaries.*)
R. R. Scott, Esq. }

M.R.Ry. Rao Bahadur C. Krishnaswami Rao Avargal, Subordinate Judge.

Written answers relating to the Indian Civil Service.

903 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I can only lay claim to the experience I have gained from my contact with members of the Indian Civil Service during the last twenty years; firstly, in my capacity as a Pleader in a mufassal district centre, and

secondly, as an officer of the Judicial branch of the Provincial Civil Service.

I accept as generally satisfactory the principle involved in recruitment by open competitive examination—a principle which was first laid down by the 36th and the 37th sections of the India Act of 1853 (Statutes 16 and 17 Vic., c. 95) and which has ever since been followed with unqualified success. The competitive principle is by far superior to any other principle that can possibly be suggested.

A competitive examination is, no doubt, intended primarily to test the intellectual qualifications of candidates, but is also a fairly accurate means of testing their character, for in a large majority of cases men of attainments are also men of character.

904 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system of holding the competitive examination in England is not suitable for the free admission of Natives of India to the Civil Service. Difficulties pertaining to proper supervision over young Indian students in England and considerations of expense and risk of loss for what may be regarded as a speculative adventure deter many native youths from proceeding to England, especially as the chances of success are usually regarded to be very small in the case of such candidates.

It has been repeatedly declared that Natives of India should be admitted to places of trust and responsibility as freely and extensively as the exigencies of the administration will permit and that fitness should be the only criterion of eligibility. If the test of fitness and merit is to be based upon the results of an open competition—and undoubtedly it is the best test—it stands to reason that facilities should be afforded to native youths for competing at such examinations. It would be manifestly unjust to impose obstacles in their way by compelling them in their early years of life to proceed to a distant foreign country for the purpose of competing at the examination at considerable expense on the bare off-chance of success.

An examination in the literary and scientific subjects is as good a test of character in the case of Natives of India as it has been found to be in the case of British youths. In this connection it is important to bear in mind that the Public Service Commission of 1886–87 found themselves unable to proceed on the general assumption that Natives are unfit for district and other executive charges, but were able to testify to the great intelligence and ability of the Native Covenanted Civilians who had entered the service through the channel of the English competition.

If the fitness of such Covenanted Native Civilians is in any measure attributable to their having gone to England to appear at the English competition, the same result can be attained by compelling the successful candidates at the simultaneous examination in India to spend their period of probation and to undergo their probation in England.

Whatever may have been the state of education in India at the time of the last Public Service Commission, the reformation in the universities and the consequent introduction of a higher standard of education in India is a sufficient guarantee that Indian youths, who appear at the competitive examination, will have received a sufficiently liberal culture to fit them for positions of trust and responsibility. There is no reason, therefore, why the Indian youths should be denied equality of opportunities with the British youths to compete for the Civil Service of the country of their birth.

The representation of the different classes of the Indian community is a matter on which emphasis is laid in the consideration of this question. It is not clear how the interests of the different classes of the community are better served by holding the competition in England. But assuming that the holding of a simultaneous examination in India will prejudicially affect the interests of what are called backward communities, the solution is, in my opinion, to afford educational and other facilities to members of such backward communities to acquire the required standard of intellectual merit. And furthermore, if once we depart from the simple rule of taking the best men without distinction of race, creed, or colour, there is no knowing where to stop; there can be no logical halting point.

A very great advantage will result from the holding of a simultaneous examination in India in that it will give a great impetus to higher education and will act as a strong incentive to the backward classes to strive for and reap the benefits of such higher education. Any system of recruitment based on mere considerations of race or religion without regard to intellectual fitness must stand self-condemned, not only because of deterioration in the service which it must necessarily lead to, but it would operate as a set-back to the cause of education.

I would, therefore, recommend the holding of a simultaneous examination in India so as to permit of the free admission of the Natives of India to a fair share of the higher appointments in the Covenanted Civil Service.

The adoption of such an examination in India for the Indian Civil Service will necessarily raise the question of fixing the relative proportions of the European and Indian members of the service so as to preserve the essentially British character of the administration. This seems to be the real crux of the matter and it is better to face this question boldly instead of raising side issues which have no real relevancy. It is certainly an indispensable condition that such proportions should be fixed. But it is a matter for consideration whether the proportion should be fixed now or some time after the new system has been tried and its results have been ascertained. There does not appear to me to be any probability of any undue proportion of Indians succeeding for many years to come. If it is, however, necessary to fix it now, I would fix it at one-third for Indians. This proportion has a reference only to the appointments to be reserved for the Indian Civil Service. I would further add that the said proportion should be adjusted, not on the results of each year which must necessarily vary, but periodically on the expiry of a definite period, say, of five or ten years.

905. (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—My answer is in the negative.

906 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes. The present system is best calculated to secure the best candidates available for the examination. If separate examinations are held, the best candidates might not appear for the Indian Civil Service Examination. It would also give the Government a wider choice of selection so as to provide the Indian Service with the best material available and thereby to prevent any risk of deterioration in the service.

907 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise. (*b*) Selection by authorities in Universities approved or otherwise. (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State. (*d*) Combined nomination and examination. (*e*) Any other method?—In view of my answers to questions (1) and (3) this question does not arise. I may add that I am opposed to any method of recruitment based on selection or nomination by any authority. Such a system would have a tendency to develop nepotism.

908 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—As the simultaneous examination is intended for the benefit of the Indian youths in recognition of their natural claims to preferment in the land of their birth, there is no need to hold this examination in any other place outside India.

909 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—In view of my answer to question (3) this does not arise. But I would recommend a separate examination in each province in India for the recruitment to appointments not falling within the cadre of the Indian Civil Service but pertaining to the service now known as the Provincial Civil Service. This is, however, a matter which can more appropriately be dealt with under the heading 'Provincial Civil Service.'

910 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I would impose no such restriction on Natives of India.

911 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The system of selection by means of a simultaneous examination in India will not supersede but will be supplementary to the present system of promoting to listed posts officers of the Provincial Civil Service.

In the first place, until the proportion of one-third mentioned in my answer to question (3) is reached, the necessity for such promotion will not cease.

Secondly, members of the Executive branch of the Provincial Civil Service should have a few chances of rising to higher appointments as an incentive to good and efficient work. From paragraph 2 of my answer to question (23) it will be seen that the Judicial branch of the Provincial Civil Service is treated on a different footing.

Thirdly, Government should have in reserve a few appointments, for the exercise of their patronage in exceptional cases.

912 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I would not recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service. The method of recruitment being retained as it is, such training as may be required by officers of the Indian Civil Service who elect the Judicial branch may be otherwise provided for—*vide* my answer to question (66).

913 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident "in India, and not established there for temporary "purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I would propose the omission of that portion of the definition which prescribes that the person should have been born within the Dominions of His Majesty in India. In other respects the definition may stand as it is.

914 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I consider that the age limits should be fixed so as to attract candidates who have completed a University course. It would even seem to be desirable to insist on the completion of a University course as a qualifying condition for admission to the examination. This system would secure for the service a body of really able and superior men.

In India the prescribed minimum age for completing the School Final Course is 15 and the average age for completing it is 16. The B.A. (Honours) course requires a period of five years,

and allowing one year for preparation, the average age at which an Indian student can, under present conditions, proceed to England will be 22. To allow him sufficient time to prepare himself for the examination and to give him two chances of appearing for the examination the maximum age limit should be raised to 25. I would therefore propose the age limits might be raised to 23–25.

915 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—In answering question (15), I have answered the first part of this question as well. I would make no differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty. If the maximum age of twenty-five be considered too high, I would fix that limit at least for the Indian student for the reasons given in my answer to question (15). The raising of the age limit would conduce to greater maturity of judgment and more thorough education on the part of the candidates selected.

916 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature "that no candidate who may fail shall, to what-"ever calling he may devote himself, have any "reason to regret the time and labour which he "had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Yes.

917 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—The marks assigned to Sanskrit and Arabic should be equalised with those assigned to Greek and Latin. It is said that in papers on Roman and Greek History quotations from Latin and Greek are put, with the result that Indian candidates are precluded from taking up these subjects unless they know Latin and Greek. This hardship if it really exists, might be avoided.

918 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I do not think any differentiation in the subjects for the examination is desirable between candidates who are Natives of India and other candidates, especially as there are a large number of subjects to choose from.

919 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—It is in my opinion necessary to define the interest of officers recruited by open competition in England, and their interests can be best defined by express reservation by Statute of the posts open to them. In answering question (3) a reduction in the cadre of the Indian Civil Service has been suggested by me as one of the remedies for removing the disabilities under which Indians at present labour in the attainment of their just aspirations for high and responsible appointments. The curtailment of the recruitment in England and the substitution of indigenous agency being both just and expedient, I think some of the appointments may be removed from the schedule of the Indian Civil Service Act of 1861.

Confining myself to the Judicial branch of the Civil Service, I would suggest the exclusion from the schedule, of one half of District and Sessions Judges or chief Judicial officers of the districts. It may be mentioned in this connection that the Public Service Commission of 1886–1887 recommended the exclusion from the schedule of one-third of such appointments but effect was not given in full to their recommendation. Conditions have changed materially since then, with the result that indigenous agency to fill these posts is available in sufficient numbers and with sufficient qualifications to justify their appointments. And furthermore, the European Civilian officer does not take kindly to this branch of the service and is generally an unwilling servant marking his time for retirement from the service. There are, of course, some who show a liking and even a preference for the Judicial service, and to such officers the remaining fifty per cent. of the appointments will serve as a sufficiently ample field for the exercise of their talents and for acquiring the training necessary to fill the Indian Civil Service section of the High Court Bench.

920 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—So far as the Judicial branch of the Service is concerned, to which I confine myself, my answer to this question is covered by my answer to question (23).

921 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—In addition to the open competitive examination in England and the simultaneous examination in India, the special arrangement referred to in the question may be retained, as it is desirable that the Government should retain power in very special cases and under prescribed conditions to make direct appointments to offices in the higher grades.

922 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—There is no reason to suppose that "Natives of India" recruited by means of open competition in England are less efficient than the European members of the Indian Civil Service of the same standing. But it is possible that the former lack that lightness of heart and fearlessness of mind which, in the case of the latter, are the necessary concomitants of the sympathetic support of the service, which rarely fails them in emergencies. In this Presidency the tendency seems to be to employ native members of the Indian Civil Service more largely in the Judicial branch than in the Executive. I am unable to explain the reason.

923 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend? My answer is in the negative.

924 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—The figures concerning the Judicial branch of the Provincial Civil Service are correct for this province. I do not, of course, deal with the listed posts not connected with the Judicial branch.

The number of posts of District Judges listed for this Presidency is four out of a total of twenty-two appointments.

925 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons?—The four posts referred to in my answer to question (33) are ordinarily and regularly held by Natives of India.

926 (35). To what extent also during the last five years have these listed posts been filled—

(*a*) by members of the Provincial Civil Service;

(*b*) by other "Natives of India"?

Please give the names and positions of the latter, if any?—My recollection is that until recently two out of these four appointments were held by members of the Provincial Civil Service, one by a member of the Statutory Civil Service who has since retired, and the remaining appointment was held by an officer who would fall under the heading of "other Natives of India." At present, three appointments are held by members of the Provincial Civil Service and the remaining appointment is held by "M.R.Ry. Diwan Bahadur C. V. Kumaraswami Sastriar Avargal, District Judge, Ganjām". At the time of his appointment as District and Sessions Judge, he was not a member of the Provincial Civil Service but was a Judge of the City Civil Court which is not included in the cadre of the Provincial Civil Service.

927 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—My answer to the first part of this question is in the affirmative (*vide* my answer to the previous question). In a very recent instance the proportion of one-fourth fixed in rule No. 2 was exceeded. Reference is made to this fact in my answer to question (2) under the heading of Provincial Civil Service.

928 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—So far as the Judicial branch is concerned District Judgeships form the only class of listed posts. Additional or temporary Sessions Judgeships might also be thrown open to the Provincial Civil Service.

929 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—Officers of the Provincial Civil Service selected to fill Sessions Judgeships lack, in the generality of cases, training in criminal work just as members of the Indian Civil Service appointed to the District Judgeships lack training in civil work. The remedy has to be sought for both these cases and may be considered in dealing with questions under the heading of "Training".

930 (40). Please now turn to the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—This question presumably refers to special appointments of persons who are not covenanted Civil Servants under the provisions of section 3 of the Indian Civil Service Act of 1861. I am not aware of any such appointment having been made in this province during the last five years.

931 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I have no personal experience of the results of the existing systems of probation in England. Such probation ought to be beneficial and must be continued.

932 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—I would recommend probation for a period of two years.

933 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—I am of opinion that the general education of candidates should be completed before the competitive examination. The raising of the age limit would dispense with the necessity of making any special provision for a post-university training as suggested in the question. And furthermore, I have suggested in my answer to question (15) that it would be desirable to insist on the completion of a University course as a qualification for admission to the open competitive examination. The object of the probation is to enable the successful candidates to enter upon the special studies designed to fit them for duty in India, and consequently the period of probation must be utilised to give them the necessary training to fit them for such duties.

934 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I consider that probationers should receive allowances during their period of probation. The scale of allowances should be fixed according to their pecuniary requirements. The conditions must be such as would ensure satisfactory progress in their training and the maintenance of good character.

935 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—The course of study that I would recommend will be on the lines of the syllabus which was in force in 1891 when the period of probation was two years and which is now printed in column I of Appendix VI.

936 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I would answer this question in the negative.

937 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—My answer to question (45) applies to this question as well. I would answer the latter part of this question in the affirmative.

938 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—I would prefer the syllabus of 1891. But Political Economy which is included in the curriculum of the open competitive examination may be excluded from the curriculum of the final examination.

939 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at law Courts in England and reporting of cases: (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography; (*b*) Political Economy, (*c*) Accounts?—The syllabus of 1891 provides for compulsory attendance at Law Courts in England and reporting of cases, and provides also for the study of the law of India, the History and Geography of India and vernacular language. The syllabus may accordingly be adopted in its entirety with the exception of Political Economy for the reason stated in my answer to question (51). It may be mentioned in this connection that even for those who are to fill the higher executive appointments a judicial training is becoming a matter of necessity. The Revenue Department is becoming a quasi-judicial service. Questions in Forest and Revenue Law have frequently to be decided by Revenue officers; they have also to judge of the expediency or otherwise of instituting or defending suits, and mistakes in this respect should be avoided as far as possible.

940 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The course of instruction may be best spent in England for the reasons mentioned in question (56).

941 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—In view of my answer to question (53), I would answer this question and the following question in the negative.

942 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—*Vide* answer to question (54).

943 (56). In the report of the Treasury Committee appointed to consider the organisation or Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I would answer that the preliminary training may best take place in England for the reasons suggested in this question.

944 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have recommended a system of direct recruitment in India for the Indian Civil Service by means of a simultaneous examination in India. But, for the reasons stated in my answer to question (3), I consider that the system of probation should be on the same lines and conditions as are laid down for probationers recruited in England and the period of probation must be spent in England.

945 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—*Vide* answer to question (57).

946 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I am not for any differentiation being made.

947 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangements for the training of the junior members of the Indian Civil Service after they have taken up their appointments in India are intended only to train them for executive work. I do not propose to discuss the sufficiency of the present arrangements for such training. Some change will have to be introduced for giving training in judicial work, but that would be after some service, when the officers concerned might be called upon to elect the service they would like to serve in.

948 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I am unable to institute any comparison between the past and present in regard to the knowledge of the Indian languages possessed by members of the Indian Civil Service. But it must be acknowledged that their linguistic qualifications are very poor and of little or no practical use. It is possible that the spread of the knowledge of English among Indians, the transactions of all official correspondence in the English language and the constant transfer of officers from one language area to another militate against the attainment of an adequate proficiency in the study of the Indian languages. But these reasons cannot furnish a satisfactory explanation for the present state of things. Notwithstanding the spread of knowledge of English among Indians and notwithstanding the transaction of official correspondence in the English language, the percentage of people ignorant of the English language is still very large and it is with such people that officers of the Indian Civil Service have constantly to come into contact. As observed in paragraph 666 of the Report of the Royal Commission upon Decentralisation in India "it is still however most requisite that he (a European officer) should have such knowledge, since an officer who cannot speak freely to the people of his charge in their own language and understand vernacular petitions handed in to him must necessarily be largely in the hands of his subordinates." The remedy lies in awarding rewards to officers who attain to proficiency in Indian languages and by inflicting punishments on those who fail to do so. There is very little that I can usefully add to the recommendations made in paragraph 667 of the said report. Whatever rules may be framed on the subject, a great deal depends upon the officers themselves, upon their willingness and earnestness to acquire proficiency in the Indian languages. Unless they make it a point to speak the vernacular language to their own domestic servants and to all other persons ignorant of the English language with whom they come into contact on official business or in the course of social duties, real proficiency cannot be attained.

949 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—I do not think that any change in the present rules would improve matters, but real improvement must be sought in the stringency with which the rules are enforced and the candidates are passed. The examiners must be such as have themselves attained a high degree of proficiency.

950 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—As regards the knowledge of law of members of Indian Civil Service in general, I think that the suggested syllabus for the final examination is sufficient. As regards officers selected for the judicial branch, I do not think that the system of study leave to Europe would give them sufficient training for their work in India as Judicial officers, but would recommend a course of preliminary training in judicial work on the lines indicated in my answer to question (66).

951 (65). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—No.

952 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.—I would recommend that the officers selected for the Judicial branch should receive training in subordinate judicial posts under the supervision and control of a District Judge. In the first place each officer should be attached for a time to the court of a District Munsif, then to the court of a Subordinate Judge and finally to the court of a District Judge. The period to be spent at each court need not be long: it may be even a month. Secondly, after the preliminary training is over, the officer should be made to serve as a District Munsif and then as a Subordinate Judge, drawing all the while his pay according to his rank in the Indian Civil Service. Thirdly, I would reserve for this purpose a few appointments of District Munsifs and Subordinate Judgeships to be filled by such officers of the Indian Civil Service.

I would also insist that when a Civilian officer is appointed to the post of a District Judge, he should be given exclusive original civil jurisdiction over a portion of his district, and ability shown in the disposal of such original civil work should be made a condition precedent to the selection of such an officer to the High Court Bench. This

arrangement would also facilitate the training of Subordinate Judges in criminal work by relieving them of a portion of their original civil work [*vide* my answer to question (19) under the heading of "Provincial Civil Service"].

953 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I would encourage higher study of law by instituting rewards.

954 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—I would make no differentiation.

955 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—*Vide* my answer to question (57).

956 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—I would answer this in the negative.

Written answers relating to the Provincial Civil Service.

957 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I would suggest the conditions of recruitment for the Provincial Civil Service be embodied in an enactment, either local or imperial, rather than left to be governed by rules framed either by the Government of India or the Local Government. An enactment of such a nature will not only place the interests of officers of the Provincial Civil Service on a firm basis but will prevent amendments or alterations without wide publicity and effectual discussion.

958 (2). Please supply a copy of the rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Here again I would suggest that the rules be defined by an enactment with a schedule attached thereto, showing the appointments reserved (not merely thrown open to) for members of the Provincial Civil Service.

There is a great discontent amongst the members of the Judicial branch of the Provincial Civil Service of this Presidency in regard to the manner in which some appointments were made to the higher grades of the service during the course of the last four years. In one case a gentleman who, according to the rules of the Local Government, was not even qualified for the post of a last grade Subordinate Judge was appointed all at once as a permanent Subordinate Judge of the highest grade. The justification for the violation was that the rules of the Local Government had not the force of a statutory obligation. In another case the proportion of one-fourth fixed in rule 2 of the Notification of the Government of India, No. 1128, printed as Appendix IV was exceeded; and the probable explanation is that the listed appointments are only *open* to members of the Provincial Civil Service and not *reserved* for them. In the interests of the service there ought to be no room for disappointment or discontent. It is therefore proposed that the regulations governing the service should be clearly defined by a legislative enactment.

In regard to other matters covered by the rules of the Local Government I shall deal with them in answering questions which deal with details. At present I have confined myself to a consideration of certain general principles underlying the constitution of the Judicial branch of the Provincial Civil Service.

In regard to the Executive branch of the Provincial Civil Service, a separate examination for each Presidency may be held every year as was being done until some time recently. It is, however, a matter into which I do not propose to enter, as members of that branch of the service will be more competent to deal with it in regard to the details of such system.

959 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—The information in regard to the Judicial branch is correct. It does not, however, include a number of Subordinate Judges' courts established temporarily. On the 1st of October 1912 there were no less than ten such courts. A large number of these may have to be made permanent and the question is under the investigation of an officer specially deputed for the purpose. The temporary appointments so created are all of the last grade. The result is that there are now four Subordinate Judges on a pay of Rs. 800, five on Rs. 650 and nineteen on Rs. 500. The number of District Munsifs in the last grade is at present 31 and not 29.

960 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—So far as the Judicial branch of the Provincial Civil Service is concerned, recruitment to the grade of District Munsifs has now, for nearly thirty years, been made according to the conditions embodied in rule No. 4 of the rules framed by the Madras Government, printed at page 74 of the "Abstract of the rules relating to the Public Service examinations in the Madras Presidency."

Barristers, Advocates, High Court Vakils and District Munsifs are eligible for the post of Subordinate Judges. But in practice Subordinate Judges are recruited almost entirely by selection from the ranks of District Munsifs. During the last thirty years there were only three or four instances of direct recruitment from the Bar to the post of a Subordinate Judge.

As District Munsifs are recruited mainly from the members of the legal profession and as several of them, by reason of their experience and ability, become better fitted for the post of a Subordinate Judge than one who has continued to remain at the Bar with more or less indifferent success, no real necessity has perhaps been felt for direct recruitment from the Bar to the post of a Subordinate Judge.

The number recruited every year fluctuates according to the number of vacancies.

961 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—So far as the Judicial branch of the Provincial Civil Service is concerned the recruitment cannot, for obvious reasons, be by open competitive examination. The field of recruitment must be confined to those who are in active practice of the legal profession.

In regard to the recruitment of District Munsifs I would, in view of the large number of graduates in law in this presidency, limit the field of recruitment to those who would fall within clauses 1, 2 and 5 of rule IV of the rules of the Local Government. Persons falling within clauses 3 and 4 of the said rule are but very rarely appointed as District Munsifs and there is no need, therefore, to retain these two clauses.

As regards the recruitment of Subordinate Judges I have in answering question (4) observed as follows: As District Munsifs are recruited mainly from the members of the legal profession and as several of them, by reason of their experience and ability, become better fitted for the post of Subordinate Judge than one who has continued to remain at the Bar with more or less indifferent success, no real necessity has perhaps been felt for direct recruitment from the Bar to the post of a Subordinate Judge.

But an influential section in Madras is of opinion that there ought to be a large percentage of direct recruitment from the Bar for the higher grades of the Judicial service, that is, to the posts of Subordinate Judges and District Judges. This theory is based on the assumption that the knowledge and experience gained by an officer as a District Munsif, instead of rendering him better fitted for the duties of a higher Judicial office, produces quite the contrary effect and disables him from being selected for the higher appointments. Similarly according to the theory of this influential section of the public, a member of the Bar who by direct recruitment is appointed to the post of a Subordinate Judge would, after a few years' experience in that capacity, become less fit for the appointment of a District Judge than one who still continues to remain at the Bar in eager expectation of an opportunity for his advancement. I am not sure how this theory, if pushed to its logical conclusion, would apply to the promotion of an officer from the position of a District Judge to that of a High Court Judge.

I doubt how this theory would work if applied to the Executive branch of the service; but even in regard to the Judicial branch of the service, I cannot bring myself to subscribe to it. If a member of the Bar while yet young in years joins the Judicial service as a District Munsif, he must, in my opinion, as years roll on and as he gains experience and acquires knowledge, become, in the natural course of things, better fitted for the more arduous duties of a higher Judicial appointment. At any rate, he cannot be in a worse position than one who, in spite of his longer standing at the Bar, is unable to make sufficient headway in the profession but is willing to accept, when fairly advanced in years, an appointment on Rs. 500.

The same observation applies to direct recruitment from the Bar to the appointment of a District Judge. It would be unjust to the service and detrimental to the interests of the public to select men of inferior calibre from the Bar for direct appointment either as a District Judge or as a Subordinate Judge. It is not likely that a man who has a considerable practice at the Bar would forego that practice and the chance of extended practice and take up either of these appointments, and furthermore such direct recruitment to the higher ranks of the Judicial service would, by impairing the prospects of District Munsifs and Subordinate Judges, inevitably result in a deterioration of the lower ranks of the Judicial service. It must be mentioned in this connection that District Munsifs as a body have repeatedly earned high praise from the Honourable the Judges of the High Court and from the Local Government for ability and efficiency and it would be, in my opinion, a misfortune if this able and hardworked class of officers, who have been able to earn such high praise, is treated with scant consideration and is deprived of the prize appointments.

One of the arguments upon which their disqualification to higher appointments is based is that they become too old and effete when the time comes for their promotion to the higher ranks of the service. I shall deal with this aspect of the matter in answering question No. (47).

In my opinion, the higher appointments in the Judicial service should ordinarily be filled from the most meritorious of the senior men of the Judicial branch of the Provincial Civil Service. I say ordinarily for I am not altogether opposed to the principle of direct recruitment to the higher grades of the service; but cases of such recruitment must be proportionately small and patronage must be exercised under exceptional circumstances. The proportion must be fixed as low as possible and ought not, in my opinion, to exceed 20 per cent.

I would, therefore, recommend that in regard to the recruitment of the Subordinate Judges not less than 80 per cent. of the appointments be reserved for District Munsifs, and similarly in regard to the appointments of District and Sessions Judges transferred to the Provincial Civil Service I would suggest that not less than 80 per cent. of such appointments be reserved for Subordinate Judges.

To meet these two conditions, a suitable rule will have to be framed under the Madras Civil Courts Act and rule 2 of the Notification of the Government of India No. 1128, printed as Appendix IV, will have to be amended by substituting "$\frac{1}{3}$" for "$\frac{1}{4}$".

These exceptional appointments ought not to be made as a mere matter of course but should be governed solely by the exigencies of the public service; for the public have a higher claim to

efficient service than any member of the Bar can have for his personal advancement. And furthermore in making these special appointments the Local Government may, other qualifications being equal among the candidates, be legitimately guided by considerations of birth and respectability of the candidates and also by considerations of a fair and proper representation of the different sections of the Bar and of the different classes of the community.

In the case of direct recruitment as aforesaid for the higher ranks of the Judicial service I would insist as a necessary condition that the person chosen should be a successful practitioner with considerable practice on the original side, either in the presidency town or in the mufassal. In my opinion, training in purely appellate work is not a sufficient qualification for the proper exercise of the duties of a Judge in the mufassal. This remark will also apply to the recruitment of District Munsif from the Bar—a principle which, I am afraid, is not always kept in view.

962 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—In regard to the first part of the question I have no information. I would answer the latter part of the question in the affirmative.

963. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—The selection being made from among the members of the legal profession, the representation of the different classes of the community is a matter which ought to be left to the discretion and judgment of the authority in whom the power of appointment vests. I have made a similar observation in regard to special appointments made by direct recruitment to the higher branches of the Judicial service. There is, therefore, no need for any separate rules being enacted in this behalf. Undue prominence given to class representation in public appointments would have, in my opinion, an unfortunate tendency to accentuate and perpetuate class differences. The encouragement of such a tendency is of questionable expediency.

964 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—At present there is no system of training in vogue for officers recruited for the Judicial service except such training as they get prior to their appointment as District Munsifs, either in the exercise of the legal profession or in the discharge of ministerial duties on the establishment of the High Court or of a District Court.

I would suggest that an officer selected for the post of a District Munsif be attached to a District Court or to a Subordinate Judge's Court as personal assistant to the presiding officer of such court so that he may receive practical training for a period of not less than three months and not exceeding six months. He may then be placed in charge of an independent court on probation for a period of one year.

No such training or probation will be required in the case of special appointments by direct recruitment from the Bar to the higher rank of the Judicial service. Officers selected under this system are expected to be men of conspicuous ability and would not stand in need of any special training or probation.

965 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—In regard to the Judicial branch of the service I would suggest that it be made up of—

(1) Not less than one High Court Judge (*vide* note below).

(2) Fifty per cent. of District and Sessions Judges—*vide* my answer to Question (23) under the heading of the "Indian Civil Service."

(3) The City Civil Judge.

(4) Two Puisne Judges of the Presidency Small Cause Court.

(5) Subordinate Judges.

(6) District Munsifs.

(7) Registrar, Presidency Small Cause Court.

(8) Deputy Registrar, Appellate Side, High Court.

(9) One junior Professorship and one Assistant Professorship of the Law College.

Note.—Section 2 of the Statute 24 and 25 Vic., c. 104, provides that not less than one-third of the Judges of the High Court including the Chief Justice shall be Barristers and not less than one-third shall be members of the Covenanted Civil Service. The members of the Public Service Commission (1886–87) noticed the absence of any provision fixing a proportion of such appointments for Judicial officers of the Uncovenanted Civil Service and observed that the time had come for appointing to High Court Judgeships a larger proportion of persons who have held judicial offices or who are advocates or pleaders of the High Court. The Commissioners left it to the Government to decide the number of Judges to be selected from the Judicial branch, the Provincial Service or from advocates or pleaders of the High Court. In concluding their observations in regard to this matter they made the following important pronouncement:—"One important effect of this recommendation would be to throw open more fully than at present to members of the Provincial Service, if established, the highest judicial offices of the country, for which it might be anticipated that natives, of whom the Provincial Service will mainly consist, will become qualified in increasing numbers if the higher judicial offices are rendered more accessible to them in the manner proposed."

But as a matter of fact ever since 1895 there has not been a single representative of the Provincial Service on the Local High Court Bench, but in the early part of this year a member of the Provincial Service was appointed to one of the two temporary appointments recently created for the clearing of arrears. The time has now come when the declaration of the Public Service Commission of 1886–87 might receive greater consideration by according to the claims of the Provincial Civil Service a sure and solid foundation by a suitable amendment in the Statute. I would roughly fix the proportion at one-sixth, but it would even be sufficient if at least one permanent seat on the High Court Bench is reserved by Statute for the Provincial Service.

966 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—In the case of the Judicial branch the number of appointments is fixed with reference to the amount of work that has to be turned out by the Courts. I would add a dozen appointments for the purpose of training in the manner suggested in my answer to question (9).

967 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—The field of recruitment in the case of the Judicial branch being confined to members of the legal profession, there is no need for the provision of "leave reserve."

968 (14). Is there any reserve for officers under training and is it adequate?—There is no reserve for training in the Judicial branch—*vide* my answer to question (12).

969 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—The annual rate of recruitment depends upon the vacancies happening and it is a fluctuating factor.

970 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Rule 11 of the rules framed by the Madras Government lays down, "Government reserve to themselves the right to make promotions to the superior grades of Provincial Civil Service carrying a salary of Rs. 500 a month and above without regard to seniority, and seniority alone shall not give a claim to appointment to the grade of Rs. 500 a month or to a higher grade. Every such promotion will be based wholly upon fitness and merit, seniority being regarded only when the claims of two or more officers who are equally fit come into competition."

In regard to the Judicial branch of the Provincial Civil Service this rule can come into operation when a District Munsif has to be selected for the appointment of a Subordinate Judge and when a Subordinate Judge has to be selected for promotion as a District and Sessions Judge. A strict enforcement of this rule will certainly tend to greater efficiency in the higher grades of the Judicial Service. In practice, however, it seems to me that in making the selection for the higher appointments in question the test that is applied is of a negative, rather than of a positive, character. Whether an officer has disqualified himself for promotion or, in other words, whether there is any reason for superseding a particular officer is the question upon the answer to which the selection is generally based. On the other hand the proper guiding principle of selection ought to be whether an officer has by his past work shown himself to be a man of marked merit and ability so as to be worthy of selection for promotion to the higher ranks of the service. This, I believe, is the real spirit of the rule in question and it is not in my opinion as strictly enforced as it ought to be.

971 (17). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The interests of individual officers and of the administration can best be advanced by a due recognition of meritorious work and by affording facilities for speedy advancement to meritorious officers. This can be achieved by a strict enforcement of rule No. 11 quoted in my answer to the previous question and by the adoption of a similar principle in the regulation of promotion in the lower grades as well in exceptional cases.

In the interests of efficiency of the administration a power should be reserved to the Government to compulsorily retire from service officers whose continuance in service is found to be undesirable on account of their incapacity or inefficiency. But the power should be exercised in very exceptional cases and on the clearest evidence of such incapacity and upon the unanimous recommendation of the High Court.

The fixing of 21 years as the period of service qualifying for voluntary retirement, as suggested by me in my answer to question (44), will facilitate the retirement of inefficient officers.

972 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?—Instead of the posts being listed as at present, I would suggest that the posts so listed might either be amalgamated with the Provincial Civil Service as suggested in my answer to question (11) or that the persons appointed to such offices might be admitted as members of the Indian Civil Service.

At present 75 per cent. of the listed posts of District and Sessions Judges is recruited from the ranks of Subordinate Judges and the remaining 25 per cent. is recruited from outside the Provincial Civil Service. I would alter the percentages into 80 and 20 respectively—*vide* my answer to question (6).

Subordinate Judges appointed as District and Sessions Judges lack training and experience in criminal work. In fact none of the four Indian District Judges now in service has had any experience in criminal work before appointment as Sessions Judge. I would suggest that every permanent Subordinate Judge presiding over a permanent Subordinate Judge's Court should be *ex-officio* an Assistant Sessions Judge. If this is not feasible a sufficiently large number of Subordinate Judges might be invested with the powers of an Assistant Sessions Judge. This system will on the one hand have the advantage of relieving the District and Sessions Judge of a portion of his criminal work and of relieving the Subordinate Judge of a portion of his civil work. Both the District Judge and the Subordinate Judge will thereby have an almost equal share of civil as well as of criminal work.

973 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—The word "Provincial" is objected to on the ground that it is used in a derogatory sense.

I would suggest the following designation:—

MADRAS CIVIL SERVICE.

(*A*) *Class No.* 1—	(*B*) *Class No.* 2—
(1) Executive.	(1) Executive.
(2) Judicial.	(2) Judicial.

The two classes being differentiated according to the method of recruitment.

Note.—This suggestion will involve the abolition of the present designation "Indian Civil Service."

974 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle

enunciated above seems to be sound so far as it goes, but I would add that there ought to be some relation between the grades of pay in the Provincial Civil Service and the grades of pay in the Indian Civil Service. Any disparity in the pay of members of the two services holding identical appointments and discharging identical functions would materially affect the prestige of the officers of the Provincial Civil Service. In paragraph 85 of the report of Public Service Commission of 1886-87 it is observed :—

"In one case only would the Commission depart from the principle of regulating the pay, leave and pension rules according to the place of recruitment, namely, in regard to those high appointments which are made directly by Her Majesty. For such appointments, which are very few in number and stand upon a footing of their own, the Commission considers that an exception to the general principle might well be made. The Commission accordingly recommends that for appointments made by Her Majesty the pay and the rules governing leave and pension should be the same for all incumbents whether belonging to the Imperial or the Provincial Service or appointed from outside the service of Government."

I would extend the application of this principle to all officers who are either heads of districts or heads of departments. In regard to other appointments the salary of every office might be fixed at a certain amount and an extra personal allowance might be granted in the case of a covenanted civilian appointed to such office.

975 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—In the consideration of the question it would not be inappropriate to bear in mind the analogy of the theory underlying the condition of service in the Indian Civil Service, namely, that each officer should find himself officiating with practical permanency in an appointment carrying over Rs. 1,000 per mensem after the completion of eight years' service. I do not, of course, mean to say that the conditions of service in the Indian Civil Service are on all fours with the conditions of service in the Provincial Civil Service, but the theory mentioned above would materially help us in coming to a conclusion upon the present question.

The lowest pay of a District Munsif should, in my opinion, be fixed at Rs. 250 per mensem. A memorial by the District Munsifs of this Presidency to that effect has, I believe, received the sympathetic and favourable consideration of the Honourable Judges of the High Court. Now starting with an initial pay of Rs. 250 per mensem, it ought to be possible for this class of officers to rise during the course of ten years to a salary of Rs. 500. This would work out an annual increment of Rs. 25. I would therefore suggest that the pay of District Munsifs be fixed at Rupees 250—25—500, the increment being annual.

As regards Subordinate Judges I would fix the salary at Rs. 600—80—1,000, the increment being annual.

The promotion of an officer from the District Munsif's grade to that of a Subordinate Judge will be made only on the happening of vacancies in the latter grade; and allowing some time for an opportunity for such promotion, a member of the Judicial Branch of the Provincial Civil Service would attain to a grade of Rs. 1,000 after the completion of a service of nearly seventeen or eighteen years—a period within which a member of the Indian Civil Service will find himself with practical certainty in an appointment carrying a salary of over Rs. 2,000 per mensem.

The increase in the emoluments claimed for these two classes of officers is not only justified by the analogy of the theory quoted above, but also by the circumstance that the cost of living has increased enormously and the purchasing power of the rupee has considerably diminished. A memorial by the Subordinate Judges of this Presidency for the increase of pay is pending before the Local Government.

In regard to District and Sessions Judges' appointments held by the Provincial Civil Service members, the existing lowest grade is Rs. 1,200. It does not seem to be quite fair or equitable that a District Judge of the Provincial Civil Service should draw the same pay as a first-grade Sub-Collector of the Indian Civil Service. If a difference should be made between the pay of District Judge of the Provincial Service and that of a District Judge of the Indian Civil Service, I think that, in order to maintain the prestige of an Indian Distirct Judge of the Provincial Service, his pay ought to be fixed at Rs. 1,500 rising to Rs. 2,000 with an annual increment of Rs. 100.

If the time-scale of salary suggested above is not accepted, I would suggest the following system of grading :—

A.—District Munsifs.

1. First grade	...	Rs. 500—15	per cent. of the total number of appointments.
2. Second ,,	...	,, 400—30	do.
3. Third ,,	...	,, 300—30	do.
4. Fourth ,,	...	,, 250—25	do.

B.—Subordinate Judges.

1. First grade	...	Rs. 1,000—15	per cent. of the total number of appointments.
2. Second ,,	...	,, 800—30	do.
3. Third ,,	...	,, 700—30	do.
4. Fourth ,,	...	,, 600—25	do.

C.—District Judges.

1. First grade	...	Rs. 2,000—20	per cent. of the total number of appointments.
2. Second ,,	...	,, 1,800—30	do.
3. Third ,,	...	,, 1,500—50	do.

976 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—If the existing graded system of promotion is maintained, officiating promotions ought to be allowed. Such promotions are now allowed in the case of District Munsifs and District Judges. There is absolutely no reason why the privilege should be denied to Subordinate Judges.

977 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—My answer to question (24) covers this question as well. I would have a separate time-scale for each main class of appointments in the Judicial Branch of the Provincial Service.

978 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—*Vide* my answer to question (24) and question (26).

979 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—I have discussed this question in full in my answer to question (24). In regard to the latter part of this question I would suggest that each branch of the Provincial Service and each main class of appointments in each branch should have a separate time-scale.

980 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—*Vide* paragraph 2 of my answer to question (22). *Vide* also the answer to question (24).

981 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—One of the reasons which prevent members of the Judicial Branch of the Provincial Civil Service from taking privilege leave is that they are not entitled to such leave on full pay (*vide* article 271 of the Civil Service Regulations); but an exception is made in favour of District Judges to whom privilege leave is granted under the ordinary rules on full pay (*vide* article 278 *ibid*). District Judges may also combine privilege leave with the annual vacation. The grades of District Munsifs and Subordinate Judges are manned exclusively by Natives of India, whereas a large percentage of District Judgeships is manned by Europeans. In this as in some other matters the rules are more favourable in the case of that branch which is essentially European than the branch of the service which is essentially Indian.

It is respectfully submitted that privilege leave on full pay with liberty to combine it with the vacation may be allowed alike to all members of the Judicial branch of the Provincial Service whether they be District Munsifs, Subordinate Judges or District Judges.

If this cannot be granted, District Munsifs and Subordinate Judges pray that they may be allowed the option of earning fifteen days' privilege leave on full pay instead of one month's privilege leave on half pay for every period of uninterrupted service of eleven months. Their memorial to Government contains a prayer to this effect.

982 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The total amount of long leave which a member of the Provincial Civil Service can take is two years in addition to three years' leave on medical certificate. The total period of long leave open to such an officer comes to five years in all. This period may be retained as it is.

But the inconveniences which result from some of the conditions laid down in the Civil Service Regulations and which prevent the officers from availing themselves of the privileges of long leave may be removed.

As the rules stand at present, an officer of the Provincial Service cannot take furlough until he has put in a service of not less than ten years. If he takes leave on private affairs, he cannot take furlough until ten years afterwards. If once he takes furlough, for however short a time, he cannot have furlough again until eight years afterwards. For all practical purposes he forfeits the furlough which he has earned but has not availed of. He cannot take furlough by instalments. Nor can he take furlough for more than one year unless he has put in an uninterrupted service of not less than eighteen years.

It would be obvious from what I have stated above that the rules entail several hardships on the officers both in regard to the amount of leave that may be taken at a time and the interval of time that must elapse between two periods of long leave.

While dealing with these hardships I may mention a few more restrictions which may also be removed. For instance, under article 260 of the Civil Service Regulations there should be an interval of six calendar months between two periods of privilege leave. Article 338 (*b*) (iii) lays down that there ought to be an interval of not less than eighteen months between the last return from privilege leave of over six weeks' duration and the commencement of long leave. And again article 233 requires that combined leave should not be for less than six months.

It appears to me that these restrictions serve no useful purpose and are altogether out of date. There is no foundation whatever for the apprehension that the relaxation of the leave rules might lead to unnecessary and extravagant applications for leave at inconveniently short intervals. The allowances granted during the period of long leave to officers of the Provincial Service generally fall short of one-half of their current pay and it is not likely that the officers would forego a greater portion of their pay merely for the purpose of enjoying the luxury of long leave. The increased cost of living renders such a contingency almost impossible.

And furthermore the granting of any kind of leave is always in the discretion of the superior authorities. There is no reason to suppose that they will not exercise their discretion with proper care and judgment. In fact, the restrictive clauses of the Civil Service Regulations referred to above imply a want of confidence in the authorities in whom the power of granting leave is vested.

I would suggest therefore—

1. That the distinction between private affairs leave and furlough be abolished.

2. That there be two kinds of leave—

(*a*) Privilege leave.

(*b*) Long leave with or without medical certificate.

3. That privilege leave be computed at the rate of one calendar month for eleven complete calendar months of duty and one day for every eleven days of the balance, and at half the said rate for members of the Provincial Judicial Service at their option—*vide* answer to question (32).

4. That privilege leave may be accumulated to the extent of four months and may be combined with the vacation.

5. That long leave be computed at the rate of one-fifth of an officer's active service.

6. That long leave due to an officer be granted to him in instalments and without restrictions as to period or to interval of time between one leave and another at the discretion of the granting authority.

7. That the recommendations of the Decentralisation Commission be adopted—

(*a*) that a leave ledger account be opened in the name of each officer, that the leave earned by him under the general rules be credited in his favour in the said account and that the officer be allowed to draw upon such credit with due regard to administrative convenience;

(*b*) that the periods of furlough leave on half pay be commutable to shorter leave of absence on higher remuneration.

8. That in the case of leave on medical certificate to gazetted officers, a certificate from any officer of the Indian Medical Service be accepted as sufficient.

983 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—An officer on furlough is, under the present rules, entitled to half his average salary. Average salary is defined as the average of the salary which an officer has earned during so much of the three years preceding the day on which he gives up office as he has passed on duty or on privilege leave. I would suggest that the furlough allowance be fixed at half the pay of the appointment held by the officer at the commencement of his leave. If this cannot be granted I would suggest that a minimum be fixed for each main class of appointment at half the pay of the lowest grade of the said class of appointments. I would suggest also that the provision in article 341 (*c*) of the Civil Service Regulations be applied to gazetted officers as well.

984 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The minimum may be fixed as suggested in my answer to the previous question. The maximum should not be less than half the "average salary." The minimum or the maximum should not be a fixed amount but should be left to vary in the case of each officer.

985 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—I have dealt with the question fully in my answer to questions (32) to (35).

986 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest? I am not aware of any such inconvenience. On the other hand the present leave rules cause inconvenience to the officers as pointed out in my answer to questions (32) and (33).

987 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met? My answer is in the negative.

988 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—*Vide* my answer to questions (32) and (33). If my suggestions made therein be adopted the amalgamation of the two sets of rules for the European and Indian Services is not a matter of any consequence.

989 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The age fixed in articles (458) and (459) of the Civil Service Regulations for superannuation pension may be retained as it is.

990 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what and for what reasons?—Article 408 of the Civil Service Regulations lays down that one year's leave with allowance in India will count as service towards pension if the total service of the officer is not less than 15 years, and that two years' leave in India will count as service towards pension if the total service of the officer is not less than 30 years. The latter rule seems to be of no practical value so far as the members of the Judicial branch of the Provincial Civil Service are concerned. Article 51 of the said Regulations fixes the ordinary limit of age for entrance into the public service at 35 years in the case of a person appointed to a judicial office in the Provincial Service in Madras, directly from the Bar. In order to enable him to count two years' furlough towards pensionable service he will have to reach an age of about 65 years, an impossible contingency. It is, therefore, respectfully submitted that, in the case of these officers, a period of two years' long leave with allowance should count as service towards pension for a total service of 20 years.

Another circumstance to be mentioned in connection with this class of officers is that they have to remain in the active practice of the legal profession for generally a period of five years before they are selected for judicial appointments. Under article 403 of the said Regulations when a Barrister, Advocate, Solicitor or Vakil is appointed on account of his professional qualification as a Presidency Magistrate or as a Judge of the Presidency Small Cause Court at an age exceeding 25, he shall be entitled to reckon as service qualifying for superannuation pension the number of completed years by which his age may, at the time of appointment, have exceeded 25 years; subject to the proviso that five years shall be the maximum period which can be so added. As members of the legal profession are appointed on account of their professional qualification to judicial offices at an age always in excess of 25, the principle enunciated in article 403 may be made applicable to all Judicial officers who are recruited from the Bar.

991 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the principle referred to in the question but the pension may be fixed according to the scale fixed for invalid pension.

992 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I would suggest that the pension in the case of such officers be fixed at the same rate as may be allowed to the officers specially enumerated in article 475 of the Civil Service Regulations.

993 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Considering that a person appointed to a judicial office in the Provincial Service is generally of an age ranging between 30 and 35 I would fix a period of 21 years' service for voluntary retirement in the case of members of such service. Subordinate Judges in this Presidency have submitted memorials to Government praying that a period of 21 years' service be fixed for voluntary retirement.

As regards compulsory retirement I think the rules ought to be more strictly enforced than they are at present. Extensions are generally granted more on personal considerations affecting the officer concerned than on considerations of the exigencies of the service. First year's extension is almost invariably granted as a matter of courtesy on the application of the superannuated officer. Second year's extension is usually granted as a matter of grace, and third year's extension is granted sometimes as a matter of special favour. This principle of granting extensions to Judicial officers upon their applications, for reasons peculiarly personal to themselves, produces demoralising effects.

If the pensionable age is low the remedy is to raise it; but once it is fixed at a particular figure there ought to be no inducement offered to judicial officers—whatever considerations might obtain with regard to other departments—to look up to Government for grace or favour in the matter of obtaining extensions of service.

It is not, of course, intended by this that Government should not have a power in reserve to ask superannuated officers to continue in service on account of the exigencies of the service. But the system of allowing applications for extension to be made by superannuated officers or of calling for such applications from them should be stopped. The suggestion made in paragraph 1 as regards the period of service for voluntary retirement will have the advantage of facilitating the retirement of inefficient officers.

994 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—The existing organization of the Judicial branch of the Provincial Civil Service may be maintained subject to the modifications suggested in my previous answers. I have no alternative organization to suggest.

995 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I would suggest that the Madras Civil Courts Act of 1873 be amended so as to give effect to the suggestions made herein for a statutory constitution of the Judicial branch of the Provincial Service.

Opportunity may also be taken to amend section 23 of the said Act which vests all ministerial appointments of subordinate courts under the dual control of the presiding officers of such courts and of the District Judge of the district in which such courts are situate. This system is found in practice to lead to a good deal of friction and it would be expedient if the High Court be empowered to frame rules for the guidance of the subordinate courts in the matter of regulating the said appointments.

I would also suggest that the power to transfer the ministerial officers of District Courts, especially the Chief Ministerial Officers of District Courts, be vested in the High Court instead of with the local Government as the former is more competent to deal with the matter by virtue of its position as the Head of the Judicial Department.

I would further suggest that the mufassal courts, including District Courts, be periodically inspected by one of the Honourable Judges of the High Court.

Another matter to which I would make reference is that the presiding officers of the mufassal courts have no time to check the accounts relating to suitors' money and that a system of auditing the accounts annually might be arranged through the Accountant-General.

Before concluding, I would make a few observations regarding the Judicial branch of the Provincial Service so as to enhance its efficiency and prestige.

In the course of my answer to question (6) I made reference to one of the arguments upon which District Munsifs are supposed to become disqualified for higher appointments, namely, that they become too old and effete when the time comes for their promotion to the higher ranks of the service. One of the reasons for this state of things is that in recent years the age of admission into public service for this department was raised to 35 on the ground that men of mature judgment would be available for the service. As a matter of fact, however, the members of the Bar who are selected at such comparatively advanced age, for appointments carrying so low a salary as Rs. 200 are in the generality of cases failures at the Bar. Formerly the practice was to select young men of promise for such appointments so as to render it possible for them to rise to higher appointments before they are far advanced in age. The present temporary Judge of the High Court, who is a member of the Provincial Service, was recruited under the old system. Another reason which tends to

inefficiency in the service is that all officers good, bad and indifferent are treated alike in the matter of promotion with the result that really capable and brilliant men are not allowed sufficient opportunities of rising to posts of distinction; and the consciousness of this fact damps the ardour of many a capable officer and a dead level of mediocrity is produced in the whole service. Extensions of service rather readily granted to superannuated men, a fact to which reference has already been made, is another factor which blocks the promotion of those in the lower ranks and retards their advancement. The importation of persons outside the service into the higher ranks of the Judicial service has been the cause of much discontent in the service. The inferiority of a Munsif Court Bar and the absence of a suitable Law Library are other difficulties which they have to contend with. In spite of these disadvantages it must be said to the credit of District Munsifs as a body that they have been able to discharge their duties satisfactorily and to earn repeated praise from the higher authorities.

If the recruitment is confined to young men of promise, if the age of admission is reduced to 30, if the time-scale system of salary is introduced or if promotions are more carefully made so as to give special encouragement to the most meritorious of the officers, if extensions of service are not granted to superannuated men except in very special cases, if a little more encouragement is shown to the really capable and deserving officers by speedy advancement, if a suitable library be supplied to all the mufassal courts and if the officers, instead of being kept in a water-tight compartment, are made to serve as a Deputy Registrar in the High Court or as a Professor of Law in the Law College or as an Examiner in Law in some of the Law examinations and are thereby enabled to be in close touch with the latest developments of Law, there can be no doubt that the tone of the service will improve as a whole and that capable and efficient men, while yet in the prime of life will be available to fill with honour and credit, the higher posts of the Judical service.

Mr. C. KRISHNASWAMI RAO, called and examined.

996. (*Chairman.*) You are a second grade Subordinate Judge, are you not?—I am

997. What is your caste?—I am a Mahratta Brahman.

998. How long have you been in the service?—A little over eighteen years.

999. What has been your previous experience?—I was a District Munsif and before that a Vakil, in the district centre of Kurnool. I was a pleader and then I became a District Munsif, and was afterwards appointed a Subordinate Judge.

1000. I see that your written evidence relates both to the Indian Civil Service and the Provincial Civil Service, and primarily to the Judicial branch of the service?—Yes.

1001. You are strongly in favour of open competition?—I am.

1002. You desire to see open competitive examination for the Indian Civil Service held simultaneously in England and in India?—Yes, subject to the two conditions I lay down as to proportion and probation.

1003. You consider it essential to preserve the British character of the administration?—I do.

1004. You think it is an indispensable condition of a system of simultaneous examinations that the proportion of Indians to Europeans should be fixed?—Yes.

1005. Do you apprehend that, if simultaneous examinations were held subject to this condition, grievances might arise?—I say it is a matter for consideration whether the proportion should be fixed now or some time after the new system has been tried and the results seen I do not entertain any apprehensions at present.

1006. Do you think it might possibly become necessary to select candidates out of their proper order of merit in order to maintain the fixed proportions of Europeans and Indians?—It comes to that.

1007. Do you apprehend any difficulty in that direction?—I do not, if you fix the proportion.

1008. You think that if a proportion is fixed it should be one-third Natives of India and two-thirds Europeans?—For the Executive Branch, yes.

1009. Would this one-third proportion include officers appointed to listed posts?—I deal with that in my answer to question (12) where I say, "In the first place, until the proportion of one-third mentioned in my answer to question (3) is reached, the necessity for such promotion will not cease."

1010. You recommend the listing of 50 per cent. of the posts of District and Sessions Judge, and also that the additional and temporary Sessions Judgeships should be thrown open to the Provincial Civil Service?—Yes.

1011. You make the age limits for the open competition 23 to 25?—I answered those questions on the footing that there is to be one competitive examination, and that held in London. My answer with regard to the age limits will not apply if there is to be a simultaneous examination.

1012. After that period you would suggest a probation of two years?—Yes.

1013. You do not apprehend that the age of the candidate would in this case be rather high on his arrival in India?—I gave my reasons for that. In answer to question (15) I say: "In India the prescribed minimum age for completing the School final course is 15 and the average age for completing it is 16. The B.A. (Honours) course requires a period of five years, and allowing one year for preparation, the average age at which an Indian student can, under present conditions, proceed will be 22."

1014. An age limit up to 25 and a two years' probation would mean that a candidate would reach India at the age of 27?—That would be the maximum.

1015. You do not consider that is too old?—No.

1016. You would give statutory force to the rules governing recruitment to the Provincial Civil Service?—Yes, I would place it on the lines of the Indian Civil Service Act. It might be done by an amendment to the Madras Civil Courts Act as far as this Presidency is concerned.

1017. You are in favour of retaining generally the present system of recruiting Munsifs by nomination?—By nomination by the Judges of the High Court.

1018. You would reserve at least 80 per cent. of the Subordinate Judgeships for officers who had been Munsifs?—Yes.

1019. You consider that only residents in the Presidency or Province should be entitled to appointment in the Provincial Civil Service?—I think so.

1020. You suggest that instead of posts being listed as at present they should either be amalgamated with the Provincial Civil Service or the persons appointed to them should be admitted as members of the Indian Civil Service?—That is what I say.

1021. As regards salary you would pay the same rate of salary to all officers of the rank of District and Sessions Judges and upwards, irrespective of whether they were holding listed posts or were members of the Indian Civil Service?—That is my proposal.

1022. (*Sir Murray Hammick.*) You say in your answer to question (3): "The solution is, in my opinion, to afford educational and other facilities to members of such backward communities to acquire the required standard of intellectual merit. And furthermore, if once we depart from the simple rule of taking the best men without distinction of race, creed or colour, there is no knowing where to stop; there can be no logical halting point." I should like to know what you mean by "no logical halting point." Surely the halting point would come when all caste restrictions are done away with and all creeds in this country agree to live on equal social terms with each other? I would ask you to refer to your reply to question (6) in your written answers, where you say, as regards the Provincial Service: "The Local Government may, other qualifications being equal among the candidates, be legitimately guided by considerations of birth and respectability of the candidates, and also by consideration of a fair and proper representation of the different sections of the Bar and of the different classes of the community." When you speak of the simultaneous examinations for the Indian Civil Service why are you so strongly against making any distinction of race, creed or colour, and when you come to the recruitment for the Provincial Service are prepared to allow Government to introduce those factors into the selection?—In the first case I was dealing with the open competition, and I thought distinctions of race and creed would be out of place in connection with that test. In the latter case there is the power of nomination, and in exercising that power the Government certainly have the discretion to make those reservations.

1023. In answer to the same question (3), you say: "It is a matter of consideration whether the proportion should be fixed now or some time after the new system has been tried and its results have been ascertained." Will it not be very difficult, and politically very dangerous, to wait until the elimination of all or most of the European officers renders it necessary to set back the clock? Would it not be safer to arrange that such a crisis should not arise by at once making some arrangement under which the European element will definitely continue either in its present representation or with a reduced representation?—I put that down merely because I am rather diffident as to whether the Indians would really succeed in a simultaneous examination to any large extent, as is apprehended in some quarters.

1024. Do not you think it would be somewhat dangerous if the simultaneous examinations did result in a large elimination of the European element? It might be very dangerous some years hence for Government to have to withdraw privileges they had already given?—If it is necessary to fix it now I will fix it.

1025. Do not you think it better to fix it now than to leave it to chance in future years?—I am not very keen on that. It may be done.

1026. In your answer to question (23) you make general representation and you say; "Furthermore, the European Civilian officer does not take kindly to this branch of the service and is generally an unwilling servant marking his time for retirement from the service." That is not my opinion. I would ask you whether you have any facts on which you base that opinion?—I do not wish to mention names; it is from my personal experience.

1027. Are not there several cases of Indian Civil Service officers in the Judicial Service now who have long passed their period for retirement and are still holding on to Judgeships, much to the disgust of their juniors?—There are of course some who show a preference for the Judicial Service. I refer to that in the very next sentence.

1028. In answer to question (27), you say: "I am unable to explain the reason," the reason why the tendency of Government is to employ Native Members in the Indian Civil Service more largely in the Judicial Branch than in the Executive. Is not the answer to be found in the first paragraph of your answer in which you say: "It is possible that the former"—the Natives—"lack that lightness of heart and fearlessness of mind which in the case of the latter"—the Europeans—"are the necessary concomitants of the sympathetic support of the Service, which rarely fails them in emergencies." That seems to be the reason which has actuated Government in placing Indian officers mostly in the Judicial Department?—It is quite possible. You know more about it than I do.

1029. I understand you intend the selected candidates to go to England?—Yes.

1030. As regards the Provincial Civil Service, you are generally against the appointment of men outside the Service directly to be Sub-Judges?—Yes, generally.

1031. You prefer the system of promoting Munsifs?—In that respect I represent the views of the Service.

1032. With regard to the details of the improvements which you require as regards leave and pension, in suggestion No. 4 to question (33) you say: "That privilege leave may be accumulated to the extent of four months and may be combined with the vacation." Have you realised that that means that every year a Sub-Judge would get two months' holiday, as he gets now, and that every four years he will get six months on full pay. Is not that rather an extravagant concession to make?—Four months is perhaps long. Three months would be all right and put them on a par with the District Judges, who get three months' privilege leave and also a combined vacation.

1033. (*Sir Valentine Chirol.*) In answer to question (3), you allude to the reformation in the

Universities, which you contend has improved the conditions of education. What is the particular reformation in the Universities that you have in mind?—The reformation introduced by Lord Curzon.

1034. You consider there has been, within the last twenty years, since the date of the last Public Services Commission, a considerable improvement in Western education in India?—I think so.

1035. Do you think there has been an improvement in quality? We all know there has been a very great expansion in quantity, but do you think there has been a notable improvement in quality?—The latest tendency is towards specialisation.

1036. Within quite recent years?—Yes, and that means an improvement in the quality.

1037. Do you think that Western education produces better men all round in India today than it did twenty or twenty-five years ago?—I do not see why it should not.

1038. You make in answer to question (47) two practical suggestions. You say: "I would further suggest that the mufassal courts, including district courts, be periodically inspected by one of the Honourable Judges of the High Court." What is the benefit that will be achieved by that recommendation?—All the subordinate courts are inspected periodically, but the district courts are not inspected by anybody.

1039. Then you say: "Another matter to which I would make reference is that the presiding officers of the mufassal courts have no time to check the accounts relating to suitors' money and that a system of auditing the accounts annually might be arranged through the Accountant-General." What are the drawbacks of the present system you have in mind?—There is hardly any time to attend to the checking of the various accounts in his office; in fact hardly any time is spent over the checking of their accounts. I can speak from my personal experience. Instances of embezzlement and defalcation occur through want of proper supervision. Sometimes the presiding officer is held responsible for a state of things which he cannot possibly supervise.

1040. (*Mr. Abdur Rahim.*) You complain of appointments made direct from the Bar: do you say there have been too many such appointments?—During the last four years I believe there have been three appointments in rather quick succession.

1041. And during the previous ten years?—There were none so far as I remember. The hardship was that one gentleman was not even qualified for the appointment.

1042. You refer in your answer to an appointment made by the Local Government?—Yes. Under the rules framed by the Local Government he was not qualified.

1043. As regards appointments to Sub-Judgeships, do you know that the principle is that District Munsifs are not to be promoted as a matter of right simply on the ground of seniority?—I know that that is the principle.

1044. Supposing a more suitable candidate is available from the Bar, ought not he to be appointed in preference to a District Munsif who is not so suitable?—If the premises are right the conclusion follows. If you find a more suitable candidate than any you can find in the Service the result of course follows, but I do not admit the premises.

1045. If in any case it does happen you would not object to such an appointment?—That is all the answer I can give.

1046. As regards the selection of District Munsifs, do you think it is satisfactorily done?—The raising of the age-limit, I think, is bad.

1047. It is too high?—Yes, and the tendency has been to raise the age. People bordering on 35 were selected merely to complete their 35, and sometimes confirmed before the man who had acted previously.

1048. Is there any general feeling that the selection of the District Munsifs is influenced by any favouritism or nepotism?—I do not hear of any such complaint.

1049. Suppose there was a Selection Board for the Provincial Service, Executive Branch, or for the Indian Civil Service, would it not be possible to eliminate this factor? You know the District Munsifs are selected by the High Court. If there was a Board of Selection, similarly constituted, of responsible persons to nominate qualified candidates for posts in the Provincial Civil Service, Executive Branch, would that be objectionable? Is it not possible by that means to get over any doubt as to whether the discretion would be rightly exercised?—I am not sure if there is any analogy between the judicial branch and the Executive Branch. In the judicial branch you have the practice of the Vakil to go upon, but I do not know what considerations would obtain in selecting men for the executive branch.

1050. Academic qualifications?—You mean passing a certain minimum test?

1051. You can have the qualifications as high as you like?—That comes to a competitive examination in another form.

1052. (*Mr. Madge.*) Is your preference for officers in the department in any measure owing to your belief that it is not safe to accept mere theoretical legal qualifications in the absence of practical official responsibility and experience?—That is one reason. Another reason is that the lower branches of the services should have something to look forward to. The hope of advancement is the best incentive to efficient work, and if you remove that, service will deteriorate.

1053. It is in a large measure an element of efficiency, but it ought not to be a primary consideration?—It leads to efficiency.

1054. We have had the statement made here that a legal education is in itself ample guarantee for efficiency, and I want your opinion, as an experienced officer, as to whether you think that view a right one or not?—I would put it, legal education *plus* experience, not merely legal education.

1055. Do you think it a necessary element in the efficiency of a public officer, whether judicial or executive, that he should either initiate or lend himself to movements for the social and moral improvement of his own countrymen of all classes around his official position?—I do not see how that is to be a qualification for efficient public service.

1056. You do not think it is an element in it?—I do not see it.

1057. (*Mr. Macdonald.*) In your answer to question (3) you refer to difficulties appertaining to the proper supervision of young Indian students in England; are you beginning to feel the effect of those difficulties in India now?—That is generally felt.

1058. Do the young men who come back from England complain more of their treatment in England now than they used to?—I have known parents of such boys complain about the boys that come back.

1059. Have you any opinion as to whether it is becoming more dangerous to send young Indians to England now than it used to be?—I cannot institute any comparison.

1060. Is this evidence merely your own personal evidence or are you authorised in any way to speak for your colleagues in the service?—With regard to the Provincial branch of the judicial service I speak for the whole service; in fact I have had opportunities of consulting the officers.

1061. May we take the answers you have given to the questions relating to the Provincial Service as expressing an opinion outside yourself?—Yes. They have submitted memorials and a reference to those memorials will show that our views tally.

1062. Sir Murray Hammick has pointed out a discrepancy between your recommendations regarding recruitment for the Indian Civil Service and your recommendations regarding recruitment for the Provincial Service?—The Provincial.

1063. Judicial only?—Yes. For the Provincial Executive I suggest another competitive examination.

1064. Would you recruit the whole of the Provincial Executive by competitive examination?—I say that I refrain from going into that question because it does not concern my branch.

1065. You only deal with the Judicial?—Yes.

1066. But in any event would not you say that the position of the two services, the Indian Civil on the one hand, and the Provincial Executive and Judiciary, are on a somewhat different footing? In other words, do you take the view that the Indian Civil is a *corps d'élite*?—Yes.

1067. Which might quite properly be recruited from the very best men that England and India can provide?—Yes.

1068. Whereas in the somewhat subordinate—to begin with at any rate—field of the Provincial Service it is quite legitimate to take into consideration things that are not legitimate to be taken into consideration with reference to the more general service?—I agree with you there, but I do not know that I should go into those matters. I would rather not go into questions affecting the Provincial Executive branches.

1069. Still you think if a proposal was made emphasising that distinction it would not be against the spirit of your evidence?—I understand your point and I quite agree. Considerations which would apply to the higher service would not apply to the subordinate services.

1070. Turning to question (27) your second sentence says: "It is possible that the former (Indians) lack that lightness of heart,"—what exactly do you mean by that?—I can only say what I have heard from some of the covenanted Indian Civilians, that they feel they do not receive the same amount of sympathy and support that the European Civilians would receive.

1071. That there is not the same *esprit de corps*?—This is what I mean by that sentence.

1072. Has that *esprit de corps* been strengthened in Indians who have gone to England?—They are very few in number in this Presidency.

1073. Have they any reputation, such as they are in numbers, for a greater *esprit de corps* than the Indians who are trained in India and who have done service in India? That is to say have the Indian section of the Indian Civil Service a reputation for having more *esprit de corps* than the men who have not gone to England?—I think so.

1074. Do you think that is part of the gain of an English education?—Yes.

1075. Is that why you suggest that even with simultaneous examinations the successful Indian candidate should be sent to England?—That is so.

1076. Have you ever heard it suggested that that *esprit de corps* does not come from a University but comes from the Public School?—I do not know.

1077. (*Mr. Sly.*) You suggest that the successful candidates in the simultaneous examination should go to England?—Yes.

1078. Do you consider that religious difficulties might prejudicially affect this proposal in some cases?—Those difficulties are dying out. I should not do anything that would arrest that progressive tendency.

1079. In answer to question (3) you say that if it is necessary to fix a minimum you would fix it now at one-third for Indians, and you say that this proportion has reference only to the appointments to be reserved for the Indian Civil Service?—I include 50 per cent. of District Judges appointments.

1080. If an Indian was successful in the open competitive examination you would exclude him from the minimum proportion?—Yes, it does mean that.

1081. In answer to another question, you have said the Munsifs at present are recruited too old?—That is the impression.

1082. At what age do you think they should be recruited?—I should say between 25 and 30.

1083. How many years' practical experience at the Bar would they get?—I think three or four years would suffice.

1084. Does the Provincial Judicial Service attract the best talent available?—At present they are selecting old men, men who have remained at the Bar without any success for nearly nine or ten years.

1085. Are the candidates for the Provincial Civil Service Judicial branch recruited from the Bar as being the best talent available in the country?—There is material enough available for selection, but I am only speaking about the way in which the selection is made.

1086. The candidates for the Provincial Civil Service Judicial branch at the present time are about the best material available from the junior Bar?—I cannot say yes or no to such a question.

1087. What I want to know is whether the best material available is attracted towards the Provincial Civil Service Judicial branch or not?—I think it is. You are alluding to the Munsif grade?

1088. Yes. In answer to question (6) you have said that competition is unsuitable for

the recruitment of the Judicial Branch. Can you give us shortly your reasons for saying that?—The actual experience of the Vakils at the Bar is a greater test of efficiency than any competitive test for them.

1089. In reply to question (42) you have recommended that pensions for the compulsory retirement of inefficient officers should be equal to the invalid pension. Do you consider it reasonable that an officer who is compelled to retire for inefficiency should get a pension equivalent to that of an officer who has to retire through the misfortune of ill-health?—I do not see there is anything wrong in that.

1090. You consider he should get an equal pension with the officer who has to retire on account of ill-health?—If the inefficiency is due to causes over which he has no control.

1091. If it is not?—If it is not that is a different matter.

1092. (*Mr. Chaubal.*) When you say that the best material for the Provincial Judicial Service is available from the Bar, is it your experience that persons who do well at the Bar accept posts in the Judicial Service?—The question was put in such a form that I was not able to answer it properly. There is no doubt good material available, but a great deal depends on the way the selection is made.

1093. I am not referring to any selection. For what you call District Munsifs in this Presidency and we call Subordinate Judges in Bombay, the persons who are selected for posts in the sub-judicial service are persons who have not had much experience at the Bar, because it is generally within three or four years of their first practice that they have to be selected?—Certainly they are not leading practitioners or men with extensive practice.

1094. Is it not your experience that if a person is doing well at the Bar he will not accept?—He will not accept.

1095. So that to that extent the best material is excluded from the sub-judicial service. If the best material is to be judged with reference to the extensiveness of practice it would be so. Sometimes there are good men without extensive practice and they do well in the service.

1096. Sometimes a man with commonsense, without any education, would do that, but we are not concerned with them. My question is if in your experience the best men who are thriving at the Bar do not accept the sub-judicial posts, is that not a ground for supposing that the best material is not available for sub-judicial service so far as that best material can be judged of by successful practice at the Bar?—It is so generally, but some people do accept service, even among them, in the hope of rising to higher posts.

1097. Supposing such persons who are doing well at the Bar have not accepted subordinate judges, in the lower grade, if they acquire larger experience at the Bar for ten or fifteen years, is it thought there would be any harm in posting them to the higher appointments in the sub-judicial service?—The same argument applies. Their practice has proportionately increased by that time and they do not care to accept the post of subordinate judge.

1098. Do you think the experience obtained at the Bar is the same sort of experience as a person has when acting as a subordinate judge, so far as judging the character of witnesses is concerned, and efficiency in disposing of cases?—It is not an identical experience.

1099. With regard to your answer to question (3) with reference to candidates who appear for the competitive examination in London, have you heard that those students who do not succeed there come back disappointed persons, disappointed in this sense, that having had experience of English life for a period of years they are discontented with their lot in this country?—Yes, it will be so.

1100. You have heard that as a general complaint?—Yes, it is so.

1101. Would that discontent be materially lessened if only the successful candidates in a simultaneous examination went to England?—Certainly.

1102. Is it not generally the Indian feeling, speaking about this question of simultaneous examination, that they regard it simply from the point of view that as the Indian Civil Service Examination is practically an examination qualifying for service at Home and in the Colonies and in India, instead of having one centre for such examination there should be two, with absolutely the same standard and the same curriculum? We used to have the Matriculation examination only in the Presidency town, and complaints arose, and different centres were chosen. Is it not the Indian feeling that instead of having for His Majesty's Dominions only one place where the examinations could be held, it might be held here under the same conditions?—It is not merely more than one centre; I should say a centre in India for the benefit of the Indians. If you make it more than one centre it might be held outside India.

1103. Where it may be is not the question at present. I am only asking whether this is not part of the feeling in India on the question of simultaneous examination?—If you mean there is a feeling that the examination should be held in India, I say yes.

1104. Are Indian students who pass the Indian Civil Service eligible for Colonial Service?—I think so. I believe they are allowed to elect before they come to India.

1105. (*Sir Theodore Morison.*) With reference to the answer you have just given, would you recommend that the centre for examination should be held only in India and not in England?—As I understand, it is primarily intended for the benefit of Indians and should be in India.

1106. But would you like to have a single examination and that held in India and no examination in London?—No. I mean identical examinations in London and in India.

1107. I thought your arguments pointed in the direction of having an examination in India. I did not know whether you think there are any arguments for having a centre in England at the same time or whether you would prefer to have the examination held in India alone, which of course is the most logical of all?—You mean a separate examination.

1108. No, transferred from London to India?—I do not say that.

1109. I wanted to know whether you approved of such a thing?—No. If I had approved of it I should have said it.

1110. You suggest that if simultaneous examinations are introduced the proportion of Indians should be fixed at one-third?—Yes.

1111. Is that an upper limit, or is it to be a constant proportion?—It is difficult to speak for all futurity.

1112. Do you mean to say that one-third are always to be Indians or that one-third is to be the limit beyond which Indians are not to go?—That is the limit. If they do not pass up to the proportion we are not going to supply them with appointments, but that is the maximum.

1113. It is a little unfair, is it not? It is "heads I win tails you lose," and open to great criticism?—No doubt it is, but I cannot think of a better solution.

1114. Did I understand you to say that the limits of age are 23 to 25 under the present system, but that they would not be the same if you had simultaneous examinations?—That is what I mean. I answered those questions on the footing that there was to be one competitive examination in London. If you are going to have another examination here you might retain the present age limits.

1115. If you had a simultaneous examination?—Yes.

1116. What limits would you have the age?—I believe it is now 22-24.

1117. Over 22 and under 24?—Yes.

1118. You would be satisfied with that?—Quite so.

1119. (*Lord Ronaldshay.*) In your answer to question (3) you say that one of the obstacles in the way of Indians going to England is that it is regarded as a speculative adventure, and the chances of success are usually regarded as being very small. Have you any personal knowledge of Indian candidates who have been up for the examination in England and failed?—I have.

1120. Does your experience suggest that those men find a difficulty in obtaining employment in India afterwards?—Generally they come out to the Bar.

1121. Do the candidates who fail for the Civil Service prove successful at the Bar?—Perhaps it is an easier test, but sometimes they do come out as Barristers.

1122. With regard to simltaneous examinations, you say that a very great advantage will result from holding them in India, because it will give a great impetus to higher education, and I suppose your view is that it will generally advance the cause of education in India? That is my opinion.

1123. Are you familiar with the conclusions of the Commission of 1886 on that point?—Yes, I have read their report.

1124. Are you aware that the conclusions which they formed were that the result would be of an opposite kind?—Yes, they came to a contrary conclusion.

1125. You entirely disagree with them?—Yes.

1126. Do not you think it probable that a large number of cramming establishments would grow up in India for the purpose of passing candidates through this examination?—I suppose to the same extent that you have them in England.

1127. You would not regard that as likely to advance the cause of education generally in India, would you?—I do not think it has affected education in England.

1128. I only want your opinion on that point?—My opinion is that it will not for that reason.

1129. Have you any knowledge of the proportion of candidates who matriculate at the present time in Universities and subsequently obtain their degrees?—If you are speaking of the Madras Presidency it is of course a small proportion. About 8,000 or 9,000 candidates appear every year for Matriculation and the number of graduates turned out, I believe, is about 500.

1130. Does not that mean that there is a very large number of students who fail to obtain their degrees and consequently are thrown on the market, disappointed men, unable perhaps to obtain employment?—It is not all who matriculate who prosecute their studies for the Intermediate and B.A.; only a very small number take up the University course. The failures in the University are thrown back no doubt.

1131. If you had simultaneous examinations in this country, would it not result in that very large number of disappointed students being enormously increased?—The examination appears to me to be a very stiff examination and it is not everybody that can appear for it.

1132. With regard to your answer to question (60), you are not altogether satisfied with the training which officers who are to take up judicial work receive under the present system, and you would like some alteration made in the training which they get, but you say that this new form of training which you desire to see instituted would be after those officers had had some service on the revenue side?—Yes. It is not altogether new.

1133. In your opinion it is an advantage to these men to pass some years of training on the revenue side before they become Judicial officers?—Yes.

1134. About how many years' service do you think they should have before they are asked to select?—I believe they are now made to elect after eight years of service, and I would keep that period.

1135. You think about eight years is about right?—Yes.

1136. (*Mr. Oldfield.*) With regard to question (21), this complaint of yours that in papers on Roman and Greek history quotations from Latin and Greek are put, are such quotations not used in the University examinations here?—Only such expressions as appear in the text-books I believe. I really do not know much about it, and I say: "This hardship, if it really exists."

1137. You cannot give an expert opinion?—No.

1138. With regard to the supply of men for the Judicial Department from the Bar, you yourself were practising in Kurnool, were you not?—Yes, for these years.

1139. It is not a district where there is much lucrative practice?—There were few vakils there, and it was lucrative enough because the number was limited.

1140. When you left the Bar you were a Government pleader? I was Acting Public Prosecutor for some time.

1141. And had as good a practice as any one?—I had Rs. 500 a month when I left the Bar.

1142. As lucrative as any body at that Bar?—Much more lucrative than I got as a Munsif.

1143. You are an instance of the best talent from that district being obtained? In many cases men prefer the certainty of a Judicial career to the chances of ordinary practice?—They do.

1144. Men who are capable of making money in an ordinary practice?—They look forward to rising high in the service and they take up the service.

1145. And there is the pension?—Yes, and leave, and everything.

1146. You were in Kurnool in 1891?—Yes, I was there for three years.

1147. Do you remember the grain riots?—I was there at the time.

1148. With regard to the training for judicial work, in answer to question (39), you say that the officers of the Provincial Service lack criminal experience as the officers of the Indian Civil Service lack civil experience?—Yes.

1149. Have most of those who are selected for the Provincial Civil Service had much experience of criminal practice?—Those who are selected from the Mufassal Bar generally have experience of criminal work, but those selected from the Presidency town I do not think have any experience of criminal work.

1150. I do not think you would describe the young man at the Mufassal Bar as usually appearing in the Magistrate's Court?—They get more cases there than in the Civil Courts. I had plenty of criminal practice when I was selected, and I know a great many others who had criminal practice when they were selected.

1151. I am speaking of the majority, the general rule?—It is very difficult to say. I would draw a line like this: mufassal candidates generally have criminal experience, but the Presidency town candidates have not, especially those who confine their practice to the Civil appellate side.

1152. In Tanjore, for instance, do you think they have much?—Some of them have. They do appear before the Sub-Magistrate and sometimes in sessions cases.

1153. You had some experience in public matters as Public Prosecutor?—Yes.

1154. Few of the subordinate judges would have that advantage, would they?—It all depends on how they were recruited.

1155. Very few would have been public prosecutors?—But they would have had experience otherwise.

1156. Do you think that such experience would be an advantage in sessions work?—It all depends on the time that would elapse between that experience and the time he gets to exercise his powers.

1157. I am assuming that the experience was still in the officer's line?—In that case it would be.

1158. Do you think the training in criminal work would be essential to a Sessions Judge?—Certainly I do.

1159. How would you provide it?—I suggest in my answers that subordinate judges might be invested with powers of an Assistant Sessions Judge?

1160. Do you think that training in court will be sufficient without moving among the people and without attention being paid to Police work, and so on?—I think a Sessions Judge will have to decide on the evidence before him and not on any pre-conceived notions as to his Police work.

1161. With regard to the administrative capacity of District Judges, do you think that the administrative work is sufficiently important to make it necessary to look to that?—My own opinion is that the administration work of a District Judge is very petty and miscellaneous. Most of the appointments he deals with carry a pay of Rs. 20 and downwards. I think much of the time of the District Judges is wasted in the matter of appointments about peons and sweepers.

1162. With regard to supervision over the execution department and such like?—I believe the presiding officers of the Civil Courts look after it, and I do not know that a District Judge is able to control it with a few hours' inspection every year.

1163. Is it a fact that the Judges of the High Court have more than once recorded that they are unable to find time to depute a Judge for the inspection of courts?—Yes, they have.

1164. The remedy for that would be an increased High Court?—To enable the High Court to depute a Judge by whatever means is possible.

1165. (*Mr. Ramachandra Rao.*) You are an instance of an Indian member of the service on whom an honour has been conferred?—It was unusual until they conferred the title upon me, but there have been other instances since.

1166. You have been given special promotion on your good work?—I was specially promoted in 1907, over 17 seniors.

1167. Would not you consider yourself as one of the successful men in the service?—Perhaps that is to be inferred from the promotion given to me.

1168. Your duties are very heavy?—Yes.

1169. Do you consider your duties are quite as responsible as those of a Revenue Divisional officer for instance?—It is difficult to make a comparison. Our responsibilities are certainly great.

1170. Do not you feel that in public estimation the Provincial Civil Service is held in lower estimation than the Indian Civil Service?—For that matter, Indian Civil Service officers have a higher position.

1171. Would you not welcome any proposal tending to elevate the prestige of the Service according to the duties it performed?—Yes.

1172. And anything that would do away with the numerous little pin-pricks that are now inflicted on the service as an inferior service?—Anything that tends to elevate us would certainly be welcome, but I should like to know what is suggested.

1173. (*Mr. Subrahmanyam Pantulu.*) Do you think that Indian Judges deteriorate in their work in the latter part of their service?—Yes, because extensions are rather readily granted to superannuated men.

1174. Do you think their work will be improved if they were given chances of rising to the High Court Bench?—Certainly. I make that proposal in my answers.

1175. The pension a District Judge gets is the same as that a first-class Sub-Judge gets, is it not?—Yes.

1176. You deal with the question of pensions in your written statement?—Yes, I say in answer to question (43): "I would suggest that the pension in the case of such officers (Provincial Civil Service officers holding listed posts) be fixed at the same rate as may be allowed to officers specially enumerated in article 475 of the Civil Service Regulations."

1177. Are the Indian Judicial officers taking as much leave as they could use now?—No, for two reasons. Firstly, the allowance is low, and secondly, once you take furlough you cannot take it again for another eight years.

1178. Do you propose any alteration in the leave rules and allowance, and if so, what?—I say that the recommendations of the Decentralisation Commission should be adopted in regard to leave. I have dealt with the question of leave in my proof.

(The witness withdrew.)

A. G. CARDEW, Esq., C.S.I., I.C.S., Acting Chief Secretary to the Government of Madras.

Written answers relating to the Indian Civil Service.

1179 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment for the Indian Civil Service has usually secured a class of recruit superior on the average to that obtained by other services such as the Forest Service, Public Works Department, and Police, and though the system is neither ideally perfect nor free from defect in detail, it is, in my opinion, the best working method and should be retained.

1180 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—These matters are dealt with in replies to other questions. Speaking generally I think that the lateness of the age at which competition takes place unduly limits the field from which candidates are drawn and that the period of probation at home is of little use under present regulations and should be lengthened and the curriculum of study thoroughly revised.

1181 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I do not recommend any alteration.

1182 (4). Further, is any differentiation desirable between other classes of natural-born subject of His Majesty? If so, what do you propose?—No.

1183 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Even if it were a fact, which it is not, that the men who pass highest in the combined examination invariably elect for the Home Civil Service, I do not think that the combination is to the disadvantage of India. It brings in candidates who would probably not compete at all if it were not for the possibility of getting a Home appointment and who come to India when they fail in achieving that possibility. The separation of the examination would almost certainly deprive the Indian Service of some candidates who now enter and who are probably above the average. If, on the other hand, the fact of the examinations being combined necessitates the maintenance of the present late age for competition, I should regard that as to the disadvantage of Indian interests.

1184. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—The institution of an open competitive examination in India for the Indian Civil Service to be held simultaneously with the open competition held in London would, in my opinion, be undoubtedly objectionable for the following reasons:—

i. It would at once produce an immense increase in the number of Indian candidates. The larger population of India (300 millions against 40 millions), the greater attraction to Indians than to Englishmen of service in India, the absence of great competing careers (such as Army, Navy, Commerce, etc.) would all combine to attract an immense number of candidates. In England, the total number of candidates for Home and Indian and Colonial Services combined is under 250. What proportion of these is Indian is not known. Perhaps 25 or 10 per cent. Under a system of simultaneous examinations, this number would be enormously increased.

ii. Increase in the number of candidates would be followed by an increase in the number of successful Indian candidates. How great the *immediate* increase would be can be only matter of conjecture, but it would certainly be a *progressive* increase, as educational facilities for the vast population of India develop, and it would be, *ex hypothesi*, an *unlimited* increase. The institution of simultaneous examinations would lead to the establishment in India of special coaching houses where the worst features of Wren's would be reproduced in an aggravated form.

iii. Hence at once, or in a few years, the contingency might arise of 100 per cent. of the successful candidates being Indians. No system should be adopted which might result in the elimination of the European element from the Indian Civil Service.

iv. As an expedient to meet this difficulty, it has been suggested that on the introduction of simultaneous examinations in India for the Indian Civil Service a maximum number of appointments for Indians or a minimum number for British candidates should be laid down. Then it would follow that if on a given occasion there were 100 appointments and the first 100 candidates were Indians, and if half the posts were reserved for British candidates, 50 beaten British candidates would have to be appointed in place of 50 successful Indian candidates. Such a result must speedily lead to the abandonment of the system of open competition altogether, because it would be childish to set out to select by means of open competition and then to decline to abide by the result. Hence the simultaneous examination system would be liable to break down.

v. The system of open competition is moreover unworkable in India, at any rate in Southern India, for another reason, viz., the astonishing intellectual superiority of a small, rigidly exclusive, caste, the Brahman. Out of a population of 41½ millions, the number of Brahmans (all ages and sexes) is 1½ million, or about 3 per cent., while out of the total number of

Graduates of the University, 8,821 or 72 per cent. are Brahmans In the competitive examinations for the Provincial Civil Service which were held between 1892 and 1904, out of 16 successful candidates, 15 were Brahmans and only one was a non-Brahman, giving a ratio of 94 per cent. of Brahman success. In the Mysore State, where open competitions for the Mysore Civil Service have been held for the last 20 years, Brahmans have secured 85 per cent. of the vacancies. In the competition for the appointment of Assistant Engineer, Public Works Department, the number of successful candidates in the last 20 years has been 17 Brahmans and 4 non-Brahmans, a ratio of 81 per cent. I believe the competitive examinations for the Accounts Department show similar results so far as South Indians are concerned. Hence open competition in India for the Indian Civil Service would mean an almost complete monopoly for the Brahman caste and the exclusion of all non-Brahman classes, *i.e.*, the great bulk of the Hindu community, the Muhammadan and the Native Christian. Nor is there any prospect that within any visible period of time these conditions will change. The Brahman has maintained his lead for 30 years and shows no sign of losing it, and inasmuch as his intellectual superiority is a racial characteristic, it is unlikely that it will be shaken except after an indefinite lapse of time. It is impossible, therefore, to apply a system of open competition to the recruitment of the Civil Service in India unless a monopoly is to be accorded to the Brahman.

vi. Another aspect of the same difficulty would be in the apportionment of successful candidates to Provinces. If the Madras Brahman, the Bengali, and the Mahratta Brahman secured a great majority of the appointments, they would have to be employed in the Punjab and the United Provinces, and the races of those Provinces would object.

vii. A minor objection to the plan of simultaneous examinations is the impossibility of providing a *vivâ voce* test uniform with that in England.

1185 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

1186 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—It will be evident from the considerations noticed in my answer to question (7) that no system of *open* competition, would in my opinion, be suitable for adoption in India, as it must necessarily result, at any rate in this Presidency, in the exclusion from office of large and important sections of the population and in a virtual monopoly of success by Brahmans. If it is desired to recruit any proportion of the vacancies in the Indian Civil Service by examination in India, it should be done by some form of *limited* competition. This might be arranged in the following manner. The vacancies would be divided among the communities in a fixed proportion, which would be subject to revision at the end of every ten years. For the present, 50 per cent. of the vacancies should be allotted to Brahmans, 25 per cent. to non-Brahman Hindus, 10 per cent. to Mussalmans, and 15 per cent. to Eurasians and Europeans and Indian Christians. Within each of these compartments there would be free competition, but no class would be allowed to compete for a vacancy reserved for another class. In order to avoid emphasizing the fact that in entirely open competition the Brahman would sweep the board. I would hold two separate examinations in January and July, one for the 50 per cent. vacancies reserved for competition among Brahmans and the other for the 50 per cent. vacancies reserved for competition among other classes. By this method of qualified competition or competition by compartments, the chief objection to selection by competition for service within the province would be met. It would, however, evidently have to be a strictly provincial examination. Candidates would have to be natives of the Province, for it would never do to have the Bengali swamping the native candidates in the Punjab. Moreover the native of South India could not successfully be employed in Northern India. Thus both examination and service would have to be limited to the Province, and being thus essentially provincial, the recruitment thus carried out should, I think, be for the Provincial Service. If, as I have proposed in my answer to question (6) of the Provincial Service Questions, half the vacancies in that service are filled by limited competition on the compartment system sketched above, the men so selected will rise to listed posts at a suitable age, and there will be no need for any other examination in India for the Indian Civil Service.

1187 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—No.

1188 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No. I should prefer to provide special training for officers electing for judicial work, not a separate method of recruitment.

1189 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His Majesty in India, of parents habitually resident "in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The Eurasian, and the European who, though of unmixed blood, is born and domiciled and permanently resident in India, have no home other than India and have therefore as much claim to political privileges in India as any other Native of India. They ought, therefore, to be given an equal chance with the Hindu, the Muhammadan, and the Indian Christian of securing a share in the administration of the country and in the appointments in Government service, and the definition of "Native of India" should be framed so as to include them. If the definition could be so amended as to exclude certain classes of Europeans such as the children of planters permanently settled on the hills, it would be better, but this is a matter of sentiment mainly and I am unable to suggest any wording that would effect it.

1190 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I recommend that the age limits for the competition in England should be fixed at 18 to 20. The advantages of the higher age (22 to 24) now in force are (i) that men reach India older, more mature, and more fit for early employment in responsible posts; (ii) that men so selected have usually finished their University course and completed their general education before they are chosen; (iii) that they have been exposed to a longer period of trial under conditions of greater freedom than at school and have therefore been proved to possess qualities of self-control and steadiness of purpose. Against these considerable advantages has to be set the fact that by selecting candidates between the ages of 22 and 24 a very large number of men whose means do not enable them to wait for the uncertain issue of a competitive examination are effectively excluded. The later age practically limits the competition to those who can afford a University course and thus greatly narrows the field from which candidates are drawn, whereas if the examination came at the end of school life, great numbers who are now shut out would be given a chance of competing. The number of candidates (230 to 250) who appear for the combined Home, Indian and Colonial Service Examination is now so limited that some steps are, I think, necessary to increase the field of selection, and with this object I would lower the age to 18—20. In order to meet the objection that such a change would bring men out to India too young, I would extend the period of probation to three years and require that this period should be spent at a University where the candidate should either read for Honours in Law or Political Science or should undergo a special course of study in which those subjects should be compulsory.

1191 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17–19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21–23 or 22–24 years, followed by one year's probation)?—I hesitate to generalize as to the relative merits of the candidates selected under the varying age limits, but I think that those selected under the lowest age limits compare not unfavourably with the others.

1192 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I have not in all cases been favourably impressed, and I am inclined to think that many of the men coming out show signs of having suffered from the prolonged strain to which the late age of selection subjects them.

1193 (18). What is the most suitable age at which junior civilians should arrive in India?—I think 22 to 24 would be a suitable age.

1194 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty?—(i) The later the age limit the better for Indians competing in England. (ii) If the age limits are reduced to 18 to 20, as I recommend, the prospects of success of Indians competing in England would certainly be diminished, but I do not regard that as an objection. I would provide increased opportunities for Indians by extension of the listed posts. I am also not convinced that the sending of Indian boys to compete in England is wholesome for them or the service.

1195 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature "that no candidate who may fail shall, to what-"ever calling he may devote himself, have any "reason to regret the time and labour which he "had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle cited.

1196 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—See answer to next question. The *statutory* limitation is not in itself necessary, provided that other safeguards are supplied to maintain the European element in the Indian Civil Service.

1197 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—The maintenance of the European element in the Indian Civil Service being, it seems to me, a necessity of British rule in India, the minimum proportion of Europeans should be maintained irrespective either of statutory rules or of the competitive system, and if the increase of Indian successes in the examinations should seriously reduce the European element it would,

in my opinion, be necessary to limit the number of Indians so admitted or to change the system of recruitment. I am not prepared to offer an opinion as to what proportion of posts, taking the Indian Civil Service cadre as a whole, might be held by Natives of India. The subject should, I think, be considered more in detail. I think that half the district judgeships might be held by Natives of India. If the Native of India continues to prove an indifferent Criminal Judge and if the effect of the increase in Indian Sessions Judges were seriously to relax the efficiency of the criminal law, it might be desirable to separate the criminal from the civil work and to appoint European Judges of assize who would move from district to district for disposal of criminal work. On the executive side I should not be prepared for the present to throw open so large a proportion of posts of Collector and District Magistrates to Natives of India. Our experience of Natives of India holding these posts is still very limited. On the whole I consider that the officers appointed to listed posts have done well as Collectors and District Magistrates. On the other hand experience in this Presidency of the Natives of India selected by open competition in England has been on the whole unfavourable and there have been some distressing instances of failure. The facts available at present certainly suggest the need for caution in entrusting an increased number of district charges to Natives of India, and there is a good deal of evidence that in this Presidency the average officer of this class will be found to fail in serious emergencies such as riots. A considerable number of cases have occurred in which Indian officers have shown marked failure of nerve and courage in dealing with the outbreaks of disorder. We require longer experience of Indians in executive employment before it would be safe to extend such employment largely.

1198 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept the present system as generally satisfactory in principle.

1199 (26). Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary?—

Ans.—

			Rs.
A. C. Dutt	1889	District and Sessions Judge.	2,500
V. Venugopal Chetti ..	1890	Do.	2,500
A. R. Banerji	1895	On Foreign Service as Diwan of Cochin.	2,000 *
J. N. Roy	1899	Sub-Collector and Acting Collector.	Substantive 900; Actual (with acting allowance) 1,500
P. C. Dutt	1899	Sub-Collector	Substantive 900; Actual 1,140
R. Narayana Aiyar ..	1900	Do.	Substantive 700; Actual 1,033-5-4
H. G. Gharpurey	1901	Do.	Do.
J. W. Bhore	1902	Do.	Do.
V. Pandurang Rao ..	1904	Do.	Do.
J. R. Krishnamma ..	1908	Assistant Collector and Acting Sub-Collector.	Substantive 500; Actual 766-10-8
S. V. Ramamurti	1912	Assistant Collector ..	400

* Would be a Sub-Collector, First Grade (Rs. 1,200), in the regular line and receiving a salary of Rs. 1,733 as Acting District Judge or Rs. 1,900 as Acting Collector.

1200 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I think the proportion for failures has been larger among the Indians recruited by open competition in England than among the Europeans.

1201 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

1202 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers and (*b*) others; and give details of the latter?—There have been no such officers recruited in recent years in this Presidency.

1203 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The answer is in the negative.

1204 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as

Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—The figures are correct. It may be mentioned however that the classification of the listed Secretaryship to the Board as "inferior" is somewhat misleading. The post of the Settlement Secretary has always been held by a non-covenanted officer and the pay was accordingly fixed at Rs. 1,000 instead of at the rate of Rs. 1,500—1,800 allowed for other Secretaries to the Board. When the post was definitely listed in 1892, Rs. 1,000 was regarded as sufficient pay for a Provincial Civil Service officer holding it; but there can be little doubt that if it had not been listed, but were held by an officer of the Indian Civil Service, the pay would have been above Rs. 1,000 and the post would have been shown as superior. This view is supported by the terms of paragraph 2 of the notification of the Government of India at page 627 of the collection of papers relating to the Indian Civil Service.

It may be mentioned also that at least for purposes of comparison with other provinces the office of Registrar of Co-operative Credit Societies which has been declared open to the Provincial Civil Service should be entered in the Appendix V as a "listed" post. This post has been graded among Collectorships, and though it is not certain that this grading strictly speaking brings it within the Schedule to the Statute, it certainly ought to be so regarded for comparative purposes, as there are posts in other provinces (*e.g.*, Talukdari Settlement Officer in Bombay and Assistant Director of Land Records in the United Provinces) which do not, strictly speaking, come under the Schedule to the Indian Civil Service Act, 1861, but are nevertheless shown as "listed" because they are open to the Provincial Civil Service. If the Registrarship is similarly entered, the number of posts listed will rise to 16, of which 9 will be shown as superior and one more (the Secretaryship to the Board) will be really superior, though for purposes of calculating recruitment it is shown in the inferior grade. The classification into superior and inferior is purely arbitrary and instituted merely for purposes of calculating recruitment. Unless this is kept in view, the statement in Appendix V is likely as it stands to convey a wrong impression.

1205 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—All the posts, except that of Under Secretary to Government, have been regularly filled by Natives of India during the last five years.

The post of Under Secretary to Government has only been regularly filled by a Native of India since October 1st, 1910. Prior to that date a Provincial Service officer held for six months in 1909 the post of Assistant Secretary, which was then in effect and has since been recognized as an Under Secretaryship. The reason why the Under Secretaryship was not filled by a Native of India prior to 1910 was that the ordinary members of the Provincial Service, though Revenue officers of experience, are not usually fit to take up Secretariat work in which they have had no training.

1206 (35). To what extent also during the last five years have these listed posts been filled (*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—Two "Natives of India" who were not members of the Provincial Civil Service have held "listed" posts during the last five years, viz., M. O. Parthasarathi Aiyangar and C. V. Kumaraswami Sastri, both District Judges. The former has now retired. All the other occupants of the listed posts have been members of the Provincial Service.

1207 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?—The answer to the first question is in the negative. The answer to the second question is that it is not obligatory to appoint Natives of India outside the Provincial Service and if suitable men are found in that service it is undesirable to do so, as such appointments disappoint and dishearten the men in the service. I would retain the power to appoint from outside in suitable cases but I would not make it obligatory to make such appointments.

1208 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I do not think that the merging of these appointments in the Deputy Collector's list is a satisfactory arrangement. It conceals the fact that these posts have been transferred from the Indian Civil Service to the Provincial Service and it renders it impossible to say what individual is holding any one of the listed posts. I would separate these appointments from the Deputy Collectors' list, and though this might deprive the holders of prospects of promotion in the Deputy Collectors' service, I think it would generally be regarded as a more satisfactory arrangement.

1209 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—It has not been found easy in the past to obtain suitable men for the post of Under Secretary from among members of the Provincial Service, but this is probably due to the fact that so large a proportion of the Deputy Collector service is at present recruited by promotion from the ranks of the subordinate executive and therefore does not present many men trained for Secretariat posts. If my proposal to select 50 *per cent.* of the Provincial Service by a form of limited competition were adopted, we should doubtless obtain a sufficient number of men qualified for Secretariat work, and I do not therefore suggest any change.

1210 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—Owing to the merging of the "inferior" listed posts on the executive side in the Deputy Collectors' cadre, it is impossible to make the comparison here suggested except in regard to the "superior" posts. Among these posts the Collectors have, I think, been up to the average, the Judges probably above the average, and the holders of Secretariat posts below the average. In reply to the last part of the question, few, if any, of the Judicial officers would have been fit for employment in the Executive branch of the Administration.

1211 (40). Please now turn to the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—None.

1212 (41). Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—No.

1213 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The existing system of probation appears to be in many respects faulty and should be amended as shown in the answers to following questions.

1214 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) As I do not recommend the continuance of the present age limits for the open competition, it is hardly necessary to offer an opinion as to the duration of the probationary course under those limits, but in any case I would advocate a probationary period of not less than two years, as giving more time for the assimilation of the special subjects of study. (*b*) In my answer to question (15) I have advocated the age limits being fixed at 18 to 20. If this is adopted, a three-year period of probation would be desirable.

1215 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

1216 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—The present "approved" Universities are, I think, suitable.

1217 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—The cost of an average student, who has a home to go to during the vacations, cannot be placed at less than £200 a year at Oxford. A Rhodes scholar receives, I believe, £300 a year. I advocate at least £200 a year, to be contingent on good conduct.

1218 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No, it would be undesirable, as cutting off selected candidates from the general current of thought among the young men of their generation and confining their intercourse to the small body of selected candidates.

1219 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—If "general education" means the ordinary school curriculum and if "such studies as have a special tendency to fit them for their calling" include Political Science, Political Economy, Jurisprudence, and Law (other than adjectival Codes), I should accept the principle referred to.

1220 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—In my opinion the study of Code of Criminal Procedure and any other adjective law should be postponed until the candidate reaches India and can carry it on *pari passu* with practical work. On the other hand the compulsory attendance at Law Courts in England was, in my experience, a very valuable item in the training and I would certainly recommend its re-introduction. I am also strongly in favour of General Jurisprudence and Political Economy being made compulsory subjects of training, whatever the age limits may be. A man who passes the open competition on mathematics or science and modern languages may now arrive in India wholly ignorant of the principles either of law or political economy.

Under my recommendation, the age for selection would be 18 to 20 and the period of probation three years. I would then devote the first two years to the following subjects: (*a*) Jurisprudence and Political Economy; (*b*) the Indian Codes on Law of Evidence, Contract, Transfer of Property and Specific Relief and the Indian Penal Code; (*c*) Hindu and Muhammadan Law; (*d*) Indian History and Geography; and (*e*) one classical language of India. During the third year I would add a vernacular language. It might be noted, in regard to Madras, that half the candidates should learn Tamil and half Telugu, and not all the same vernacular language.

1221 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

1222 (54). What is your opinion of a proposal to start at some suitable place *in India* a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—If selected candidates have undergone a sufficient period of probation and training in England, no college in India is needed. The best training for men who are fit for work is to put them to work.

1223 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—For the reason given in reply to question (54) I am not in favour of this proposal.

1224 (56). In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—Except the vernacular, and possibly the classical language, all the special subjects which the selected candidate should study during probation are best studied in Europe. Moreover no further reduction in the age of arrival in India beyond that involved in the recommendations I have already made is desirable.

1225 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have not recommended it.

1226 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—Please see my answer to the preceding question.

1227 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

1228 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes.

1229 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—The Local Government is now considering some modifications in the details of the standard examinations and I have stated my opinion in that connection. My main recommendation is that at the standard examinations an officer of the Indian Civil Service should, in this Presidency, be required to pass in one vernacular only, and not two vernaculars, as at present.

1230 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—There seems no evidence of deterioration, but many officers do not attain to an adequate proficiency in the vernacular in this Presidency, the reason being that the South Indian vernaculars are extremely difficult (far more difficult for instance than Urdu) so that it takes several years to master one. The remedies I suggest are (i) the cancellation of the rule which at present makes it obligatory on an Indian Civil Service officer to attempt to learn two vernaculars at the beginning of his service, (ii) the retention of officers as much as possible in the same language area and the recognition of the fact that few men can learn two South Indian vernaculars really well.

1231 (63). Do you recommend any changes in the rules for the encouragement of the study of oriental languages, and if so, what changes?—This matter has been under correspondence with the Government of India. The views of the Governor in Council are expressed in that correspondence.

1232 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—In the first place I would, as already stated in answer to questions (51)–(52), include general jurisprudence and the chief Indian Codes (other than adjective law) in the studies to be pursued during the period of probation. Secondly, I would require men who elect for the Judicial branch of the service to undergo a course of legal study at home at about the eighth to tenth year of their service and I would grant them study leave for the purpose. Thirdly, I would appoint them to the charge of Sub-Judge's work for a year or two. During the course of legal study, I would advocate both entry at one of the Inns of Court with a view to a call to the Bar and a course of reading in a barrister's chambers.

1233 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Not beyond that already noticed.

1234 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Please see reply to question (64).

1235 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of oriental languages?—In 1904 the Governor in Council recommended the introduction of such a system, but as will be seen from paragraph 6 of Judicial Department letter No. 1200, dated the 27th June 1912, he will not press that recommendation if rewards are given, as is now proposed, for success in the Bar Final Examination.

1236 (72). The present theory underlying the conditions of service in the Indian Civil Service is that (*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. (i) Do you accept this system? (ii) If so, do you consider that the period of eight years is suitable, or do you recommend any change? (iii) What alteration (if any) would be necessary if the age of recruitment were lowered?—(i) Yes. (ii) No. (iii) If the age is lowered as I propose, I would extend the period of service in the inferior posts from eight years to nine years.

1237 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. (i) Do you accept this as a suitable arrangement? (ii) If not, what alteration would you suggest, and for what reasons?—(1) Yes.

1238 (74). Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so, what has been caused thereby to the Administration?—The tabular statement is annexed. The figures in Part I show that in 1911 and 1912 no officer of two years' service who was qualified for promotion by having passed his examinations failed to obtain promotion. There were four cases of such failure in 1910, two in 1909 and six in 1908: but these all occurred in the first quarter of the year and there has been no instance of an officer remaining unpromoted during the other three quarters.

Part II shows that up to 1910 there were several cases of men of eight years' service and over who did not obtain superior posts. In 1911, however, the failure only extended to the first quarter of the year and in 1912 there has been no such failure.

PART I.—List of Indian Civil Service officers of more than two years' but not more than eight years' service, who failed to obtain appointments above the lowest grade.

Names of officers.	Length of service.	Salary in First quarter.	Second quarter.	Third quarter.	Fourth quarter.
1908.					
	YRS.	RS.	RS.	RS.	RS.
Mr. R. Narayana Aiyar (*a*)	7	560	..	..	..
,, S. H. Slater ..	3	560	..	..	..
,, H. R. Pate ..	3	560 + 100 S.A.	..	..	..
,, J. C. Stodart ..	3	385	..	..	..
,, C. F. Brackenbury ..	2	560	..	..	..
,, G. T. Gwynn ..	2	560	..	..	..
,, J. F. Hall	2	560	..	..	..
,, C. A. Henderson ..	2	385	..	..	..
,, A. M. K. Tampoe ..	2	560	560	560	560
9	..	9	1	1	1
1909.					
Mr. A. M. K. Tampoe ..	3	560	..	..	..
,, L. J. P. Jolly ..	2	560	..	..	..
,, J. Gray	2	385	..	..	..
,, J. W. Glasson ..	2	385	385	385	..
,, R. F. B. L. Guppy ..	2	385	385	..	..
5	..	5	2	1	..
1910.					
Mr. A. C. Duff	2	560	..	..	..
,, C. G. Austin	2	560	..	..	..
,, D. R. Matheson ..	2	560	..	..	..
,, J. I. Smith	2	560	..	..	..
,, P. Macqueen	2	385	385	450	..
5	..	5	1	1	..
1911.					
Mr. H. A. Watson ..	2	450	..	..	..
,, G. T. Boag	2	450	..	..	..
,, H. S. Shield	2	450	450	450	450
,, J. R. Krishnamma ..	2	450	450	450	..
4	..	4	2	2	1
1912.					
Mr. H. S. Shield	3	450	450	450	..
,, E. Graham	2	450	..	..	..
,, F. W. Stewart ..	2	400	450	450	450
,, H. M. Hood	2	400	450	450	450
,, A. G. Leach	2	450	..	..	..
5	..	5	3	3	2

(*a*) This officer was reduced to the grade of Assistant Collector.

Notes.—(1) Rs. 385 (or Rs. 400 or Rs. 450 after the reorganization) represents the salary of an unpassed Assistant Collector.

(2) Rs. 560 (or Rs. 500 after the reorganisation) represents the salary of a passed Assistant Collector.

(3) "S.A." means "Settlement allowance."

(4) Rs. 560 (the salary of a passed assistant) is the lowest grade, and officers between two and eight years' service, who failed to get promotion to a higher grade than this are shown in the above statement No. I.

PART II.—List of Indian Civil Service officers of more than eight years' service who failed to obtain "superior posts."

Names of officers.	Length of service.	Salary in First quarter.	Second quarter.	Third quarter.	Fourth quarter.
1908.					
	YRS.	RS.	RS.	RS.	RS.
Mr. E. W. Legh	10	768⅓	..	..	..
,, T. E. Moir	9	760 +150 S.A.	..	..	..
,, C. W. E. Cotton ..	9	760	..	..	..
,, G. H. B. Jackson ..	8	760	..	..	..
,, J. N. Roy	8	760	760	760	760
,, A. J. Curgenven ..	8	760 + 100 L.A.	..	..	..
,, J. R. Huggins ..	8	760	760	760	760
,, E. A. Davis	8	760	..	..	..
,, P. C. Dutt	8	760	760	760	760
,, E. P. Walsh	8	760	760	760	760
,, A. Fotheringham ..	8	760	760	760	760
11	..	11	5	5	5
1909.					
Mr. J. N. Roy	9	760	..	..	..
,, J. R. Huggins ..	9	760	..	..	..
,, P. C. Dutt	9	760	..	..	..
,, E. P. Walsh	9	760	760	760	760
,, A. Fotheringham ..	9	760	760	760	760
,, W. A. Doig	8	760	760	760	760
,, R. Narayana Aiyar ..	8	760	760	760	760
,, H. H. Burkitt ..	8	760	760	..	..
,, F. W. R. Robertson ..	8	760	760	760	760
,, R. W. Davies	8	760 + 100 S.A.	760 + 100 S.A.	760 + 100 S.A.	..
,, D. T. Chadwick ..	8	760 + 100 S.A.	760 + 150 S.A.	760 + 150 S.A.	..
,, A. Galletti	8	1,050	1,050	1,050	..
12	..	12	9	8	5
1910.					
Mr. E. P. Walsh	10	760	..	..	..
,, A. Fotheringham ..	10	760	..	..	..
,, W. A. Doig	9	760	..	..	..
,, R. Narayana Aiyar ..	9	760	..	..	..
,, F. W. R. Robertson ..	9	760	..	..	..
,, C. A. Souter ..	8	1,000	..	..	..
,, C. G. Mackay ..	8	760	760	766⅔	766⅔
,, H. G. Gharpurey ..	8	760	760	766⅔	766⅔
,, H. T. Reilly ..	8	760	760	766⅔	766⅔
,, W. G. McFarland ..	8	760 +100 S.A.	760 + 100 S.A.	766⅔ +150 S.A.	766⅔ +150 S.A.
,, J. K. Lancashire. ..	8	760 +100 S.A.	760 + 100 S.A.	766⅔ +100 S.A.	766⅔ +100 S.A.
11	..	11	6	5	5
1911.					
Mr. C. G. Mackay ..	9	900	..	..	..
,, H. G. Gharpurey ..	9	900	..	..	..
,, H. T. Reilly ..	9	900	..	..	..
,, W. G. McFarland. ..	9	900 +150 S.A.	..	..	..
,, J. K. Lancashire ..	9	900 +150 S.A.	..	..	..
,, J. W. Bhore ..	8	900	..	..	..
,, F. Noyce	8	1,000	..	..	..
,, A. R. Cox	8	900	..	..	..
,, G. A. D. Stuart ..	8	900 +150 S.A.	..	..	..
9	..	9	..	..	..

PART II.—List of Indian Civil Service officers of more than eight years' service who failed to obtain "superior posts"—*cont.*

Names of officers.	Length of service.	Salary in First quarter.	Second quarter.	Third quarter.	Fourth quarter.
1912—*Nil.*					

Notes.—(1) Appointments of Sub-Collectors and of higher grades are classed as "superior." Officers above eight years' service who failed to reach a "superior" post are shown in the above statement (No. II).

(2) Rs. 760 represents the salary of a passed Assistant Collector, acting as Head Assistant Collector (before the reorganization).

(3) Rs. 768⅓ represents the salary of a permanent Head Assistant Collector (before the reorganization).

(4) Rs. 766⅔ represents the salary of a passed Assistant Collector acting as Sub-Collector, 2nd grade (after the reorganization).

(5) Rs. 900 represents the salary of a permanent Sub-Collector, 2nd grade, or of a Sub-Collector, 3rd grade, acting in 2nd grade (after the reorganization).

(6) Rs. 1,050 and 1,000 represent the salary of Under Secretary to Government.

(7) "S.A." means "Settlement allowance" and "L.A." means "Local allowance."

1239 (75). Please now see the statement marked AA and the list marked *Madras = A*, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary?—The entries relating to Madras are open to this correction that one of the three Under Secretaryships included in line (7) is listed as open to the Provincial Service and should therefore be excluded from calculation in arriving at the cadre of the Indian Civil Service, an equivalent addition being made to the number of inferior posts of "Joint Magistrates." These should be described in List A as "Sub-Collectors and Joint Magistrates, Second and Third Grade" and not as "Joint Magistrates."

1240 (76). (i) Is any difficulty experienced by the administration in working with the number of superior posts shown in the list for your Province? (ii) Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? (iii) If not, what changes, if any, do you suggest?—(i) Yes; see answers to subsequent questions. (ii) Yes. (iii) No, as the list includes the posts listed as open to the Provincial Service as well as the post of Registrar of Co-operative Credit Societies which is classed among Collectorates but has in practice not been held by an officer of the Indian Civil Service.

1241 (77). Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connexion to List J in Appendix VII to these questions?—The number of officers serving in superior posts under the Government of India (whether acting or permanent) on the 1st of October of each of the

last five years has been as follows:—1908—12; 1909—12; 1910—9; 1911—11; 1912—10. The average number—10·8—is slightly in excess of the number, viz., 8, which is allowed for in the Indian Civil Service cadre, but the excess is hardly sufficient to call for any change in practice.

1242 (78). Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—The number of superior posts allowed for temporary appointments and deputations, including foreign service, is three. At present six officers are in regular foreign service (Messrs. Campbell, Banerji, P. L. Moore, Wallace, Fowler and Bracken) and this more than exhausts the whole provision and leaves no men for temporary work under this Government. A statement showing the officers of superior rank (*i.e.*, of such standing that they act, or if on duty would act, in posts of over Rs. 1,000) who were on deputation on the first day of each quarter during the last five years is attached. It will be seen that the number so appointed was never less than four and once rose to 13. Even allowing for the fact that the officers deputed were not in all cases absent from the regular line for the whole quarter, it is evident that the allowance of three posts for this purpose is insufficient. There is nothing to show how the Government of India arrived at the figure 4 per cent. of the superior posts as a suitable provision for deputations, when in paragraph 13 of their letter, dated 8th September 1896, they adopted this figure. While no change in the method of providing for deputations seems necessary, the experience of the last five years shows clearly that the 4 per cent. allowance is insufficient and I consider that it should be raised to, say, 6 per cent. This would give us five men instead of three. The provision would still be insufficient to meet present demands, but it is not safe to make too great an addition to the superior cadre list, as, if deputations fall off, the current of promotion in the lower ranks would be affected.

List of Indian Civil Service officers of "Superior" rank holding temporary appointments, on deputation, or in foreign service, on the first day of each quarter of the last five years.

Quarter.	1908. Names of officers.	1909. Names of officers.	1910. Names of officers.	1911. Names of officers.	1912. Names of officers.
First quarter	A. C. Dutt. F. B. Evans. E. S. Lloyd. A. R. Banerji.	A. Butterworth. J. G. Burn. R. F. Austin. E. S. Lloyd. A. R. Banerji.	S. G. Roberts. J. J. Cotton. R. F. Austin. E. S. Lloyd. R. H. Campbell. F. B. Evans. A. R. Banerji.	J. Andrew. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. C. A. Innes. T. E. Moir. P. L. Moore.	R. C. C. Carr. A. R. Knapp. P. L. Moore. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. T. E. Moir. C. W. E. Cotton. G. T. H. Bracken. J. C. Fowler.
Total ..	4	5	7	8	11
Second quarter	L. Davidson. A. C. Dutt. J. C. Molony. E. S. Lloyd. A. R. Banerji.	J. G. Burn. R. F. Austin. E. S. Lloyd. A. R. Banerji. R. H. Campbell.	S. G. Roberts. J. J. Cotton. R. F. Austin. E. S. Lloyd. R. H. Campbell. J. F. Bryant. C. G. Mackay. F. B. Evans. E. H. Wallace. A. R. Banerji.	J. Andrew. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. G. F. Paddison. T. E. Moir. P. L. Moore.	R. C. C. Carr. P. L. Moore. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. C. W. E. Cotton. G. T. H. Bracken. J. C. Fowler.
Total ..	5	5	10	8	9
Third quarter	A. C. Dutt. A. R. Cumming. J. C. Molony. E. S. Lloyd. A. R. Banerji.	M. J. Murphy. J. J. Cotton. J. M. Turing. E. S. Lloyd. A. R. Banerji. R. H. Campbell.	J. J. Cotton. E. S. Lloyd. A. R. Banerji. R. H. Campbell. J. C. Molony. A. Galletti.	A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. P. L. Moore. G. T. H. Bracken. J. C. Fowler.	R. C. C. Carr. G. F. Paddison. P. L. Moore. A. R. Banerji. R. H. Campbell. T. E. Moir. C. W. E. Cotton. E. P. Walsh. G. T. H. Bracken. J. C. Fowler.
Total ..	5	6	6	7	10
Fourth quarter	J. G. Burn. J. C. Molony. E. S. Lloyd. A. R. Banerji.	M. J. Murphy. J. J. Cotton. E. H. Wallace. J. M. Turing. J. G. Burn. E. S. Lloyd. A. R. Banerji. R. H. Campbell.	J. J. Cotton. E. S. Lloyd. A. R. Banerji. R. H. Campbell. J. C. Molony.	A. R. Knapp. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. C. W. E. Cotton. T. E. Moir. P. L. Moore. G. T. H. Bracken. J. C. Fowler.	G. F. Paddison. W. W. Phillips. P. L. Moore. A. R. Banerji. R. H. Campbell. E. H. Wallace. A. R. Knapp. T. E. Moir. A. J. Curgenven. E. P. Walsh. J. W. Glasson. G. T. H. Bracken. J. C. Fowler.
Total ..	4	8	5	10	13

1243 (79). Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade work satisfactorily? If not, what change of practice appears to you to be necessary?—It works satisfactorily.

1244 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—The number of Indian Civil Service officers available for charge of divisions is insufficient and the deficiency has to be made up by placing Deputy Collectors in charge of divisions intended to be held by officers of the Indian Civil Service. The number of Indian Civil Service divisions in charge of Deputy Collectors was 10 on 1st January 1912 and 12 on the 1st of July 1912. The deficiency in Indian Civil Service officers is partly due to the excessive number of officers serving under the Government of India, as noticed in the reply to question (77), partly to the insufficiency of the provision for deputations, as noticed in the reply to question (78), and partly to the fact that no provision has been made in the cadre for the officers employed on settlement work. These officers have not been included in the list of officers on deputation shown in the statement annexed to the reply to question (78), and during the last five years they have averaged 3 in number. An addition of three should therefore be made to the superior posts in the regular line of the service. This would give a corresponding addition below the line. The allowance of 39 per cent. for inferior posts may remain.

1245 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—Of the 29 officers who entered the service since 1905 and have passed the Higher Standard, 2 passed that standard after one year, 15 after 1½ years and 8 after two years, while 4 took over two years. In the last year or two, Assistants on passing their examinations have been at once promoted to act as Sub-Collector: the normal period of training has thus been considerably below two years. But the experience of two years of the present grading is not sufficient to justify any present alteration in the percentage allowed for training.

1246 (82). Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?—The leave allowance is on the whole sufficient.

1247 (83). Does the annual decremental rate of 4·17 per cent. on the total strength of the Service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same?—A list of casualties for each year since 1893 is given below.

Year.	Actual strength on January 1st.	Casualties in the year.	Percentage.
1893	149	7	4·69
1894	149	4	2·64
1895	154	8	5·19
1896	154	5	3·24
1897	155	5	3·22
1898	157	7	4·45
1899	158	3	1·89
1900	166	5	3·01
1901	170	1	·58
1902	176	4	2·27
1903	174	7	4·02
1904	172	3	1·74
1905	174	2	1·15
1906	178	9	5·05
1907	173	1	·57
1908	176	8	4·54
1909	174	5	2·87
1910	174	5	2·87
1911	174	5	2·87
1912	177	7	3·95
Average percentage..	..	..	3·04

This method of arriving at the average decrement is not very scientific, but it is sufficient to show that the calculated decrement rate is higher than our average annual decrement. But the decrement rate is calculated for the whole of India on far more complete data than we possess; any variations from the normal are corrected in our annual indent by an addition to, or deduction from, our standard figure or recruitment; and nothing would be gained by an attempt to work out a separate decrement rate for Madras even if sufficient data were forthcoming.

1248 (84). Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?—The present recruitment tables were only introduced in 1906. The theoretical strength in 1907 and succeeding years, and the actual strength on January 1st and July 1st on each year has been as follows:—

Year.	Theoretical strength.	Actual strength on January 1st and July 1st.	
1907	165	173	173
1908	165	176	173
1909	165	174	171
1910	175	174	174
1911	175	174	172
1912	175	177	173

During the last three years the actual strength has approximated very closely to the theoretical strength. The deficiency of two in July last does not call for any special remark.

1249 (85). Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—There is nothing on record to suggest that more frequent examinations are needed.

1250 (86). State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that

accurate results are attained thereby? If not, what alterations do you recommend?—The number of men indented for represents 4·17 of the total strength (in our case seven men per annum): but this is modified with reference to the probable actual strength in the year when the selected candidates are to arrive in India. For the purpose of avoiding excessive disturbance of the normal rate, the Government of India limit to 30 per cent. the addition to, or deduction from, the normal recruitment which may be made in any one year for the purpose of correcting actual excesses or deficiencies in the strength.

1251 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—A more stringent exercise of the power of selection for higher appointments and a much greater readiness to retire compulsorily inefficient officers are, I think, called for in this Presidency.

1252 (88). (i) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? (ii) Is any change desirable and, if so, in what directions?—(i) The answer to the first part of this question will depend on what is meant by the terms "executive" and "judicial." As a general rule, the executive branch of the service in this Presidency does not exercise the functions of a Civil or Criminal Judge, but there are some unimportant exceptions in certain local areas, viz., the Collectors and some of the Sub-Collectors in Ganjām, Vizagapatam and Gōdāvari exercise powers both as Civil and Criminal Judge in respect of the tracts scheduled under Act XIV of 1874, and the Collector of Nilgiris exercises jurisdiction as an additional Sessions Judge in respect of his district. Under the Estates Land Act, 1908, Collectors also exercise certain judicial powers in regard to civil matters arising under that Act. Using the word "Judicial" in a wider sense, all District Magistrates and Joint Magistrates exercise judicial functions in their magisterial capacity. (ii) The popular cry for separation of executive and judicial functions, by which is usually meant the separation of magisterial functions from the posts of Collector and Sub-Collector, is not, I think, entitled to much weight so far as it applies to officers of the Indian Civil Service, though it may be better justified in reference to officers in subordinate services. On the other hand, there would be no objection to such a separation of function except the expense involved in duplicating the officers concerned. As Indian Civil Service officers using executive authority do not depend on their magisterial powers for the maintenance of that authority, the separation of the magisterial powers and their transfer to a separate set of officers would not weaken their authority in my opinion.

1253 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province?—The rates of pay are correct, but there are now three judgeships of the High Court which must, under the Statute, be filled by officers of the Indian Civil Service and which are so filled, while there are only two Under Secretaryships on Rs. 1,000 held by members of the Indian Civil Service and not three as shown in the statement.

1254 (91). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorised on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912?—A statement is attached which contains the desired information.

Enclosure to question (91).—Madras.

Nature of posts.	1860. Number.	1860. Pay.	1870. Number.	1870. Pay.	1880. Number.	1880. Pay.	1890. Number.	1890. Pay.	1900. Number.	1900. Pay.	1912. Number.	1912. Pay.
		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.
Members of Council	2	5,333⅓	2	5,333⅓	2	5,333⅓	2	5,120	2	5,333⅓	2	5,333⅓
Judges of High Court.. ..	3	4,083⅓	3	4,083⅓	2	3,750	2	3,750	2	4,000	2	4,000
Members of the Board of Revenue.	3	4,000	3	4,000	3	4,000	4	3,750	3	3,750	4	3,750
		3,408⅓	(1)	3,408⅓	(1)	3,408⅓		3,500	(1)	3,500	(1)	3,500
		3,016⅔	(1)	3,016⅔	(1)	3,016⅔		3,000	(2)	3,000	(2)	3,000
Secretaries to Government ..	2	3,750	2	4,166⅔	(1)	4,166⅔	3	3,750	1	3,750	1	3,750
		3,125		3,333⅓	(1)	3,333⅓		3,125	(1)	3,125	(1)	3,125
Secretaries to Board of Revenue.	2	2,000	2	2,000	1	2,500	2	2,500	1	2,500	1	2,500
		1,500		1,500		1,500—1,800		1,500—1,800		1,500—1,800		1,500—1,800
District and Sessions Judges..	22	2,333⅓	21	2,333⅓	21	2,333⅓	19	2,333⅓	18	2,333⅓	18	3,000
								1,800	(1)	1,800	(2)	2,500
											(6)	2,250
											(7)	2,000
											(3)	2,500
											(7)	2,250
											(12)	1,800
Collectors of districts	20	2,420	20	2,420	22	2,583⅓	21	2,500	25	2,500	25	
					(2)	2,500		2,333⅓		2,333⅓		
					(16)	2,333⅓		2,000		2,000		
					(1)	2,000		1,800		1,800		
					(1)	1,800	(1)	2,200	(1)	2,800	(6)	1,800
Political officers	1	..	1	1,800	1	2,800	1				1	2,800
				700								
			(1)	2,000								
Miscellaneous posts	16	1,400	(9)	2,500								
				3,400								
				3,104								
				2,587½								
Under Secretaries to Government.	2	1,050	2	1,050	(1)	2,333⅓	(1)	2,333⅓	(1)	2,500	(1)	2,500—3,000
		1,000		1,000	(1)	1,600	(1)	1,600	(1)	1,500	(1)	1,800—2,000
					(1)	1,200—1,400	(1)	1,200—1,400	(1)	1,450—1,800	(4)	1,500—1,800
									(1)	1,200—1,400	(1)	1,500
Sub-Collector and Joint Magistrate, 1st grade.	(d) 16	1,264	(d) 16	1,166⅔	(1)	1,050	(1)	1,050	(1)	1,050	(2)	1,000
					(1)	1,000	(1)	1,000	(1)	1,000		
					(1)	1,240	(1)	800	(1)	800		
					(16)	1,166⅔		1,166⅔		1,166⅔		
Sub-Collector and Joint Magistrate, 2nd grade.	(e) 21	810⅔	(e) 20	766⅔	(d) 25	766⅔	(d) 15	766⅔	(d) 15	766⅔	(d) 18	1,166⅔
					(e) 26	766⅔	(e) 20	766⅔	(e) 20	766⅔	(e) 16	900
Sub-Collector and Joint Magistrate, 3rd grade.	..	..	..	..	..	..	..	..	..	..	16	700
Assistant Collectors	(i) 20	427	(j) 35	385—560	32	385—560	49	385—560	56	385—560	53	400—500
Total ..	129		187		131		152		152		166	

(a) Inspector-General of Police, Commissioner of Coorg, Registrar, High Court, and Private Secretary to His Excellency the Governor.
(b) Inspector-General of Police, Private Secretary to His Excellency the Governor, Registrar, High Court, and Deputy Commissioner of Salt and Abkari Revenue, Central Division.
(c) Director of Public Instruction, Private Secretary to His Excellency the Governor, Registrar, High Court, and Deputy Commissioner of Salt and Abkari Revenue, Southern Division.
(d) Principal Assistants and Sub-Collectors and Joint Magistrates.
(e) Special Assistants, Senior Assistants and Head Assistants.
(f) Collector of Sea Customs, Commissioner of Salt Revenue, Registrar, High Court and Deputy Commissioner of Salt and Abkari Revenue.
(g) Registrar, High Court, five Small Causes Court Judges, Collector of Sea Customs, Private Secretary to His Excellency the Governor and two Officers of Survey and Settlement.
(h) Registrar, High Court, Deputy Registrar, High Court, ten Subordinate Judges, Inspector-General of Police, Collector of Revenue Settlement and Inam Commissioner.
(i) On 1st January.
(j) On 1st February.

Note.—The statement excludes all listed and transferred posts.

1255 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—I think they are suitable.

1256 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—Under our present grading, an Assistant Collector acting in the Divisional Officer's grade (Sub-Collector) receives the full pay of a last grade Sub-Collector. A Sub-Collector acting as Collector or Judge gets considerably less than the pay of the appointment which he occupies, thus—

When acting as third-grade Collector (Rs. 1,800) or as fourth-grade Judge (Rs. 2,000), a Sub-Collector receives—

	Rs.	
If first grade (Rs. 1,200)	1,600	as Collector.
	1,733⅓	as Judge.
If second grade (Rs. 900)	1,500	as Collector.
	1,633⅓	as Judge.
If third grade (Rs. 700)	1,433	as Collector.
	1,566⅔	as Judge.

In the case of certain offices, article 97 and appendix 4 of the Civil Service Regulations prescribe a minimum salary to be drawn by the incumbent, whether officiating or substantive. For example as Accountant-General, Bengal, Madras, or Bombay, cannot receive less than Rs. 1,500. A Deputy Conservator of Forests acting as Conservator is allowed a salary equal to the pay of the lowest grade of Conservator (Madras Manual of Appointments, page 24). I think that the pay of an officiating Collector might be fixed at a minimum of Rs. 1,500 per mensem.

1257 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—Besides pay and exchange compensation allowance an officer holding a Civil Service post also draws an acting allowance in addition to his substantive pay, when he is appointed to officiate in another appointment, or in a higher grade. This amounts to one-fifth of the pay of the appointment or grade officiated in, but must not be less than two-thirds of the difference between the pay of the appointment or grade officiated in and the substantive pay of the officiating officer or Rs. 200 a month. In this way an Assistant Collector whose substantive pay is Rs. 500, Rs. 700 or Rs. 900, as the case may be, when officiating in a Collectorship, the lowest grade pay of which is Rs. 1,000 would draw Rs. 1,166⅔, Rs. 1,233⅓ or Rs. 1,300 respectively, whilst a Collector whose substantive pay was Rs. 1,500 would, when officiating in the Rs. 1,800 grade of Collectorships, draw the full Rs. 1,800. This latter system of officiating grade promotion, without any change of work, is peculiar to the Indian Civil Service cadre. It arose out of the old custom in accordance with which an officer lost his lien on a post when he went on long leave, thus throwing open a chain of permanent or substantive *pro tempore* promotions. When this was altered in 1868, the system of officiating grade promotions was introduced to compensate the service generally for the advantages, which they would otherwise have lost.

1258 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am not in favour of a time-scale which, I think, tends to reduce the incentives to exertion by giving mechanical advances of salary without adequate regard to the quality of the work done.

1259 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

1260 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—Time-scales have been introduced in the Forest and Public Works Departments, but too recently to enable any valuable experience of their working to be gained, as it is evident that the effect of a time-scale on the *moral* of a service would only gradually become apparent and would not be fully developed for many years.

1261 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—Yes. One reason for the extended employment of Natives of India is that they are cheaper, and therefore to give equal salary with Europeans would deprive the employment of Indians of this recommendation. Moreover, the scale of pay fixed for Europeans has regard to the fact that the European officer in India is a foreigner who has to send his children at great expense to Europe for education and who himself needs to proceed to Europe for recruitment of health. He also brings with him from Europe a more expensive standard of living than has hitherto been prevalent in India. To pay the Native of India the same salary as is paid to the European officer would thus clearly be extravagant. The two-thirds rate laid down at present seems fairly satisfactory.

1262 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—There is reason to suppose that officers of the Indian Civil Service now avail themselves more fully than formerly of the amount of *privilege* leave earned because privilege leave can now be combined with long leave. In consequence it is much less often forfeited or allowed to lapse than formerly.

Furlough—seems also to be taken more freely than formerly, especially by men of 23 years' service and upwards.

On the other hand *leave on Medical certificate*, especially as taken by men of longer service, shows a marked tendency to diminish, presumably because combined leave has taken its place and has enabled officers to go to Europe oftener.

Taking all classes of leave together, the average amount of leave taken by officers of the Indian Civil Service has varied extremely little in the last 20 years and shows no tendency to increase.

1263 (107). (i) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? (ii) Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—(i) See answer to the last question. Under the combined leave system, most of the privilege leave earned is taken, and lapses are rarer than of old. (ii) I consider the present amount is suitable.

1264 (108). (i) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? (ii) Is it necessary to allow for as much furlough as is permissible by the present rules? (iii) If not, what change do you suggest?—(i) The answer is in the negative, but it should be pointed out that the distinction drawn in the question between furlough and other forms of long leave is liable to produce a misleading effect. Taking all forms of long leave together, the average amounts taken are approximately as follows:—

	Service. YEARS.	Long leave. YEARS.
Officers below	8 and 12	1
Do. do.	12 and 19	2
Do. do.	19 and 23	3¼
Do. do.	23 and 30	3½
Do. above	30	4¼

(ii) Judged by these figures the amount of long leave admissible might be reduced from one-fifth to one-sixth of total service.

1265 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I think the rates are generally suitable so far as they are fixed in sterling and subject to the remarks in my answer to question (111), but I would revise the alternative rupee rates so as to make them the equivalent of the sterling rates at the current rate of exchange (1*s.* 4*d.*).

1266 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d. the* rupee? If so, what change?—It is fairly certain that in the case of European Services other than the Indian Civil Service, the concessional rate of 1*s.* 6*d.* could not be withdrawn without undue hardship, and it should therefore be maintained for the Indian Civil Service.

1267 (111). (i) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? (ii) Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so what change?—(i) I consider the minimum furlough allowance (£500 a year) is excessive, as it may be equal to or in excess of the salary which the officer would draw when on duty in India. No furlough allowances should be so fixed as to make it equally or more profitable for a man to be on leave than on active service, and I would reduce the minimum furlough allowance to £300 a year. On the other hand, I think that the maximum furlough allowance is unduly low and should be raised to £1,200 a year, so as to prevent too wide a discrepancy between the half pay and the furlough allowances of officers coming under the limitation imposed by the maximum. (ii) The alternative rupee rates should be revised so as to make them the equivalent at the present ratio (1*s.* 4*d.*) of the sterling rates of leave allowance.

1268 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No.

1269 (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—I think the answer to the question must be in the affirmative. The fact that a man is allowed to accumulate privilege leave for 3 months and not more results, I think, in frequent changes in personnel and consequent transfers. As shown in answer to question (106), now that privilege leave can be combined with other leave, practically no privilege leave is lost, and the fact that privilege leave cannot be accumulated for more than 3 months and then begins to waste, tends to make men take leave at regular intervals of 3 years, thus seriously interfering with the continuity of administration. Some change is necessary to remedy this evil and I recommend the solution suggested in my answer to question (117).

1270 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—The rule (article 260, Civil Service Regulations) which requires an interval of six months before a second period of privilege leave is taken often causes hardship and inconvenience. If a man who has earned two months' privilege leave takes one month, and a month after his return falls ill, it seems a distinct hardship that he should be debarred from taking his second month of privilege leave. Any tendency to abuse the privilege leave rules by taking repeated small periods of leave at short intervals could and should be dealt with by the head of the administrative department concerned without the aid of a hard-and-fast rule.

The rules [article 233 (ii) and (iv), Civil Service Regulations] which require combined privilege and special leave to be always neither more nor less than six months are a vexatious restriction, which often causes hardship and which seems unnecessary in the public interests.

1271 (116). (i) Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? (ii) In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—(i) Please see the answer to the last question. (ii) It would, I think, be altogether a mistake to bring the officers of the Statutory Service or of the Provincial Civil Service under the same leave rules as those which apply to the Indian Civil Service. In my answer to question (33) of the Provincial Service series I have shown that Indian officers do not take the amount of leave which is admissible to them even under existing rules, and I have suggested some reasons for this. The needs of the European in the matter of leave differ so materially from those of the native of India that different rules are desirable for the two classes.

1272 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—It would, I think, be advantageous both to the Government and the Service if the maximum period of leave on full pay were raised.

This period is at present limited to three months and should, I think, be raised to six months. I consider that this change would be beneficial to the administration by reducing the number of occasions on which men go on leave and so the number of transfers and changes in personnel. If six months' leave on full pay were permissible, officers would probably take leave less often than they do at present and would serve on until they had accumulated six months' privilege leave, thus necessitating an interval of over five years between each leave period. The effect of the three months' limit is to induce officers to take combined leave at shorter intervals because after 2 years and 9 months' privilege leave ceases to accumulate and is wasted. The above proposal should be carefully distinguished from a proposal to allow furlough to be commuted into periods of leave on full pay. Such a plan, however advantageous to the officers in the service, would not have much to recommend it from the point of view of Government.

1273 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—I hardly think that it is accepted as satisfactory. On the one hand it puts a premium on perfunctory performance of duty and early retirement. A man who can just avoid reduction until he has completed 21 years' active service is able to retire when still under 50 on the same pension as is earned by another man who serves ten years longer, rises to high office, and has a much reduced life expectation when he retires. In the interests of Government the system of equal annuities can therefore hardly be a sound one. Nor can it be accepted as satisfactory, I think, by the members of the Indian Civil Service other than the indifferent and lazy, because it offers no incentive to exertion and no reward for success.

1274 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I am in favour of the change proposed.

1275 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—If the annuity system is maintained, I consider that the 4 *per cent.* deduction should cease after 25 years' completed service. It seems clearly indefensible that a man who serves on beyond the minimum period required for pension should not only receive no increase in pension in consequence of his extended service and reduced life expectation but should also actually receive a diminished pension, the pension being reduced by the amount of his own contributions during the period of extended service.

1276 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of 1,200*l.* a year after 11½ years actual service as Judges? Do you recommend any change in the present conditions?—I would treat the case of Judges of the High Court on the same lines as that of the officers referred to in question (122).

1277 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I consider that if the system of fixed equal annuities is retained, special additional pensions should, on the analogy of the usage followed in other departments (*vide* articles 475, 642 and 643, Civil Service Regulations), be attached to certain posts. I would give an extra pension of £200 a year to any officer of the Indian Civil Service who had served for five years in any one of the following posts, namely, Lieutenant-Governor or Chief Commissioner, Judge of a High Court or Chief Court, Member of Council, Chief Secretary, Member of the Board of Revenue, or any post carrying pay in excess of Rs. 3,000 per mensem.

1278 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—I would introduce a system of non-contributory superannuation pensions on the lines laid down in the Civil Service Regulations for officers generally and subject to a maximum of £1,200 a year. The effect of this would be that an officer retiring from the grade of first-grade Collector or second-grade Judge would be entitled to a pension of Rs. 1,250 *per mensem*, which without the concessional rate of exchange of 1*s.* 9*d.* the rupee, would be equal to £1,000 a year, as at present. An officer electing to retire before he had reached the above grade or failing to reach it, would get less, while an officer rising to higher pay would get more. Such a system would, I think, be more satisfactory both to Government and to the service than the present one.

1279 (124). (i) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? (ii) If so, what do you suggest?—(i) Yes. (ii) I think the scale of pensions to be allowed to officers removed on the ground of inefficiency should be something *less* than the scale allowed to officers compulsorily retired on the ground of ill-health. Possibly it might be subject to a maximum of three-fourths of the amount which would be admissible if the officer were retired on medical grounds with power to the Secretary of State to reduce the pension below this maximum when he was satisfied that the inefficiency was due to causes not beyond the officer's control, such as intemperance in alcohol or drugs.

1280 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—If the age limits for entering the service are reduced as I have suggested, I think the minimum period of active service required for full pension might be raised from 21 to 23 years. As noticed in answers to questions (87) and (124) I would increase the power of Government to retire compulsorily inefficient officers.

1281 (126). Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?—There are no such officers serving in this presidency.

1282 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—There is only one Statutory Civilian now in service and the rules need not be altered.

1283 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—The system seems suitable and I have no suggestions to make.

1284 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I consider that the system of continuing subscriptions to the Indian Civil Service Family Pension Fund during leave and after retirement should be abandoned, the rates of subscription payable during active service being enhanced so as to make good the loss thus caused. Enhanced deductions would be much less felt if taken from pay during active service than they are if taken from leave allowances and pension. An officer going on leave or retiring on pension has, in any case, to submit to a reduction in his income by one-half or more, and the subscriptions deducted on account of the Indian Civil Service Family Pension Fund, constitute a serious further diminution which can be ill-borne, especially in view of the high level of income-tax in Great Britain. The substitution of enhanced deductions during active service would be in effect a form of compulsory saving and would tend to reduce the unavoidable difference between income on active service and income on leave and pension.

1285 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—There would be a difficulty about admitting to the Indian Civil Service Family Pension Fund natives of India whose personal law allows them to have more than one wife. But I would admit any native of India whose personal law enforced monogamy.

1286 (131). Do you recommend that such admission should be optional or compulsory?—Compulsory.

1287 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—The number of Indian Civil Service officers who are Natives of India and who would not, under the proposal made in my answer to question (130), be admitted to the Indian Civil Service Family Pension Fund would not be large, and I therefore do not recommend the formation of a separate Family Pension Fund for them, but would leave them to subscribe to the general Provident Fund like members of the Provincial Civil Service.

1288 (134). Have you any criticisms to make on the facilities at present offered (*a*) to statutory civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—No.

1289 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—In order to reduce transfers I should like a general instruction laid down that when an officer is posted to a district, he shall, if possible, be retained in it for at least three years.

Transfers of officers from one language area to another should be prohibited as a general rule.

The travelling allowances granted to officers of the Indian Civil Service on transfer are quite inadequate and ought to be substantially increased so as to cover actual expenses. Transfer at present usually imposes a heavy loss on the officer transferred.

The working of article 1000, Civil Service Regulations, on the subject of the payment of the cost of moving tents and horses is most unsatisfactory and causes constant and widespread discontent. The Government of India has been pleased to lay down that the cost of conveyance of horses, tents, etc., by railway or steamer may only be recovered when it is shown that the horses, tents, etc., were required in the public interests immediately on arrival at destination. Hence an officer, whether transferred from one district to another or proceeding on tour, cannot recover the cost of moving his horses, tents, etc., unless he can show that he had to go into camp directly on arrival. In practice horses, tents, etc., cannot be marched by roads for hundreds of miles without serious risk and expenditure, and officers are obliged to move them at their own cost by rail.

The provision for officers of Government of suitable houses at reasonable rent is a growing necessity in many parts of the country. The advance in wealth and the rise in the standard of comfort among Indians is leading them more and more to occupy bungalows which were originally built with a view to European occupation, while many old houses go out of repair, and private enterprise in this part of India at least fails to supply fresh accommodation for the Europeans who are thus ousted.

Written answers relating to the Provincial Civil Service.

1290 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have no recommendations to make.

1291 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—A copy of the rules is appended as an annexure to these answers. My recommendations as to alterations in the rules will appear from the answers to subsequent questions. I think, however, that the period of probation should be at least three years.

1292 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The information is correct as regards the executive branch.

In regard to the judicial branch, the number of District Munsifs in the last grade is 31, making a total strength of 130, and there are also

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six temporary Munsifs on Rs. 200. The number of Sub-Judges is correct, but there are also 11 temporary Sub-Judges, all in the Rs. 500 grade.

1293 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.—I. EXECUTIVE BRANCH.—The Provincial Civil Service was formed in 1893 as the result of the recommendations of the Public Service Commission of 1886–87. The system of recruitment adopted in 1893 was to fill vacancies in the grade of Deputy Collectors mainly by selection from the subordinate service and from persons, whether in the service of Government or not, of proved merit and ability, who had passed the prescribed examinations. From that year up to 1905 a certain proportion of the vacancies were thrown open to competition and filled by recruits who were successful at the competitive examinations. The following statement shows the number of officers selected from the subordinate service, those recruited directly by competitive examination, and those recruited directly otherwise than by competition, during the years 1893 to 1905 :—

Year.	Number selected from the subordinate service (Revenue and other departments).	Number recruited by competition.	Number recruited otherwise.
1893	7	2	1
1894	3	3	..
1895	7	2	..
1896	7	..	2
1897	2	1	..
1898	5	1	1
1899 ..	7	1	..
1900	3	1	..
1901	10	1	..
1902	9	1	..
1903	7	1	..
1904	11	1	..
1905	1	1	..

Competitive examinations were abolished in 1905 and the rule thereafter was that "vacancies in the list of Deputy Collectors shall be "filled as heretofore mainly by selection from "the subordinate service of persons who have "passed the examinations prescribed for those "posts and from persons, whether in the service "of Government or not, of proved merit and "ability." The following statement shows the number of Deputy Collectors appointed by selection from the subordinate service and those recruited direct from 1906 to 1911 :—

Year.	Number selected from the subordinate service (Revenue and other departments).	Number recruited direct.
1906	2	...
1907	6	...
1908	6	...
1909	4	...
1910	15	...
1911	56	...

The number of men promoted in the last two years is exceptionally large as the cadre was reorganised and increased to 135. Most of them are not new appointments but merely confirmations of men already acting in temporary arrangements.

JUDICIAL BRANCH.—Sub-Judges are appointed by Government either by selection from among Barristers, Advocates, High Court Vakils and Attorneys of the High Court, or by the promotion of District Munsifs. The appointments are made in consultation with the High Court.

District Munsifs are appointed by the High Court under statutory powers vested in that Court by the Civil Courts Act III of 1873. By rules made in 1885 under section 7 of this Act, the High Court's selection was limited to—

(1) Advocates, Vakils and Attorneys of the High Court and persons duly qualified for admission as such.

(2) Bachelors of Laws of the Universities of Madras, Calcutta and Bombay.

(3) Persons who have passed the first-grade pleadership examination.

(4) Persons who had passed before 1888 the Special Tests prescribed for District Munsifs.

(5) Persons in the service of Government who passed those tests before 1890.

Persons appointed as District Munsifs were required ordinarily to be under 30 years of age.

These rules are still in force with slight amendments. The degree of B.L. of the Allahabad University has been added to the qualifying degrees, but Bachelors of Law of the Madras University who have taken their degree since 1899 are not eligible unless they have also passed the examination provided for Vakils of the High Court. In 1904 the maximum age for appointment was raised to 35.

The accompanying statement shows the number of Sub-Judges and District Munsifs appointed permanently since 1893, distinguishing between those selected from the bar and those promoted from a lower post in Government service—

—	Sub-Judges.			District Munsifs.		
	Total.	By direct recruitment.	By promotion.	Total.	By direct recruitment.	By promotion.
1893 ..	2	..	2	10	5	5
1894 ..	1	..	1	3	3	..
1895 ..	..	..	..	8	7	1
1896 ..	..	..	..	7	4	3
1897 ..	..	..	..	4	4	..
1898 ..	..	..	..	6	3	3
1899 ..	10	..	10	7	6	1
1900 ..	..	..	..	16	13	3
1901 ..	..	..	..	2	2	..
1902 ..	..	..	..	10	8	2
1903 ..	5	..	5	13	12	1
1904 ..	5	..	5	4	3	1
1905 ..	2	..	2	10	9	1
1906 ..	4	..	4	9	5	4
1907 ..	3	..	3	9	8	1
1908 ..	4	1	3	10	10	..
1909 ..	3	..	3	7	6	1
1910 ..	1	..	1	4	2	2
1911 ..	4	..	4	11	8	3
1912 ..	3	1	2	6	4	2

1294 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year?—*Ans.*—

Executive Branch.
- 1895. 1 (Mr. J. G. Wood).
- 1896. 1 (Mr. A. C. Woodhouse).
- 1898. 1 (Mr. Bird).
- 1904. 1 (Mr. M. G. K. Waite).

Judicial Branch. *Nil* since 1893.

1295 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—EXECUTIVE BRANCH.—As shown in the answer to question (4). officers of the Executive branch of the Provincial Service have been recruited with a few unimportant exceptions in one of two ways, viz.—(i) by promotion from the subordinate service, (ii) by open competitive examination. Among the sixteen men who have been recruited by competitive examination there has been a considerable number of failures as administrative officers, the failures being due to defects of temperament. On the other hand the general reputation for honesty of the officers so selected has been good, while there is no doubt that their ranks contain some of the ablest men in the service.

The method of recruitment by promotion from the subordinate service has several evident advantages. It ensures the selection of men of ripe experience and tried merit; it avoids the risk of entrusting important functions to young men who, though clever, may have no administrative capacity; on the whole it has produced a sound class of public servant. But the system has also several important disadvantages. First it insists that all (or nearly all) aspirants for the Provincial Service must enter Government service very low down and thence work their way up. The result is that there is no opening for those young men who are not content to begin at or near the bottom, and the Government service thus loses both the men who have shown marked superiority in their college career and those who are too well-off to be prepared to enter service on Rs. 35 or Rs. 40 per mensem. Secondly, it delays promotion to the Provincial Service until an age at which the Native of India, who ages earlier than the European, is already beginning to fail. The average age of first appointment to act as Deputy Collector is 41⅓, while the average age of confirmation as Deputy Collector is 43½. An Indian of 42 cannot be expected to show the same fitness for executive work as an Englishman of 26. Thirdly, as the number of Deputy Collectors is 135, and the annual decrement on that number will be 11, it takes the average man 12 years from date of confirmation before he has a chance of selection for the higher listed posts. He will then be 55½ years of age and is thus at a great disadvantage as compared with the European who gets a district at 36.

I think, therefore, that some change in the present system of recruitment is desirable, and I would recommend that in future only 50 per cent. of the vacancies should be filled by promotion from the subordinate ranks and that the remainder should be filled by competitive examination conducted on the compartment system as suggested in my answer to question (9) of the Indian Civil Service Questions. If, however, the system of competitive examination should be considered unsuited to Indian conditions, selection might be made from young men who have taken the B.A. degree in the first or second class by means of a selection board, who would interview the candidates, judge of their general intelligence, physique, manners and family history, and choose the most likely looking among the qualified applicants. This method has, it is believed, produced satisfactory results in other cases. The objection to it is that it is liable to result in undue weight being given to family history.

JUDICIAL BRANCH.—As regards the Judicial branch of the Provincial Service, I am not in a position to offer an opinion as to which method of recruitment, promotion from lower appointments or selection from the ranks of the bar, has produced the best results. *Primâ facie*, however, it would appear that there would be a greater probability of obtaining talent by selecting men who have achieved success and distinction in the prolonged trial of a career at the bar than by promoting men who have gradually risen by seniority to the higher ranks of the subordinate judicial service.

1296 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Non-residents of the Province are not absolutely debarred from appointment to posts in the Provincial Civil Service, but under Rule VIII of the Madras Rules such appointment is usually confined to residents in the Presidency, and in practice very few non-residents apply for or obtain appointment. I believe that at present no one of the description referred to is employed in either branch of the Provincial Service.

1297 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—A. EXECUTIVE BRANCH.—The following figures show the number and proportion of appointments among Deputy Collectors held by the various classes and communities :—

Number of each class.	—	Percentage to male population at census of 1911.	Percentage of appointments held	
			in 1896.	now.
77	Brahmans	3·2	53	55
30	Non-Brahman (Hindus).	85·6	25	21½
15	Muhammadans	6·6	6½	10½
7	Indian Christians ..	2·7	4	5
11	Europeans and Eurasians.	0·1	11½	8
140				

The non-Brahman Hindus and the Europeans and Eurasians have lost ground in the last 16 years, the bulk of the gain going to the Brahman caste. It is of great importance to prevent any class from being ousted from the Provincial Service, and it is for this reason that I have proposed the compartment system if a competitive examination is resorted to as a method of selection, while if the method of selection by a Selection Board were decided on, it should be an instruction to the Board to observe a similar proportion in the choice of candidates.

B. Judicial Branch.—The following figures show the number and proportion of appointments among Sub-Judges and District Munsifs held by the various communities:—

Number of appointments held in 1912.	Classes.	Percentage to total male population of Presidency at census of 1911.	Percentage of appointments held	
			in 1896.	in 1912.
	I.—Sub-Judges (Permanent).			
15	Brahmans	3·2	71·4	83·3
3	Non-Brahman (Hindus).	85·6	21·4	16·7
Nil.	Muhammadans ..	6·6	*Nil.*	*Nil.*
Nil.	Indian Christians ..	2·7	*Nil.*	*Nil.*
Nil.	Europeans and Eurasians.	0·1	7·2	*Nil.*
18				
	II.—District Munsifs (Permanent).			
93	Brahmans	3·2	66·4	72·6
25	Non-Brahman (Hindus).	85·6	21·2	19·5
2	Muhammadans	6·6	·9	1·6
5	Indian Christians ..	2·7	11·5	3·9
3	Europeans and Eurasians.	0·1	*Nil.*	2·4
128				

1298 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—For men who enter the Executive branch of the Provincial Service by promotion from the subordinate service, no system of training is prescribed or necessary, and the period of probation enforced is merely a time of trial during which the probationary Deputy Collector's performance of his duties as Sub-divisional Magistrate and Divisional officer is watched and reported on. District Munsifs also undergo a period of probation. Officers who were selected by competitive examination were appointed on probation for two years, during which period they were expected to pass the prescribed examinations and were attached for training to the Collector of a district, who submitted half-yearly reports on their work and conduct.

1299 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—I have no changes to recommend which are not within the powers of the Local Government.

1300 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—On the whole I think the answer to this question should be in the negative. In Bombay the mamlatdar, who corresponds to the Tahsildar in Madras, has been included in the Provincial Service, and there would be some distinct advantages in adopting a similar course in this Presidency. It would be a good thing to give him improved status. But there are difficulties, which are probably insuperable, in the way. The Tahsildar is the backbone of the revenue administration and must be a man of experience, thoroughly trained in the details of district administration. He must, therefore, be recruited by promotion from the lower ranks, and no scheme of direct recruitment for the Tahsildar service would be practicable. Hence there would be grave objections to including Tahsildars in the Provincial Service if any part of that service should be obtained by direct recruitment, as I think it should. Again, because the Tahsildar must be recruited by promotion from the lower ranks, the selection should be made by the District Officer who has practical knowledge of the work of the men in those ranks, and should not be made by a central body, such as the Board of Revenue, at Madras. Hence, as the Tahsildar must be selected locally, he remains a local unit, and though his pay is now personal within the district in which he serves, he is not borne on a list common to the Presidency. His inclusion in the Provincial service would, therefore, be impossible without depriving the District Officer of control. I think that the line of division between the Provincial Service and the services below should continue to be drawn above the Tahsildar.

1301 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—Executive Branch.—The strength of the Deputy Collector Service was revised in 1911 when it was fixed on the following basis, viz., to provide for the actual number of posts to be substantively filled *plus* a provision (14 per cent.) for leave vacancies and a provision based on actual requirements for the men employed on certain temporary duties and deputations (including Foreign Service and charge of Indian Civil Service divisions). Among the posts to be substantively filled were included (*a*) the seven listed posts of Sub-Collector, (*b*) the listed post of Under Secretary to Government. As the scale was introduced only with effect from 1st October 1911, it is too soon to pronounce definitely on its sufficiency, but it seems probable that it will prove satisfactory.

Judicial Branch.—There is no system on which the strength of this branch is fixed, and the number of Sub-Judges and of District Munsifs is regulated by the volume of litigation coming before these Courts, by the amount of this litigation which they are able to dispose of, and by the quantity of arrears. On the advice of the High Court the Government have laid down a standard which is supposed to represent the minimum amount of work of which each class of Court should be able to dispose annually, but any such standard must necessarily be only approximate, as outturn of work cannot be measured by statistics. The consequence is that the Government are without any satisfactory test as to how the strength of the Judicial branch of the Provincial Civil Service should be fixed. At the present time an officer is on special duty investigating the question whether the number of Courts is adequate or not and whether any revision of their location or jurisdiction is called for. Upon the receipt of his report and of the recommendations of the High Court thereon, the strength of the Judicial branch of the Provincial

Civil Service will be thoroughly considered and a revision of the cadre will probably be found necessary. Meantime a large number of temporary Sub-Judges and District Munsifs exist.

1302 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—Executive Service.—The leave reserve for the Deputy Collector Service, viz., 14 per cent. on the sanctioned strength, was sanctioned and introduced only in 1911, and it is therefore too soon to say whether it will prove adequate, but as it was based on the actual leave vacancies in several years (1906 to 1909) it will probably suffice.

Judicial Service.—There is no leave reserve in the judicial branch of the Provincial Service, and none is required, as Sub-Judges are usually selected from the ranks of District Munsifs while leave vacancies among the latter are usually filled by selection from the bar or by promotion from the clerical staff.

1303 (14). Is there any reserve for officers under training and is it adequate?—There is no reserve for officers under training in either branch of the service.

1304 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—Executive Service.—No annual rate of recruitment has been fixed. The number of recruitments every year since 1893 has been as follows:—

Year.	Number recruited.	
1893	16	
1894	6	
1895	9	
1896	9	
1897	3	
1898	7	
1899	8	
1900	4	
1901	11	
1902	10	
1903	8	
1904	12	(Formation of the new Guntūr district).
1905	2	
1906	2	
1907	6	
1908	6	
1909	4	
1910	15	(Introduction of Sir W. Meyer's scheme).
1911	56	(Introduction of above and reorganisation of the service).

Excluding the years 1904, 1910 and 1912, when there was an increase on account of the constitution of additional districts and reorganisation of the service, the average rate of recruitment to fill vacancies due to retirement or death of officers has been 7 *per annum*. In consequence of the recent increase in the strength of the Deputy Collector service, the annual decrement and recruitment will be higher in future, viz., 11 *per annum*.

Judicial Service.—Please see the answer to question (12) from which it follows that no annual rate of recruitment is or can be fixed.

1305 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Executive and Judicial Service.—Under the existing rules "Government reserve to themselves the right to make "promotions to the superior grades of the Provincial Civil Service carrying a salary of "Rs. 500 a month and above without regard to "seniority, and seniority alone shall not give a "claim to appointment to the grade of Rs. 500 "a month or to higher grade. Every such promotion will be based wholly upon fitness and "merit, seniority being regarded only when the "claims of two or more officers who are equally "fit come into competition."

In the lower grades the general rule is to give grade promotion on the ground of seniority unless an officer has been definitely held to be unfit for promotion.

For the listed posts the most suitable officers are selected without much regard to seniority.

1306 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think the system is fairly satisfactory. Promotion *from grade to grade* should usually be by seniority unless an officer is altogether unfit for advancement; the exercise of selection in regard to grade promotion is apt to result in favouritism and in capricious supersession, and does more harm than good. Promotion to a *fresh class of appointment* carrying with it the performance of a different class of duties should, on the other hand, be by selection only moderately constrained by seniority.

In my opinion it is desirable to take power to retire compulsorily inefficient officers whose work is not bad enough to justify reduction. At the same time such power is especially liable to abuse, and I would keep it in the hands of Government and not delegate it to heads of departments, and I would also require that it should only be exercised after a statement of reasons, supported as far as possible by specific instances, had been drawn up and served upon the officer concerned and his defence considered. Officers retired under the provisions here suggested should receive such pension as may in each case be considered suitable, provided that no such pension should exceed three-fourths (or perhaps two-thirds) of the pension that would be available for retirement on grounds of health.

1307 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—It is understood that this question refers to the suggested separation of magisterial from revenue functions, a matter to which a somewhat

exaggerated importance has often been attached. At the same time instances of misuse of magisterial powers have occurred, and if it is true, as has been publicly stated in the Legislative Council by more than one non-official member, that a very large proportion (75 per cent.) of Indian subordinate magistrates are corrupt, it is evidently desirable that magisterial and executive revenue functions should not be combined in the case of this class of officer. Among officers of higher rank, and in particular among Deputy Collectors, it may confidently be hoped that the standard of honesty is higher and hence the need for separation of function is less. At present there is no separation, every divisional officer being charged both with revenue and magisterial functions. I do not see any reason against separation except the expense of duplicating the staff.

1308 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—On the whole I think the arrangements satisfactory.

1309 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Please see my answer to question (37) of the questions relating to the Indian Civil Service.

1310 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The term "Provincial Civil Service" draws attention to the fact that the officers composing it are selected for service within the province and is therefore not inappropriate, and I do not see how it would be practicable to merge the Provincial Civil Service in the Indian Civil Service and have only a single superior service. Such a plan, though frequently advocated, would present great practical difficulties in regard to recruitment, promotion and so on; and so far as I see, there must continue to be two services. There is, however, no particular virtue in the designation "Provincial Service," and if any other term would give more general satisfaction I do not see why it should not be adopted in lieu of the term "Provincial Service."

1311 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-1887, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept the principle.

1312 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—Executive Branch.—The following statement gives the rates of pay and the number of posts in each of the main grades of the executive branch of the Provincial Civil Service on the 1st April 1890, 1900 and 1912:—

		Rates of pay.	Number of posts in each grade.
		1st April 1890.	
		Rs. 700 ...	1
		,, 600 ...	5
* Treasury Deputy Collectors	21	,, 500 ...	11
General duty Deputy Collectors	44	,, 400 ...	22
Assistant Superintendent of Stamps	1	,, 300 ...	16
		,, 250 ...	11
	66		66 *
		1st April 1900.	
		Rs. 700 ...	1
† As above	66	,, 600 ...	5
Listed posts	9	,, 500 ...	15
Deputy Collector of Tanjore .. .	1	,, 400 ...	22
Assistant Secretary to the Board of Revenue.	1	,, 300 ...	17
Presidency Magistrates.	2	,, 250 ...	19
	79		79 †
		1st April 1912.	
		Rs. 800 ...	3
		,, 700 ...	6
		,, 600 ...	8
		,, 500 ...	29
		,, 400 ...	32
		,, 300 ...	29
		,, 250 ...	30
			137

The increase from 66 to 79 was due to the transfer of certain "listed" posts to the Provincial Civil Service and the inclusion of certain special appointments in the Deputy Collectors' cadre. The increase from 79 to 137 was due to the creation of new divisions ‡ under Sir William Meyer's scheme of redistribution of districts, etc., the re-constitution of the Deputy Collectors' cadre on a self-contained basis § and other minor additions.

‡ Twelve divisions and three treasuries.

§ For temporary duties and leave reserve.

The last general revision was made in October 1911.

The improvements in prospects aimed at were:—to reduce the long period of acting service which an officer appointed to officiate as Deputy Collector had previously to undergo, and to prevent such officers from remaining for excessive periods without promotion beyond the pay of Rs. 250 *per mensem* which is the pay of a senior tahsildar.

Judicial Branch.—The statistics for the Judicial branch are as follows:—

Grade.	Number of posts.	Pay.
1st April 1890.		
Sub-Judges—		Rs.
First grade	3	800
Second ,, ...	5	650
Third ,, ...	6	500
	14	
District Munsifs—		
First grade	25	400
Second ,, ...	25	300
Third ,, ...	25	250
Fourth ,, ...	33	200
	108	
1st April 1900.		
Sub-Judges—The same as in 1890.		
District Munsifs—		
First grade	30	400
Second ,, ...	30	300
Third ,, ...	30	250
Fourth ,, ...	28	200
	118	
1st April 1912.		
Sub-Judges—		
First grade	4	800
Second ,, ...	5	650
Third ,, ...	9	500
	18	
District Munsifs—		
First grade	33	400
Second ,, ...	33	300
Third ,, ...	33	250
Fourth ,, ...	29	200
	128	

The scale of pay of Subordinate Judges as well as District Munsifs was laid down in 1884. That scale has remained unaltered till now though the number of Sub-Judges has increased from 14 in 1884 to 18 in 1912, and the number of District Munsifs from 106 in 1884 to 128 in 1912.

1313 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—In my opinion the answer to the above question, both in regard to the executive and to the judicial service, should be in the affirmative. I feel no doubt that if a competitive examination on the lines advocated in the answer to question (9) (Indian Civil Service series) were started, we should get the very best men of the year to compete in it. In recruiting for the Judicial branch from men who have already been at work for some years at the Bar, it cannot be expected that we should be able to attract the men in the first flight, but we get, as the High Court has borne witness, a good class of candidate and this suffices. It is notorious that even for Judgeships in the High Court it is impossible to secure the best men from the English Bar, and that even the Membership of the Viceroy's Council failed to retain a leader of the Calcutta Bar. We cannot expect to secure the best, but we do secure a sufficiently good class on the present rates of pay, and they do not require, I think, material change.

I am strengthened in this opinion by the example of other countries. Compared with most European countries the scale of salaries granted to the Provincial Service in India is liberal. In France judges of Tribunaux de Premiere Justance get from £144 to £800 a year, Presidents of the Cour d'Appel from £300 to £550, except the first President who gets from £600 to £1,000. In Italy, judges of lower civil courts get from £160 to £200 a year with £240 for Presidents; judges of Courts of Appeal get from £240 to £320; judges of Courts of Cassation from £320 to £480; the ten first Presidents of Courts of Cassation receive £600 a year. In Spain, civil judges outside Madrid get £350 to £400 a year and in Madrid £460 to £700; the judges in the Supreme Court receive £700 a year or £800 if they are Presidents of sections, while the Chief Judge receives £1,440. In Holland, the judges of district courts are paid from £200 to £250 a year and the President £330; the judges of the five superior courts receive £330 to £375 and the President £430; the 13 judges of the High Court receive £430 a year and the President £666. In Norway, the judges of district courts are paid from £250 to £330; the judges of town courts receive from £155 to £330; the judges of courts of appeal get from £255 to £333; and the judges of the Supreme Court from £400 to £533. In Sweden, the High Court judges receive £722 a year. In Denmark, the Chief Judge of the Supreme Court receives £555, judges of subordinate courts receiving from £177 to £400 a year. In Japan, the Judges and Procurators appointed by the Crown receive £300 to £600 a year; those appointed by the Prime Minister from £100 to £300. In India, the demand for increased salaries is stimulated by the higher pay given to Europeans, but that pay, as pointed out in my reply to question (104) (Indian Civil Service series), is the pay given to foreigners who serve in India under conditions quite different from those of the native of the country.

1314 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am inclined to think that when once the scale of salary has been fixed the fewer invidious differences that are made between the Indian Civil Service and the Provincial Service the better, any distinctions retained being based on the essential and irremovable difference between service in a foreign country and service in one's native country. In the matter of officiating promotions I would therefore assimilate the rules of the Provincial Service to those of the Indian Civil Service.

1315 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or

not?—Please see Answer to question (99) in Indian Civil Service series.

1316 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

1317 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—Please see answer to question (101) in Indian Civil Service series.

1318 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Please see answer to question (104) in Indian Civil Service series.

1319 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—The following statements show the amount of short leave and long leave taken by Deputy Collectors, Subordinate Judges and District Munsifs during the years 1892, 1897, 1902, 1907 and 1911:—

Deputy Collectors.

Year.	Strength of the Deputy Collectors' cadre.	Number of Deputy Collectors on leave during the years specified.			
		Short leave.	Percentage.	Long leave.	Percentage.
1892	66	14	21	7	11
1897	68	20	29	2	3
1902	79	28	35	10	13
1907	83	26	31	8	10
1911	* 96	21	22	14	15

* The cadre has been taken as 96 for the whole year though it stood at 137 from October 1911.

Sub-Judges and District Munsifs.

Year.	Strength of the cadre (Subordinate Judges and District Munsifs).	Number of Subordinate Judges and District Munsifs on leave.			
		Short leave.	Percentage.	Long leave.	Percentage.
1892	122	12	10	5	4
1897	128	14	11	6	5
1902	132	12	9	1	1
1907	134	13	10	5	4
1911	145	18	12	2	1

The statement does not give separate figures for Subordinate Judges as a great portion of the service of these officers is spent in the District Munsif grade.

The figures do not show any definite tendency to increase or decrease the leave taken.

1320 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest.—Please see the answer to question (33) below. Under article 271, Civil Service Regulations, Sub-Judges and District Munsifs are not eligible for privilege leave on full pay.

1321 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The following statements give full details as to the amount of leave which has actually been taken by members both of the Executive and Judicial branches of the service of over five years' standing. They show that out of 58 Deputy Collectors only four have taken the full amount of furlough admissible, while among Sub-Judges and District Munsifs none have taken the full amount of furlough admissible and only nine have taken any furlough at all. Similarly the full amount of privilege leave has hardly ever been taken. The fact that furlough means half pay deters all who are not forced by medical reasons to take leave, and even in the case of privilege leave the collected information proves that it is only scantily resorted to. It thus appears that officers of the Provincial Service do not want leave, except short periods, unless they are ill. Being employed in their own country, they do not need long periods of absence from duty, and if they do take leave they have nowhere to go and nothing to do. Foreign travel has not yet become fashionable, nor does the climate of the hills attract them. In their own village absence of occupation soon becomes wearisome. I do not think that officers of the Home Civil Service are entitled to long leave except on medical grounds, and the rules allowing such leave to members of the Indian Provincial Service are due to the influence of the rules for the Indian Civil Service, though the conditions of the officers are totally different. It is, therefore, unnecessary to grant as much leave as the rules now permit.

STATEMENTS.

A.—Executive Service.

Name of Deputy Collector.	Total service as permanent Deputy Collector.	Amount of privilege leave taken.	Amount of furlough taken.
	YEARS.		
T. Sundara Rao	23	5 months	*Nil.*
P. Krishna Rao	22	10 months 17 days ..	11 months 28 days.
C. Gahan	14	3 ,, 19 ,, ..	*Nil.*
S. Annaswami Aiyar	8	8 ,, 22 ,, ..	*Nil.*
C. J. M. Blake	11	2 ,, 1 day ..	*Nil.*
T. Raghavayya	19	11 ,, 20 days ..	*Nil.*
S. M. Vapuchi Maricayar Usman Sahib ..	19	3 ,, ..	*Nil.*
P. Sita Rao Pantulu	17	1 month	*Nil.*
J. Ramayya Pantulu	16	5 months 15 days ..	*Nil.*
T. Gopalan Nayar	24	7 ,, 19 ,, ..	1 year 9 months 12 days.
J. R. Coombes	16	2 ,, ...	1 ,, 7 ,, 19 ,,
V. Parthasarathy Chetti	14	5 ,, 27 days .	*Nil.*
Muhammad Safdar Hussain Sahib	15	6 ,, ...	2 years
A. Ramacha Nedungadi	16	2 ,, 23 days	3 months 7 days.
K. Narasimha Rao Pantulu	14	7 ,, 15 ,, ..	1 year.
P. Sitaramayya	17	3 ,, ..	*Nil.*
K. V. Srinivasa Aiyangar	15	6 ,, ..	*Nil.*
J. Williams	13	3 ,, ..	*Nil.*
W. S. Marshall	12	3 ,, ..	*Nil.*
T. Vijiaraghavachariar	14	2 ,, 27 days ..	*Nil.*
G. T. Vurgese	12	3 ,, 23 ,, ..	*Nil.*
G. Gopalan Nayar	11	11 ,, 28 ,, ..	2 months 18 days.
Mahdi Husain Sahib	11	*Nil.*	*Nil.*
T. V. Gopalaswami Aiyar	11	2 months 6 days ..	1 year 3 months 14 days.
T. N. Sivagnanam Pillai	11	2 ,, 11 ,, ..	*Nil.*
P. Narayana Menon	11	2 ,, 15 ,, ..	*Nil.*
A. Upendra Poi	13	7 ,, 6 ,, ..	*Nil.*
U. Rama Rao	12	9 ,, 5 ,, ..	*Nil.*
M. Arumukham Pillai	10	2 ,, 7 ,, ..	3 months 17 days.
M. S. Mascarenhas	10	4 ,, 5 ,, ..	*Nil.*
K. Vijiaraghavachariar	10	5 ,, 4 ,, ..	*Nil.*
P. Srikrishnulu Pantulu	10	4 ,, 22 ,, ..	*Nil.*
T. V. Srinivasa Aiyar	9	7 ,, 17 ,, ..	*Nil.*
P. Nagesa Rao Pantulu	9	1 month 27 ,, ..	*Nil.*
L. A. Cammiade	9	2 months 21 ,, ..	*Nil.*
A. Vedachala Aiyar	8	7 ,, 27 ,, ..	*Nil.*
T. Balaji Rao	8	2 ,, 15 ,, ..	*Nil.*
V. Ramaswami Aiyar	11	3 ,, ...	*Nil.*
V. Krishnama Charlu	6	3 ,, 15 days ..	*Nil.*
K. Raghavendra Rao	8	7 ,, 27 ,, ..	*Nil.*
J. L. Jacques	8	*Nil.*	*Nil.*
Muhammad Yakub Sahib	8	3 months	2 months 27 days.
E. Sitarama Rao Nayudu	8	*Nil.*	*Nil.*
P. Duraisami Aiyangar	18	3 months	*Nil.*
M. Srinivasa Aiyangar	8	2 ,, 12 days ..	*Nil.*
A. Rajabadar Mudaliyar	7	3 ,, 12 ,, ..	6 months 2 days.
Rafil-ul-mulk Sahib	14	4 ,, 17 ,, ..	*Nil.*
S. P. Rangachari	11	8 ,, 29 ,,	*Nil.*
Mir Sultan Muhi-ud-din	12	4 ,, 25 ,, ..	1 year 9 months.
C. S. Anantarama Aiyar	10	7 ,, 8 ,, ..	*Nil.*
V. T. Krishnamachari	9	5 ,, 13 ,, ..	*Nil.*
K. S. Srinivasachari	8	4 ,, 19 ,, ..	*Nil.*
N. Gopalaswami Aiyangar	7	6 ,, 11 ,, ..	*Nil.*
T. S. Chengalvaraya Aiyar	6	3 ,, 24 ,, ..	*Nil.*
Muhammad Bazlullah Sahib	5	1 ,, 5 ,, ..	*Nil.*
S. Vasudeva Rao	5	3 ,, ..	*Nil.*
K. Suryanarayana Rao Prasad	8	3 ,, 14 ,, ..	*Nil.*
K. Sitapati Rao	5	3 ,, 5 ,, ..	*Nil.*

B.—Judicial Service.

Name of Sub-Judge or District Munsif.	Total permanent service as Sub-Judge and District Munsif.	Amount of privilege leave taken.	Amount of furlough taken.
Sub-Judges.	YEARS.	MTHS. DAYS.	MTHS. DAYS.
J. C. Fernandez	20	*Nil.*	*Nil.*
V. Kelu Eradi	25	0 47	*Nil.*
T. V. Anantan Nayar	24	4 5	2 7
N. Lakshmana Rao Pantulu	25	1 0	*Nil.*
S. Ramaswami Aiyangar	24	3 0	*Nil.*
D. Venkoba Rao Pantulu	24	5 10	6 10
D. Raghavendra Rao Pantulu	24	6 13	*Nil.*
V. K. Desikachari	23	3 0	*Nil.*
A. Raghunatha Rao	22	1 15	*Nil.*
K. Imbichunni Nayar	21	1 0	*Nil.*
C. Krishnaswami Rao	18	2 22	*Nil.*
A. N. Anantharama Aiyar	23	*Nil.*	0 10 (leave on private affairs.)

9th January 1913.] Mr. A. G. Cardew. [continued.

B.—Judicial Service—cont.

Name of Sub-Judge or District Munsif.	Total permanent service as Sub-Judge and District Munsif.	Amount of privilege leave taken.	Amount of furlough taken.
Sub-Judges—cont.	YEARS.	MTHS. DAYS.	MTHS. DAYS.
V. Narayanaswami Aiyar	21	*Nil.*	*Nil.*
A. Sambamurthi Aiyar	20	0 21	*Nil.*
T. Varadarajulu Nayudu	20	2 15	*Nil.*
T. A. Ramakrishna Aiyar	20	1 25	*Nil.*
K. Krishnama Chariyar	19	*Nil.*	*Nil.*
District Munsifs.			
V. Ranga Rao Pantulu	26	4 1	*Nil.*
G. Subbayya Sastri	19	3 0	3 0
T. Srinivasa Aiyangar	18	2 15	*Nil.*
T. S. Krishna Aiyar	24	5 17	17 0
T. V. Narayanan Nayar	12	*Nil.*	*Nil.*
M. R. Narayanaswami Aiyar	12	0 24	*Nil.*
K. V. Karunakara Menon	12	*Nil.*	*Nil.*
V. R. Kuppuswami Aiyar	12	2 0	*Nil.*
P. Subbayya Mudaliyar	12	5 7	*Nil.*
T. Rajaram Rao	11	*Nil.*	*Nil.*
V. S. Narayana Aiyar	10	*Nil.*	*Nil.*
G. G. Somayajulu Sastri	10	*Nil.*	*Nil.*
R. Krishnaswami Aiyar	10	4 24	*Nil.*
Muhamad Fuzluddin Sahib	10	0 6	*Nil.*
V. S. Krishna Aiyar	10	*Nil.*	*Nil.*
A. Venkataramayya	10	*Nil.*	*Nil.*
V. Dandapani Pillai	10	2 20	*Nil.*
S. Raghava Aiyangar	10	1 0	*Nil.*
C. D. J. Pinto	10	1 26	*Nil.*
N. S. Natesa Aiyar	10	*Nil.*	*Nil.*
A. Bhimeswara Rao Pantulu	9	1 18	*Nil*
K. C. Sundaram Chettiyar	10	*Nil.*	*Nil*
S. Venkatasubba Rao	10	3 0	*Nil.*
S. Anantanarayana Aiyangar	10	4 15	*Nil.*
A. Subramania Aiyar	10	3 0	*Nil.*
A. S. Krishnaswami Aiyar	10	1 5	*Nil.*
K. A. Kannan	10	*Nil.*	*Nil.*
P. V. Ramachandra Aiyar	9	2 29	*Nil.*
T. M. French	9	*Nil.*	*Nil.*
P. S Sitarama Aiyar	9	1 23	*Nil.*
S. C. Ramaswami Aiyar	9	1 12	*Nil.*
J. S Gnaniyar Nadar	17	3 0	*Nil.*
V. C. Mascarenhas	17	6 24	*Nil.*
G. Kodandaramanjulu Nayudu	17	3 21	*Nil.*
S. Mahadeva Sastri	17	1 9	*Nil.*
V. Venkatasiva Avadhanulu	17	2 7	*Nil.*
P. N. Sadagopa Nayudu	17	3 1	1 0
R. Annaswami Aiyar	17	1 19	*Nil.*
K. S. Kothandarama Aiyar	16	2 8	*Nil.*
P. Narayana Chariar	14	0 9	*Nil.*
M. G. Krishna Rao	15	*Nil.*	*Nil.*
B. Krishna Rao	13	3 20	*Nil.*
A. Narayanan Nambiyar	13	*Nil.*	*Nil.*
P. Audinarayana Aiya	20	1 12	*Nil.*
C. V. Visvanatha Sastri	14	3 5	*Nil.*
P. S. Sesha Aiyar	14	*Nil.*	*Nil.*
T. Krishnaswami Nayudu	14	*Nil.*	*Nil.*
K. Krishnama Chariyar	13	3 0	*Nil.*
T. Jivaji Rao	13	0 10	*Nil.*
F. J. de Rozario	13	1 0	*Nil.*
S. Ranganatha Mudaliyar	13	5 23	3 6
T. S. Thiagaraja Aiyar	13	4 28	*Nil.*
T. A. Narasimha Chariyar	16	*Nil.*	*Nil.*
J. M. Nallaswami Pillai	19	*Nil.*	*Nil.*
E. J. S. White	28	2 0	18 0
M. Deva Rao	13	*Nil.*	*Nil.*
P. Aiyaswami Mudaliyar	13	*Nil.*	*Nil.*
T. C. Thiruvenkata Chariyar	13	1 0	*Nil.*
R. Gopala Rao	12	1 6	*Nil.*
V. B. Ramaswami Aiyar	9	1 28	*Nil.*
C. Ranganayakulu Nayudu	9	*Nil.*	*Nil.*
A. Narayana Pantulu	9	1 0	*Nil.*
R. Narasimha Aiyangar	9	*Nil.*	*Nil.*
V. Bhashyam Aiyangar	8	*Nil.*	*Nil.*
T. R. Subba Aiyar	9	1 0	*Nil.*
K. S. Lakshminarasa Aiyar	8	*Nil.*	*Nil.*
K. Sambasiva Rao Nayudu	8	*Nil.*	*Nil.*
T. N. Ramachandra Aiyar	8	1 7	*Nil.*
N. Balaramadas	8	0 21	*Nil.*
P. Venkatarama Aiyar	7	*Nil.*	*Nil.*
N. Sundaram Aiyar	8	0 11	*Nil.*
S. Nilakantam Pantulu	7	*Nil.*	*Nil.*
M. Narasinga Rao	7	2 0	*Nil.*
S. Subbayya Sastri	7	2 18	*Nil.*
S. Ramaswami Aiyangar	7	2 24	*Nil.*
L. R. Ananthanaryana Aiyar	7	0 17	*Nil.*

9th January 1913.] Mr. A. G. Cardew. [continued.

B.—Judicial Service—cont.

Name of Sub-Judge or District Munsif.	Total permanent service as Sub-Judge and District Munsif.	Amount of privilege leave taken.	Amount of furlough taken.
District Munsifs—cont.	YEARS.	MTHS. DAYS.	MTHS. DAYS.
K. S. Vedachala Aiyar	7	1 3	*Nil.*
C. S. Mahadeva Aiyar	7	*Nil.*	*Nil.*
B. Rama Rao	7	*Nil.*	*Nil.*
K. Gopalan Nayar	6	*Nil.*	*Nil.*
S. Narasinga Rao Pantulu	6	4 8	*Nil.*
P. Narayana Rao Nayudu	6	*Nil.*	*Nil.*
M. J. Viraraghava Aiyar	6	3 0	*Nil.*
A. P. P. Saldanha	6	2 0	*Nil.*
K. V. Desika Chariyar	6	*Nil.*	*Nil.*
C. R. Venkatesvara Aiyar	6	*Nil.*	*Nil.*
M. S. Ananta Pattar	6	*Nil.*	*Nil.*
B. Subba Rao	5	*Nil.*	*Nil.*
K. Appaji Rao	5	4 0	3 4
B. Venkateswara Rao Pantulu	5	*Nil.*	*Nil.*
C. V. Krishnaswami Aiyar	5	*Nil.*	*Nil.*
P. Rama Rao Pantulu	5	*Nil.*	*Nil.*
C. S. Venkatramana Rao	5	*Nil.*	*Nil.*
U. Govindan Nayar	5	*Nil.*	*Nil.*
K. S. Ramaswami Sastri	5	*Nil.*	*Nil.*
C. V. Sampath Aiyangar	5	*Nil.*	*Nil.*
V. Kalyanarama Aiyar	5	*Nil.*	*Nil.*
K. S. Gopalaratnam Aiyar	5	*Nil.*	*Nil.*

1322 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates are suitable.

1323 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

1324 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No.

1325 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—No.

1326 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—No.

1327 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The existing differences between the leave rules applicable to the European and Indian Civil Services in the main arise out of the fundamental differences in the conditions of the officers recruited in the two services and are, I think, thoroughly justifiable. It would be clearly inexpedient and wasteful to apply to services mostly composed of Natives of India leave rules necessary for a service mostly composed of foreigners. I do not think that any of the leave rules press hardly on the officers of the Provincial Civil Service. The members of the Judicial branch of the service represented recently that the provisions of article 271, Civil Service Regulations, which allows them privilege leave only on half pay, constitute a grievance and they requested that they might be allowed fifteen days' privilege leave on full pay after eleven months' actual service, as they contend that privilege leave, which can be taken when need occurs, is more valuable than vacation which can only be taken at a fixed period of the year. I think that the concession asked for is reasonable and might be granted. The statements supplied in the answer to question (33) above shows moreover that the concession would probably not be very largely utilized.

1328 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The system is, I think, generally satisfactory. It has been suggested that in view of the comparatively late age at which officers in the Judicial branch enter the service from the Bar they should be given the benefit of the provisions of article 403, Civil Service Regulations, or that the period of service qualifying for pension should be reduced from twenty-five to twenty years. As the age up to which first appointment as District Munsif is permissible is 35, cases may arise in which service for pension would not be completed before the age of sixty and on this ground the extension of article 403, Civil Service Regulations, to this class of officer would seem reasonable.

1329 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes, please see my answer to question (17) above.

1330 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Yes.

1331 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Yes.

1332 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit

of their families to the Government General Provident Fund, or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—A statement prepared by the Accountant-General is attached. It shows that rather more than half the Provincial Civil Service officers contribute to one or other of the recognised funds. Further facilities are not required.

Provincial Civil Service officers.	Subscribers to funds.				Non-subscribers	
Designation.	General Provident Fund.	Postal Life Insurance Fund.	General Family Pension Fund.	Total.	Total.	Total scale.
	1	2	3	4	5	6
Collectors	1	2	..	3	.	3
District and Sessions Judges	2	.	..	2	2	4
Deputy Collectors	69	15	1	85	51	136
Sub-Judges	10	..	..	10	8	18
District Munsifs	57	7	..	64	66	130

1333 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so please explain them?—I think that article 1002, Civil Service Regulations, should be amended so as to make Deputy Collectors on Rs. 500 and less first-class officers for the purposes of the travelling allowance rules. This would remove one of the small distinctions which are pointed to as evidence that the Provincial Service is treated as an inferior service as compared with the Indian Civil Service.

ANNEXURE.

RULES FOR ADMISSION TO THE MADRAS PROVINCIAL CIVIL SERVICE.

Part I.

General Rules issued by the Government of India.

(Home Department Resolution Nos. 1046-1058, dated 19th August 1910.)

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor-General in Council proposes to deal only with the Provincial Civil Services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the Provincial Civil Services was introduced in 1892 as the result of the report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralization Commission and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the Provincial Civil Services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to restate them in the present connection as follows:—

I.—The rules must be adapted on the one hand to obtain thoroughly difficult candidates and, on the other, to secure the due representation in the public service of the different classes of the community.

II.—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; these excepted cases will be governed by article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. 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;

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character.

III.—Every person appointed to the Provincial Civil Service by direct recruitment shall be subject to a period of probation of 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.

IV.—The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V.—Admission to the Provincial Civil Service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province recent residence of at least three years in the province, should, as a general rule, be an essential condition of admission. 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.

VI.—Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII.—The local Government should reserve to itself the right to make promotion to the superior grades of the Provincial Civil Service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII.—The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the Provincial Civil Services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX.—No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this Resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

Part II.

Rules framed by the Madras Government.

The following appointments, to fill which members of the Civil Service of India have hitherto been recruited, are open to members of the Provincial Civil Service subject to the rules for the time being in force under 33 Vic., c. 3, s. 6:—

		Rs.
District and Sessions Judges (4).	1st Grade ...	2,000
	2nd ,, ...	1,600
	3rd ,, ...	1,500
	4th ,, ...	1,200
Collectors and Magistrates of Districts (2).	1st Grade ...	1,600
	2nd ,, ...	1,500
	3rd ,,	1,200
Secretary to the Board of Revenue (1) ...		1,000
Under Secretary to Government (1) ...	Grade pay as Deputy Collector *plus* a local allowance of Rs. 200 subject to a total emolument of Rs. 700.	

	Rs.
* Deputy Magistrates and Collectors, 2nd Grade [corresponding to Sub-Collector] (2).	700
* Deputy Magistrates and Collectors, 4th Grade [corresponding to Head Assistant Collector and Magistrate] (4).	500
* Deputy Magistrate and Collector, 6th Grade [corresponding to passed Assistant Collector] (1).	300

* *Note.*—These appointments are subject to the claims of officers in the Indian Civil Service appointed before 1880. If no fit and competent member of the Provincial Civil Service is available, or if the preponderant administrative needs of the Province require it, an Indian Civil Servant may be appointed to any of these appointments or to any of the 14 appointments of Deputy Magistrates and Deputy Collectors in Grade VIII.

The Provincial Civil Service shall consist of two branches—(1) Executive, (2) Judicial—and shall include the following appointments:—

[A = Executive. B = Judicial.]

I

	Rs.
A. Deputy Magistrates and Collectors (2)...	800
B. Subordinate Judges (3)	800

II

A. Deputy Magistrates and Collectors (5).	700

III

B. Subordinate Judges (5)	650

IV

A. Deputy Magistrates and Collectors (6).	600

V

A. Deputy Magistrates and Collectors (21)	500
B. Subordinate Judges (8)	500

VI

A. Deputy Magistrates and Collectors (22).	400
B. District Munsifs (31)	400

VII

A. Deputy Magistrates and Collectors (20).	300
B. District Munsifs (31)	300

VIII

A. Deputy Magistrates and Collectors (19).	250
B. District Munsifs (31)	250

IX

B. District Munsifs (30)	200

II. Vacancies in the list of Deputy Collectors shall be filled, as heretofore, mainly by selection from the subordinate service of persons who have passed the examinations prescribed for those posts and from persons, whether in the service of Government or not, of proved merit and ability.

III. The appointments of Sub-Judges shall be made entirely by selection, but only Barristers, Advocates, High Court Vakils, Attorneys of the High Court and District Munsifs shall be eligible for these posts.

IV. The appointment of District Munsifs lies, under Act III of 1873, in the hands of the High Court, the qualifications required being regulated by rules made by the Honourable the Judges subject to the approval of Government.

With effect from the 1st January 1911, the following persons only shall be eligible for appointment as District Munsifs outside the Scheduled districts and except when the appointment of District Munsif is held with an appointment in the Revenue department, viz. :—

(1) Advocates and Attorneys of the High Court and persons duly qualified for admission as Advocates or Attorneys of the High Court;

(2) persons who have obtained the degree of Bachelor of Laws at the University of Madras, Calcutta, Bombay or Allahabad, provided that no Bachelor of Laws of the University of Madras who passed the examination qualifying for that degree after the year 1899 shall be eligible under this paragraph unless he has also passed the examination in the Law of Practice and Procedure, Civil and Criminal, provided for in the rules for the qualification and admission of Vakils of the High Court;

(3) persons who have passed the Pleadership Examination in the first grade;

(4) persons already in the service of the Government in the Judicial department who passed at any of the Special Test Examinations held before or in the year 1889 the tests imposed by the rules, dated 29th July 1869, for appointment as a District Munsif;

(5) persons who, before the 1st January 1911, have acted as District Munsif of any Munsifi outside the Scheduled districts other than Anjengo, Gudalur, Kollegal and Tangasseri.

V. Every candidate for appointment who is not already in Government service must furnish satisfactory evidence—

(*a*) that he is not over 25 years, except in the case of persons appointed to the Judicial branch. In these excepted cases, article 51 of the Civil Service Regulations fixes the maximum age;

(*b*) that he fulfils the conditions prescribed in the rules for admission to the Public Service;

(*c*) that he is of sound health, good physique, and active habits;

(*d*) that he is of good character; and

(*e*) that he has passed the third-class vernacular test prescribed for European and Eurasian Civil officers other than members of the Indian Civil Service or has graduated in a vernacular.

VI. Every person appointed to the Provincial Civil Service who is not already in Government service shall be subject to probation for a period of two years, unless in special cases the Government declares such probation to be unnecessary. During this period he must complete the vernacular and other tests prescribed for the appointment which he may hold and his appointment shall be probationary only until he has done so. His confirmation shall be conditional on his passing the prescribed examinations and giving satisfaction in the performance of his duties during the term of probation.

VII. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment to the Provincial Civil Service provided they are qualified in other respects.

VIII. Admission to the Provincial Civil Service shall usually be confined to persons who are natives of the Madras Presidency or have definitely settled in it; in the case of the candidates who are not natives of the Presidency, recent residence of at least three years therein shall, as a general rule, be an essential condition of admission. No Barrister, Advocate, Vakil, Attorney or Pleader shall be appointed as such unless he has been at least three years actually practising his profession in India.

IX. Europeans, who are not Statutory Natives of India, shall, if qualified by the above conditions, be eligible with the sanction of the Government of India for appointment to posts in the Provincial Civil Service other than the listed appointments declared open to that service by notification, in regard to which the sanction of the Secretary of State will be required.

X. No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

XI. Government reserve to themselves the right to make promotions to the superior grades of the Provincial Civil Service carrying a salary of Rs. 500 a month and above without regard to seniority and seniority alone shall not give a claim to appointment to the grade of Rs. 500 a month or to higher grade. Every such promotion will be based wholly upon fitness and merit, seniority being regarded only when the claims of two or more officers who are equally fit come into competition.

XII. Candidates for the post of Deputy Collector are required to pass the following tests before appointment :—

(1) Revenue Higher.
(2) Criminal Higher.
(3) Account Test, Higher.
(4) Précis-writing Test.

Note.—Full particulars regarding tests (1), (2), (3) and (4) will be found on pages 359-366 of the *Fort St. George Gazette*, Part I-B, dated 26th July 1910.

(5) (*a*) *For Europeans and Eurasians.*—A language test corresponding to the examination of the Covenanted Civil Servants by the Higher Standard.

(*b*) *For others.*—The Compulsory Vernacular Test in two languages.

The following is the Compulsory Vernacular Test referred to under sub-head (*b*) :—

(i) Reading aloud fluently and construing with readiness and accuracy not less than an octavo page of the undermentioned works :—

In Tamil—

(1) Pratapa Mudaliyar Charitram by S. Vedanayagam Pillai.

(2) Nanriaryia Magan by C. R. Srinivasa Aiyangar.

In Telugu—

(1) The neglected Karnataka Kingdom (Krishnadevaroya Charitram) by Chilukuri Virabhadra Rao or Satyavati Charitram by Rao Bahadur K. Virasalingam Pantulu.

(2) 100 selected Vemana verses.

In Canarese—

(1) Panchatantram.

(2) Seemanthini by G. Venkat Rao.

In Malayalam—

(1) Induleka or Sarada by O. Chandu Menon.

(2) Kanakamalika by P. T. Kannan.

In Uriya—

(1) Chomono Attogonto by Pandit Fakir Mohan Senapati.

(2) Utkala Kahani by Gopal Chandra Probaraj.

The candidate will also be required to read aloud and construe passages from any current vernacular newspaper.

(ii) Translating in writing into English, with accuracy, a passage of modern vernacular prose from a book (not being a text-book) or a newspaper written in ordinary colloquial language.

(iii) Translating in writing, with a fair accuracy of idiom and grammar, an easy piece of English relating to Indian subjects and containing no words that have not familiar vernacular equivalents and bearing, as far as possible, upon questions connected with the department to which the candidate belongs.

(iv) Reading aloud fluently, and translating correctly and readily, two or three manuscripts written in the language in which the examination is held, in a plain running office-hand.

(v) Conversing with the Examiners, or with natives of India, on such subjects proposed by them as are calculated to test colloquial facilities, both as regards scholarlike expression and knowledge of terms and phrases commonly used by the poorer and uneducated classes.

Note.—Graduates and Under-Graduates of the Madras University who have taken up one of the vernaculars specified as their optional language in the University examination have to pass in only one vernacular other than the optional language of their examination; but they will not be declared to have passed the test in the second vernacular unless they satisfy the examiner that they can read fluently and with facility manuscripts written in the vernacular in which they are exempted from passing.

The compulsory Vernacular Test examination is conducted by the Board of Examiners half-yearly at Madras in the months of January and July or at such other time as the Board of Examiners may direct.

(6) *Equitation Test.*—The test prescribed is ability to ride 8 miles in the hour along an ordinary country cart-tract without unduly distressing the rider himself or his horse. The test is conducted by the Equitation Board at Madras, half-yearly, in the months of January and July.

Note 1.—No officer may appear either for the compulsory vernacular test or for the equitation test (tests 5 and 6), unless (*a*) he has passed the Revenue Higher, Criminal Higher, Account Test Higher and Précis-writing tests (tests 1, 2, 3 and 4) and (*b*) holds a post, whether acting or substantive, carrying a salary of Rs. 150 *per mensem* or upwards.

Note 2.—Candidates of the class referred to in rule V need not necessarily have passed the tests above mentioned before appointment. They will however be expected to complete all the tests specified in this rule within the probationary period of two years alluded to in rule VI.

XIII. A reward of Rs. 500 will be granted to Deputy Collectors serving in the districts of Ganjam and Vizagapatam, who, having already passed the compulsory vernacular test in two languages other than Uriya, succeed in passing the second-class test in Uriya within two years from the date of their appointment to one of those districts.

XIV. Subordinate Judges and District Munsifs are required to pass the following tests before appointment :—

(1) Third-class Vernacular test.

Note.—Persons who have graduated in one of the vernaculars of the Presidency or who have passed the language branch of the B.A. Degree Examination of the Madras University with a vernacular as their optional language are exempt from this test.

(2) Précis-writing test.

Native Subordinate Judges permanently appointed after the issue of this rule are required to pass in two languages the vernacular test laid down in Rule XII (5) (*b*). The examination is conducted by the Board of Examiners and is held half-yearly at Madras in January and July, or at such time as the Board of Examiners may direct. Subordinate Judges are required to pass this test at or before the third (or, in the case of officers who have to pass in two languages, the fifth) half-yearly examination after their appointment. An officer failing to pass the examination within the prescribed time will be required to vacate his appointment in the grade unless the period is specially extended by Government. Native Subordinate Judges and Native District Munsifs will be permitted to appear for the compulsory vernacular test before confirmation.

European and Eurasian Subordinate Judges and District Munsifs are also required to pass in the language of the district in which they are employed, either before entering on their duties after appointment or within one year thereafter on pain of loss of promotion, or within two years thereafter on pain of loss of appointment, the second-class test prescribed for European and Eurasian Civil officers other than members of the Indian Civil Service. It is not, however, incumbent on an officer to pass in a second vernacular either on transfer from one district to another, or when two vernaculars are recognized as the language of a district. This test is the same as that laid down in Rule XII (5) (*b*). The examination is conducted by the Board of Examiners and is held twice a year in January and July.

Mr. A. G. Cardew, called and examined.

(*Chairman.*) Before I commence your examination I should like on behalf of my colleagues to ask you to convey to your Government our best thanks for all the arrangements which they have made for our convenience—I shall be very pleased to do so.

1334. You are the acting Chief Secretary to the Government?—I am.

1335. Will you be good enough to give us shortly your past experience in the service?—I went through the first stages as an Assistant Collector, and then became an Under Secretary, which position I occupied for about four years. From that I became Inspector-General of Prisons, a post I held for about seven years. Then for another period of something under three years I was a Collector, and afterwards became a Secretary in the Education and Local and Municipal departments and subsequently Secretary in the Revenue department. At present I am acting as Chief Secretary.

1336. As the result of your long experience you have been able to give us a very comprehensive set of answers to the questions we issued to you, and for that we are very grateful. I shall not attempt to delay you or the Commission by going through all those questions again, but I will put a few general questions to you, and perhaps you will be good enough presently to put in the written answers on facts supplied by the Government?—Yes.

1337. I understand you consider that the present system of open competition should be retained, but you would lower the age-limits and lengthen the probationary period?—Yes, in England.

1338. You are opposed to any system of simultaneous examinations in England and in India?—Yes.

1339. If it is desired to introduce any system of separate examinations you say that it should take the form of limited competition in the various provinces?—Yes.

1340. A certain percentage of vacancies being allotted to each of the communities?—Yes.

1341. That is broadly your scheme?—Yes, that is broadly my position.

1342. You think, however, that as the examination would need to be a strictly provincial examination it would be better that recruitment should be to the Provincial and not the Indian Civil Service, the selected candidates rising in due course to listed posts in the Indian Civil Service?—Yes.

1343. And your subsequent recommendation is that 50 per cent. of the vacancies for the Provincial Civil Service should be filled as now by the promotion of Tahsildars?—For the present, yes.

1344. And that the other 50 per cent. should be filled either by competition or by nomination by a Selection Board?—Yes.

1345. And in either case on the basis of giving a definite proportion of vacancies to the different communities?—Yes. I regard that as quite an essential point.

1346. Which system would you prefer, competition by compartments or selection by nomination?—I am rather in favour of competition because I think it would command greater public confidence.

1347. As regards your proposal to hold competitive examinations by compartments, have you any apprehension that the system might be difficult to work in practice?—I think there would undoubtedly be difficulties in practice because the number of vacancies would be small and it would not be possible to have separate examinations for every compartment every year. It might be difficult, in fact, to divide the vacancies amongst the compartments, but I have no doubt that some working method of adjustment could be found.

1348. Can you suggest any working scheme which would get over the possible difficulty of a very eligible candidate in one of those communities being prevented from competing because there was not a vacancy in that particular year?—No. Of course that difficulty would always exist owing to there being a limited number of vacancies. It would be impossible to prevent a year occurring in which there might not be a competition for that class.

1349. You would run the risk of possibly missing a brilliant man?—Yes.

1350. You recognise that the lower age limit which you suggest for the open competition in England would decrease the prospects of success for Indian candidates, and the remedy you recommend is an increase in the number of listed posts?—Yes, that is my idea.

1351. Under your scheme, would the Provincial Civil Service officer who is promoted to be a Collector or a District Judge be regarded as eligible hereafter, equally with members of the Indian Civil Service, for promotion to still higher grades?—My idea would be to deal with that by some extension of listed posts. I had not contemplated that the Provincial Service officer should be eligible for promotion to any post, scheduled or otherwise, reserved for the Indian Civil Service. My idea was an expansion of the listed posts.

1352. You would increase the number?—I would increase the number of listed posts.

1353. You would not only increase the number but you would offer opportunities of advancement to higher posts?—Yes.

1354. Under your scheme the competition in England would be followed by a three years' probation?—Yes.

1355. And you would recommend that this period should be spent at a University where the candidate could either read for Honours in Law or political science or would undergo a special course of study in which these subjects would be compulsory. You offer those two alternatives and I should like to know which of them you would yourself prefer?—I should prefer the University School. Possibly that would fill up two years and the third year might be devoted to a special course in Indian subjects. I think two years would be probably as much as would be wanted for reading for a Law School for instance, and the third year might be given to the special Indian subjects which I mentioned, a classical language, and Indian codes other than criminal procedure codes.

1356. Do you apprehend there would be any difficulty in deciding the seniority of the candidates under these alternative schemes?—No, I do not think so. You would have the marks in the open competition and at the end of the third year you could hold a final examination and the two combined examinations would determine the standing.

1357. You would institute a particular examination for the candidates in question and aggregate the marks of the original and the final examination?—Yes, as is done now. It was not always done.

1358. So that there would be no difficulty in deciding seniority by the test of the aggregate marks?—None, I think.

1359. You do not apprehend that three years might be rather a long time to ensure a young man's keenness being maintained?—Then you weed out those who are not keen.

1360. You do not think three years is too long?—I do not see any objection to it except on the score of the expense.

1361. You are not prepared to say what proportion of posts in the Indian Civil Service should be held by Indians?—No, I would work from the bottom upwards. We have got one-sixth as a sort of rough ideal.

1362. You think Indians might be appointed to fifty per cent. of the District Judgeships?—Yes.

1363. And you think it is undesirable to go outside the Provincial Civil Service in filling vacancies in the listed posts, provided that suitable men can be found?—Other things being equal it is, but of course for the higher posts such as Judges of the High Court, you would get a higher level no doubt of ability on an average by taking men who were leaders at the Bar rather than men who had merely risen through the grades of the service.

1364. You do not lay it down as a very rigid prohibition?—No, I think I said that.

1365. As regards the officers holding superior listed posts, you say that the Collectors have been up to the general average, the Judges probably above the average, and the holders of secretariat posts below the average?—That is very rough, of course.

1366. Could you elaborate that view?—I have already explained it by pointing out that the class from whom we have drawn the men have largely been those who have been employed all their lives in out-door work, and who have naturally not had the training that fits them for secretariat duties.

1367. Therefore it is due largely to the training which they have had that they often seem below the average?—The training or the absence of it.

1368. You recommend the retention of officers so far as possible in the same language area so as to improve their knowledge of the vernaculars?—I think we should aim at that more than we have done.

1369. And you think that could be carried out fairly consistently without detriment to administrative efficiency?—Quite so, entirely without detriment to the administrative efficiency and probably with benefit to it. It may involve difficulties in transfers. A man may return from leave who is a Telugu man and the vacancy may be in the Tamil area.

1370. There might be local administrative difficulty but you do not think it would have a definite influence over the whole administration?—I should like to put it forward so that it should be kept in view in future. You cannot make a hard-and-fast rule that is never to be varied.

1371. You suggest that Indian Civil Service officers recruited to District and Sessions Judgeships should first of all be given study leave and some practical training as Sub-Judges. Would you put the training in point of time before the leave, or *vice versa*?—It would probably be better for the purposes of training that it should precede the leave, but in order to avoid denuding the service to an undue extent of officers, that is to say, taking away from the charge of divisions an excessive number of officers, it would probably be preferable to let the practical training as a Sub-Judge follow the leave, that is to say, be taken a little later in the service. Otherwise you would withdraw a considerable number of officers from divisional charge, unless the Secretary of State increased the strength of the service.

1372. You would say that that would be the best form of training also, apart from administrative convenience?—I do not think there is any very great balance of advantage between the one and the other.

1373. You say that the separation of magisterial and executive functions in the Indian Civil Service and the Provincial Civil Service would mean duplication?—I think it would.

1374. Can you explain precisely what you mean by that?—I think you would have to have in each district an officer who would be the District Magistrate, and who would be separate from the officer who would be the Collector, and therefore you would have two officers where you now have one. In fact, we have in this Presidency for a time actually done that in one district, and we have actually created certain appointments, so-called Headquarter Sub-Collectors, who are intended to be utilised as District Magistrates, relieving the Collector of magisterial work. Somewhat in the same way in divisions you would certainly have to have a Divisional Magistrate in addition to the Divisional Collector. I think it must involve duplication.

1375. You cannot conceive any re-adjustment of duties which would get over that difficulty?—I do not think so. The Madras district averages about 6,000 square miles and you could not put two districts under one man.

1376. You say you are not in favour of a time-scale in either service?—No, I am not.

1377. You consider that it would reduce the incentives to exertion?—Yes.

1378. You would say the same if a certificate of efficiency was demanded each year as is the case in the Home Service?—I do not think it would have any appreciable effect in meeting the objection. I think it would become rather a formality. Even now under the Civil Service Regulations you have always power to stop an increment on a time-scale.

1379. It is a question of how the power is exercised?—Yes.

1380. You are in favour of establishing a non-contributory system of superannuation pensions based on the amount of the salary at the time of retirement?—Yes.

1381. You think that the subscriptions to the Family Pension Fund should not be payable during leave and after retirement, and that in compensation the payments made during active service should be increased?—That would be a great advantage, I consider, to the service. Men could stand the increased subscription much better than they can stand the very heavy deduction from pension. My deduction would be nearly 10 per cent. of my pension; in fact it would be £90 in £1,000, which after taking off other deductions is more than 10 per cent.

1382. You think that the inconvenience of a higher contribution during service is less than the inconvenience of a deduction after service?—Much less. I am very strong on that point. I do not think it would be felt at all.

1383. You would not suggest any alteration in the total amount of contribution?—No.

1384. It is merely a question of paying at more convenient times?—Yes.

1385. Do you think that is generally the view of officers in India?—A good many men think as I do as they get nearer their pension. Whether they would think the same when they are quite young I am not so certain.

1386. Do you consider that the existing rates of pay and grading in the Provincial Civil Service are sufficient?—I think so.

1387. You suggest that the amount of furlough granted by the Regulations for the Provincial Civil

Service might safely be reduced?—The facts seem to prove that very clearly.

1388. Without inconvenience to the officers?—Quite clearly, apparently.

1389. As regards the provision for families in the Provincial Civil Service, are representations being made to any extent by officers of the Provincial Civil Service with the object of securing the establishment of a Family Pension Fund? Would you say there is a prevalent desire for one to be established?—I do not recall any representation, but I do not say there has been none. The General Provident Fund has gone a a good long way towards meeting such a wish I think. It is a recent thing.

1390. Does that meet the demand to the same extent that a new fund would?—I suppose not to the same extent: it would depend on the terms of the fund that was established.

1391. You cannot give us any definite statement as to whether you think it is a fund which is wanted by the officers concerned?—No, I do not feel able to speak on that point.

1392. (*Lord Ronaldshay.*) You say that the high age-limit at present in force for the competitive examination in England limits the field of selection owing to the fact that many of the men cannot afford to wait so long before they take up their business in life. Is that an inference which you have drawn from your general knowledge of the average means of your fellowmen, or are you acquainted with people who have refrained from competing for the examination on those grounds?—I have been told of cases in which men have actually come to the end of their resources and had to give up. A man's father is ready to pay for him until he is 22, or whatever the age may be, but he says that he really cannot keep him doing nothing until he is 25.

1393. Then you say that a period of probation should be spent at a university in England Do you think it should be spent at any particular university or at any university?—I thought that the approved universities covered the field very adequately; in fact they mostly go to Oxford and Cambridge, although some go to Dublin. I think the approved list might be maintained. I would not specify any one university.

1394. Are all the universities on the approved list residential universities?—No.

1395. You would not limit it to residential universities?—I had not looked at it from that point of view. It might perhaps be better to limit it as suggested.

1396. With regard to sending Indians to England, you say that in your opinion it is not wholesome for the service out here. Could you tell us a little more definitely what you exactly mean by that?—What I meant was that Indians sent to England under the present conditions are liable to get into bad habits. They do not mix with the best class of Englishman; they come back with wrong notions of English society; and altogether, instead of benefiting, they are liable to suffer by the period spent in England. The service only suffers because the individual suffers.

1397. In that connection have you had any personal experience of Indians who have gone to England as young boys and passed through a public school course in England before attending an English University?—No. I tried to get a boy into an English public school once and, of the two schools I wrote to, one declined and the other was very unwilling.

1398. Did anything come of the one that was unwilling?—No The father sent him home to a private tutor and the opportunity was lost. They stipulated for attendance at chapel or something else of the sort.

1399. You are not in a position to say anything on that point?—No.

1400. Are you of opinion that members of the Provincial Service who are promoted to listed positions make better executive officers than Indians who have joined the Indian Civil Service through the competitive examinations in England?—I think the results of our very limited experience here are in that direction at present, but our experience, of course, is extremely limited.

1401. I asked that question because in your written evidence you say, in answer to question (39), that among these listed posts the Collectors have been up to the average. That means that the members of the Provincial Service who have become Collectors have been up to the average?—Yes, of those holding similar posts.

1402. Then in answer to question (24) you say that experience in this Presidency of the Natives of India selected by open competition in England has been on the whole unfavourable and there have been distressing instances of failure. Am I right in assuming from those two answers that your experience is that the men who have been promoted from the Provincial Service have proved to be more satisfactory officers than the Indians who have got into the Indian Civil Service through the open competitive examination?—I think my answer must be yes, qualified with the remark that we have only a very small number of instances to go upon. It may be an accident of course, one way or the other. We may have had bad luck in our Indian Civil Service men.

1403. With regard to the separation of executive and judicial functions, in answer to question (88) you say that in your opinion the only objection to the separation of the executive and judicial functions is that of expense, and you go on to say that the separation of the magisterial powers and their transfer to a separate set of officers would not weaken the authority of the Executive officers. You contemplate therefore a separate set of officers to exercise magisterial functions?—Yes.

1404. Would those officers, generally speaking, be Indians or Europeans?—That would depend on how you listed your posts. If you list so many posts as open to Natives of India those posts would go.

1405. But I should like to have your opinion on that point. If a separate class of officers was created, should it, in your opinion, be recruited mainly from Indians, as the Provincial Service is, or should it be recruited mainly from Europeans—I refer to the magisterial branch that you contemplate creating?—It would be entirely preferable to recruit it from Europeans.

1406. That would largely increase the cadre of the Indian Civil Service?—I think it must unless you made all the Collectors Natives of India.

1407. You would not recommend that?—No, I do not think so. Of course nothing is final, but for the present I certainly would not.

1408. Then it would be a very serious expense?—It would be a very large expense.

1409. (*Sir Theodore Morison*). In your answer to question (15), I think you gave as the reason for wishing to reduce the age limit that the number of candidates at present for the Indian Civil Service is so small. Do you remember whether the field was any larger when the age limits were lower?—I do not think it was very much larger.

1410. I had an impression that it was smaller?—In my year there were about 200 in and there were only 28 vacancies.

1411. Referring to your answer to question (24), you say the facts available at present suggest the need for caution in entrusting an increased number of district charges to Natives of India, I suppose you have here some districts which are known as difficult districts and others which are easy?—Yes, heavy districts.

1412. What has been your experience of Indians in the heavy districts?—I do not think any Indian has been entrusted with a heavy district.

1413. That is to say the officers always selected their best men?—Yes.

1414. In the list which you give in your answer to question (26) would you tell me whether you think that the promotion which the Indians there have got is up to the normal which you would expect from men of that service?—Yes, quite.

1415. I understand that your proposal of reducing the age would reduce the chances of natives getting into the Civil Service, and you would compensate for that by an increase in the listed posts?—Yes.

1416. I am not misrepresenting you in that?—No.

1417. Is that an equal compensation? Is it possible for a man who gets a listed appointment from the Provincial Service to rise as high as if he got into the Indian Civil Service?—Yes, at present, within the limits of course of the listed posts.

1418. I wanted to know why you laid stress upon that particular method. I think in answer to something the Chairman said you said that was the form in which you would like to give any facilities to Indians, listed posts. You would not admit them to what I would call the freedom of the Civil Service?—I would not close the competition in England to them.

1419. I mean the men who were here. The thing is not quite the same if a man can only rise to be a Collector?—It would not be the same of course. If he can only rise to be Collector he would be cut shorter in the lower stage than if he entered by the competitive door, and was able to rise to any appointment. That could be met by an extension of the listed posts.

1420. But there must necessarily be a great limitation. The conception of a listed post is that so far a man may rise and no further?—It is not complete freedom of opportunity of course.

1421. You gave in your evidence the age at which a man rising from the Provincial Service can reach one of the listed posts?—That is under the present conditions under which men are promoted. If you select by competitive examination at 24, the age would be totally different. If you select men for the listed posts by any system of competitive examination or of nomination by a selection of the Board at ages which would extend between 22 and 24, they would come straight into the listed posts.

1422. Your competition is still for the Provincial Service or for the listed posts?—For those members of the Provincial Service who would be eligible for listed posts.

1423. I understood your competition was to be for Deputy Collectors?—I would also have a competition for Deputy Collectors.

1424. And have another competition for listed posts?—Yes, that is my idea.

1425. Then they would be exactly on the same footing in the matter of age?—Yes.

1426. In answer to question (104) you approve of the maintenance of the two-thirds rule. To what extent do you think the dissatisfaction with the Provincial Service is due to the two-thirds rule?—I do not think there is much dissatisfaction of that kind.

1427. I should have thought it marked it as an inferior service, but you are better capable of judging of that than I am. You make a suggestion that privilege leave should be accumulated up to six months. The result of that would be that a man would get no holiday, except perhaps ten days' casual leave, for 5½ years?—If he elected so to do.

1428. I gather from your evidence that the tendency at the present day is for men not to take leave unless they can get it on full pay; they cannot afford it. Do you think it is safe in a climate like India that a man should go on working so long without a holiday?—Of course there are drawbacks, but I think it ought to be possible. I think a man should be allowed if he feels well, to go on. Some men of course could not. I would not force a monthly holiday on a man.

1429. With regard to your answer to question (130), with reference to the contribution of Indians to the Indian Civil Service Family Pension Fund, you suggest that you would open this fund to Indians whose personal law allows them to have more than one wife?—Yes.

1430. That personal law I suppose represents much more latitude than is actually practised by the educated classes whom you would get?—Yes.

1431. There are many Indians whose personal law technically allows them more than one wife, but among the educated classes it is not practised. You are going to restrict that branch in a way that does not correspond with the facts. Would you object to admit an Indian on condition that only the first wife was eligible for the Family Pension Fund; on condition practically that he married like an Englishman?—No, I should not object.

1432. (*Mr Chaubal.*) I understand you are of opinion that the lesser number of successful candidates that would take the examination in London, which is bound to be the result of lowering the age, may be compensated for by throwing open a larger number of posts in the Schedule attached to the Act of 1861?—Yes.

1433. Supposing Government have to do that, in settling the further posts which should be thrown open may I ask you roughly what principle you would adopt out of these two? Would you employ an Englishman in a post because of special reasons which make his employment necessary or would you employ an Englishman

unless for special reasons a native is required?—I look upon it as a matter rather of political expediency as to what extent you are to give increased posts.

1434. But on what basis do you start in approaching the question generally? Would you consider that an Englishman should be appointed in this country because certain circumstances required that he should be appointed?—Yes, I think that would be it.

1435. Looking at the schedule of posts in that way, what is your opinion about the proportion of posts in that schedule which might be thrown open to the Indians, taking that standard which you have now admitted as one to start with, and supposing in order to carry out your idea you started examining the schedule to see what further posts should be allotted?—That really amounts to the question which is asked in the proof as to what proportion of posts should be thrown open to Indians, to which I replied in my answer to question (24).

1436. There is this difference between that question and the question I am putting to you. I ask you now to proceed on the basis which we have arrived at, not to take the schedule of posts as having any fixed stability but start the question afresh and proceed on the principle of appointing an Englishman to any of those posts because the duties of the post make it necessary. If you proceed upon that basis it is quite a different thing, I think, from proceeding on the basis of taking the schedule of posts as a close preserve hitherto maintained for the Indian Civil Service. I want you to tell me, if you proceed on that principle, what proportion you would think you would further throw open to the natives of the country?—The maintenance of the European element being a necessity, the minimum proportion of Europeans should be maintained, irrespective either of the statutory rules or the competitive system, and if an increase of Indian successes should seriously reduce the European element it would be necessary to limit it. In other words, on political grounds and for the benefit of the country and the efficiency of the services, you must keep up a certain proportion of Europeans, and I am not prepared to lay down any proportion of posts, taking the whole schedule together, which should be listed. I should like to take the schedule piece by piece and carefully consider the proportion under each. I said I thought half the District Judges might be—there would be about eleven. Probably we are a little at cross purposes. You thought I meant that no Englishmen should be appointed to a post unless he possessed some special fitness for it.

1437. I do not mean personal fitness; I said special reasons. The duties of the post may be such that it would be inadvisable to post an Indian to that place. Supposing for instance there is any post which makes it necessary for a man to judge between the conflicting interests of different communities in the country, I would rather have an absolute foreigner, who is likely to be unbiassed, appointed to such a place. Would it be possible to say how far you can extend the listed posts on that principle?—No, I do not think so.

1438. You admitted just now that it could be extended if half the District Judgeships were left open?—At this stage we cannot go into the number of districts in which special need for Europeans exists. My position is that Europeans are needed if possible in all districts on the ground that they are more efficient. That is the only basis why the European is employed or should be employed at all because on the average he is very much more efficient. As a matter of political expediency I quite see the necessity of making some concession to the aspirations of the educated people.

1439. May I take you through the schedule to the Act for a moment? In going through the schedule would there be objections to employing Indians as Junior Secretaries? I am of course assuming that in the previous service they have had opportunities of training for that?—No, I should not think so. I do not see why you should not have an Indian as a Junior Secretary.

1440. He may be?—Yes.

1441. Under Secretaries?—We have one.

1442. There would be no objection to employing Indians generally as Under Secretaries, would there?—I do not think they have done very well, but we have already admitted the principle of having one Under Secretary.

1443. Has there been sufficient experience of Indians being employed as Under Secretaries?—No.

1444. Have you got these posts A and B, Civil Auditor and Sub-Treasurer?—Yes. We have an Accountant-General. "A" is now called the Comptroller-General and the Sub-Treasurer is non-existent.

1445. I do not know much about what the Comptroller-General's duties are?—He is the superior officer of the Accountant-General.

1446. Do you not think that place might be filled by a capable Indian who has had experience in the Financial Department?—Of course it is a very high position. The Comptroller-General is the actual head of the Finance of India, subject to the control of the Government of India. I think at present it ought not to be listed, but I have no very strong view. The Accountant-General of course could be held, and has been held, by a native. But really I cannot give any opinion; it is quite outside the sphere of my information.

1447. Passing on the Judicial list, you have already stated that half the number of Civil and Sessional Judges or Chief Divisional Officers of the District may be Indian?—Yes.

1448. Then what do you say of Additional and Assistant Judges in the Provinces? You have not Assistant Judges as we have in Bombay, have you?—No.

1449 You know what the Assistant Judge's duties are?—I do not know. I suppose that the greater includes the less.

1450. An Assistant Judge would be your Sub-Judge of the first class with magisterial powers. I understand that these are the duties which Assistant Judges carry out. Would there be any objection to an Assistant Judge's post being generally held by an Indian?—No, some of them.

1451. Would you say the greater proportion of them may be held by Indians because they are purely assistant posts, the duties being carried on under the supervision and control of the District Judge? Can you say whether those posts may not be generally filled by Indians?—I do not

quite understand their duties, but if they are principally employed on sessions work it would not be a class of post in which an Indian would do particularly well, because the Indian's weak point has been generally found to consist in his dealing with criminal work.

1452. With regard to that point of being wanting in criminal work, is not that due to the present practice of not giving him sufficient opportunity for training in criminal work?—It may be; I cannot tell of course.

1453. Then may not Joint-Magistrates' places be held by Indians?—They are, of course. We have got seven listed posts of that class.

1454. I do not follow the fifth heading "Assistant Magistrates or Assistants to Magistrates?"—They would be passed assistants, men who are in training for the post of Joint Magistrates, what are now called Sub-Collectors in this Presidency.

1455. You have no posts in the Provincial Service at present in that class?—Yes, we have seven of which one is an assistant post.

1456. I thought that so far as this Presidency is concerned they gave, judicially, only District Judgeships?—No. We gave seven posts of Sub-Collector, and two of those Sub-Collectors were of the first grade.

1457. They have also judicial duties?—Yes, magisterial duties. There are four lower Sub-Collectors and one passed assistant, which is what is referred to there.

1458. With those three it would be seven?—Yes.

1459. But speaking as a class the duties as Assistant Magistrates or Assistants to Magistrates can well be performed by Indians?—Yes.

1460. Take the Members of the Board of Revenue in the Presidencies of Bengal and Madras?—I would give one Membership of the Board.

1461. With respect to these higher posts, there is one question I wish to have your opinion about. Now that Membership of the Executive Council has been thrown open to Indians is it not necessary that, in all the immediately lower administrative posts, you should have some proportion of Natives employed in order to make your selection from?—It is not necessary of course, but it would improve the field of choice.

1462. But is it not desirable that when the higher administrative post is left open to an Indian there should be a chance of selecting people for the higher posts from officers holding posts immediately below? Take for instance the Commissionerships of Divisions, the senior Collectorships?—I think it is an added reason that did not exist before.

1463. I do not wish to take you through any list below that. Can you tell me if you have any definite opinion of whether, under the different curricula which have obtained for the Civil Service examination, there has been any difference of capacity or ability in the material which has come out successful?—I have answered that in reply to question (16).

1464. That is as regards the age limits?—My answer would be exactly the same as regards curriculum.

1465. My question is this; do you consider that under the system of option given by the present curriculum, under which it is open for a candidate to take any two or three subjects so long as they do not total up higher than 6,000, it is possible for a candidate to have that general education which Lord Macaulay's Committee spoke of?—I am rather inclined to doubt the expediency of leaving the thing so completely open. My proposal is to deal with that in the period of probation by modifications in the training during that period.

1466. Do you think that candidates who pass under the present curriculum necessarily obtain that general liberal education which Lord Macaulay's Committee contemplate?—I think so.

1467. And you think that it is open to the candidate to take only two or three subjects and pass the examination?—I think so.

1468. With regard to the separation of the Judicial and the Executive, even assuming there is not complete separation, is it not in your opinion desirable that District Magistrates and Collectors should have no voice in those cases coming under the Forest, Excise, and other Acts in connection with which the administration principally rests with the Collector himself?—I do not think there is anything in that at all.

1469. I will press the question further in this way. The District Magistrate, and the officers concerned in the different departments for the efficiency of the departments, desire convictions in most cases which they bring forward before the Magistrates, do they not?—Certainly not the District Magistrate.

1470. You think that the District Magistrate in the interest of the peace of the district is not desirous that cases which are put forward before Magistrates should end in convictions?—Of course not, not wrongly. He does not desire a conviction for the sake of conviction. He wants a man convicted if he is guilty, as the rest of the public do.

1471. Is the Collector's opinion likely to be affected when the Collector thinks that the Magistrate has wrongly convicted a certain person?—That is a different point.

1472. I will tell you clearly what is in my mind . . . ?—I think I know. I suppose if a Collector thought that a Sub-Magistrate was constantly acquitting cases which he was advised by departmental superiors were true cases his opinion of that Sub-Magistrate would be affected.

1473. I am not speaking of general complaints. Take even the first case he has?—No, not one isolated case.

1474. There would be a bias against the efficiency of the man in the Collector's opinion, and where would be the harm to the interests of administration if in such cases, where the direct interest of the head of the district is concerned in the efficiency of those departments, the appeals in such cases were transferred to Assistant Sessions Judges or Sessions Judges?—There is no real distinction between these particular classes, Forest, Excise, and cases like that, and the ordinary criminal case. If the Sub-Magistrate is found to show a distinct bias in the administration of his magisterial work it will of course influence the Collector, but it has not any special reference to departmental prosecutions. I think there is nothing in that at all. I do not think any weight need be attached to those special laws.

1475. (*Mr. Gokhale.*) You have stated your objections to simultaneous examinations under seven heads and we will take them one by one.

You say first that the institution of simultaneous examinations would at once produce an immense increase in the number of Indian candidates. Are you quite clear as to that?—Prophecy is the most gratuitous form of error, but I suppose there would be a large increase at once.

1476. Do you think the educational facilities exist at present in the country for training Indians for the Civil Service?—But this is a matter of candidates.

1477. The candidates will go up for examination even if they have not undergone the training?—I suppose the educational facilities out here are sufficient to produce a much larger number of candidates than now appear in England.

1478. Taking the curriculum prescribed for the Civil Service would you think so?—I should say so.

1479. Would you be surprised if you were told that educational experts think that not only not now but for many years to come these facilities could not be provided here?—I do not know what the opinion of educational experts is, but their opinion would be only a guess, as is mine.

1480. They are engaged in educational work and know what standards exist here and what standards are required for the Civil Service?—That they cannot tell.

1481. You also say that one of the reasons why you anticipate an immense increase is the larger population of India, three hundred millions against forty millions? Can you give me the number of those who are literate in India to-day? I suppose only that number would matter?—For the present, yes.

1482. Can you give me the number who are literate in English?—I think 10 per cent. is about the literate population, excluding English.

1483. No, it is less than that, but I mean those who read and write English?—I do not know that I can supply that information.

1484. Take it from me that there are about one and a half million people in this country who can read and write English; so that there are one and a half millions against an English population of 40 or 45 millions. Therefore the comparison is between a million and a half and 45 millions, not between three hundred millions and 45 millions for the present.—For the present, yes.

1485. If you will look at the list of subjects, I want to know your opinion as to how this examination compares with the higher examinations we have in this country. Supposing that this examination is at least twice as difficult as the M.A. examination of the Universities here, and that only about 150 men pass the M.A. in this country, would you still think a large number would pass the Civil Service examination in India?—I cannot say on what basis you would compare the M.A. standard with the Indian Civil Service standard; it would be extremely difficult and could be only done by an expert in both.

1486. Men who have taken a high degree in this country and have passed the Indian Civil Service examination are in a position to judge, and they think the Indian Civil Service is twice as difficult as the M.A. of any University in this country. Assuming that to be the fact, and assuming that the total number of Indians who pass the M.A. in this country at present is about 150, do you still expect a large number will pass in the Civil Service in India?—On your assumption naturally there would not be.

1487. You say that either at once or in a few years the contingency might happen of 100 *per cent.* of the successful candidates being Indians. Are you sure that that would be so?—No; I say it might arise.

1488. That there might be 100 *per cent.*?—The system provides no safeguard against it.

1489. You said just now that there could be no finality and that we need not look very far ahead. Do you think that in the near future 100 *per cent.* of successful candidates will be all Indians?—No, not in the very near future.

1490. You say in your objection No. 4, that if a proportion were fixed it would land us in difficulties, because then you might have to accept those who did not come up to a certain standard. Supposing the matter was left to the Civil Service Commissioners, and the proportion was, say, one-third Indians as the maximum, that is to say one-third getting in by the Indian door and two-thirds by the English door, and supposing the Commissioners were authorised, in publishing the list, to include among the successful candidates only one-third Indians, would there be any difficulty?—It would be open to the objection that a man who passed would be excluded.

1491. How would he know he had passed as his name would not appear in the list?—Their marks would be published.

1492. I would not publish their marks: what do you say then?—I do not think it is a practicable system.

1493. What is the objection to it?—You must let a candidate know where he stands in the examination. You would be holding an open competition and having a sort of secret list.

1494. It is not a secret list. The candidate who appears in India knows there is a maximum of one-third, and that beyond that no Indian would be admitted?—I think the failed man would have a most legitimate claim to be told how far he had got and whether he had a chance next year.

1495. That would be a small complaint compared with the present difficulty of the Indian having to travel a long distance to appear at this examination?—I think it would be impossible not to give marks to the men who failed.

1496. Your fifth objection is that if simultaneous examinations were introduced it would mean an almost complete monopoly for the Brahman caste in India. Assuming it was so—I do not believe it myself—it would not be a permanent result. As the backward classes came up they would have their share?—There again you must take the present day and a reasonable period.

1497. Even taking a reasonable period you do not think so?—No.

1498. You would keep the advanced classes back, till the backward classes came up?—No, I would not keep them back.

1499. I suppose you know that in all these years, from 1853 up to now, only about 3 per cent. Indians have entered the Civil Service. Because certain classes are backward, is that a reason why the advanced classes should be prevented from having facilities offered to them?—It is a political question.

1500. Apart from political necessity, is it just that the advanced classes should be prevented from having these facilities because other classes are backward, and that as a result they should be discontented like the others?—I would provide for that otherwise.

1501. You say also that men from different parts of the country would not be liked in certain other parts. Can you give instances within your own knowledge of this having happened as regards the Indian members of the Indian Civil Service?—No.

1502. You do not speak from personal experience of that?—No.

1503. Your last objection is the impossibility of holding a *vivâ voce* test uniform with that in England. Will you tell us how many subjects have a *vivâ voce* test now?—Only the modern continental languages.

1504. French, German and Italian?—Yes, if those are the languages.

1505. Supposing the Indian candidates did not offer any of those languages?—It is a very minor point.

1506. I take it you are speaking for yourself?—Only for myself.

1507. Not for the Government?—Not at all.

1508. You know that in 1893, when the House of Commons passed the resolution about simultaneous examinations, the Madras Government supported it?—Yes.

1509. The despatch enumerated the disadvantages, and the Madras Government said: "These "circumstances operate as a disability in the case "of Native candidates, which ought, if possible, "to be removed. They render vain the solemn "declaration of equal right of *all castes* and "*races* to office in India." What do you say to that?—I should say it was rather high-falutin and had no great weight. As far as equal right goes the declarations in the Statute of 1833 have themselves been set aside by the exclusion of Europeans from listed posts.

1510. This is a document proceeding from the Madras Government?—Of 1893.

1511. But still the Government of Madras. They do not share your fear that a very large number would pass; they say that only men of quite extraordinary capacity could hope to pass. They say also: "There is no reason to suppose that authority, power and responsibility would fail, in the case of individuals of these races, to produce their usual effect of developing strength and energy." Do you agree with that?—They also say something about difficulties in the case of disturbances and so on. I am afraid the Madras Government of 1893 and I must agree to differ on some of these questions.

1512. If the Chief Secretary of that time had been giving evidence before us to-day, possibly the evidence might be different?—I think it would not as a matter of fact.

1513. Under your scheme you further reduce the age limits for competition in England, which will reduce the Indian element still more. The only provision you make for the people of this country is some addition to the listed posts. You will admit that is an inferior service?—Why?

1514. Is it not regarded as an inferior service even by yourself?—I do not think so. I do not see why it should be. I would put them into the Indian Civil Service list.

1515. You said in answer to Sir Theodore Morison that they do not rise beyond the listed posts, and you have also said elsewhere their salary and other things should remain as at present, and surely those are all marks of inferiority?—I do not think so; they are marks of difference.

1516. If an Indian in the Indian Civil Service gets the full salary, and a Provincial Civil Service man, appointed to a listed post, gets two-thirds, is that only a difference?—My point is that they are recruited in the country.

1517. That has no bearing on the question of inferiority?—They are paid differently on that ground.

1518. In their pay and status are they equal?—At any rate their status can be made quite equal.

1519. Even supposing some more places are listed, they cannot go beyond that; they cannot become Members of the Executive Council?—I know of no bar to their appointment to the Executive Council.

1520. When you list places you make appointments to individual posts only and not so a service. I do not think you can really urge that the Provincial Civil Service, even with the listed appointments, is equal in status to the Civil Service?—Under my proposal the whole of the listed posts would be quite equal. The marks of inferiority, such as they are, could be easily obliterated.

1521. Lower salary at any rate you will allow is a mark of inferiority?—No; it is a mark of difference.

1522. I will not press that. You expect the people of India under your scheme to be satisfied with the prospect of permanently belonging only to the Provincial Service with a few listed posts?—I do not put it in that way. For the present I think they will be satisfied with a reasonable addition to the listed posts and such other changes as I have indicated.

1523. But on one side you look so far ahead as to anticipate the day when a hundred per cent. of successful candidates might be Indians?—I think I took that back.

1524. For the present you have nothing better to say to the Indians than that they should be satisfied with this inferior service and listed posts?—And the power of passing.

1525. You reduce the chances by lowering the age?—Slightly.

1526. Are you acquainted with the feelings and aspirations of the educated classes in the country?—To some extent; I naturally know something of what they feel.

1527. Do you think it would ensure the continuance of their contentment if they were to see that you have nothing better to offer them than this?—I think if we offered them a fair extension of listed posts it would, or at any rate it should.

1528. In your reply to question (24) you propose that half the District Judgeships might be given to Indians, but you say on the Executive side the proportion should not be so large. What proportion on the Executive side do you suggest?—I am rather doubtful about it.

1529. If you mention a proportion for the one, why not for the other?—Well, I would give one-sixth.

1530. I believe there are 25 charges?—Yes.

1531. So that you would give four, excluding the men who pass in England?—Yes.

1532. You said just now you would have Europeans because they were more efficient? Is that your reason or do you think the presence of Europeans is necessary for the maintenance of British rule?—Both.

1533. You have said that men recruited in India, the Provincial Civil Service men, on the whole have come up to the average?—That is so.

1534. And you have not been satisfied with the men who have entered through the London door?—We have not been fortunate. But there are some very good ones.

1535. Therefore if you selected your material in this country by some system which tested them well and gave them equal status, do not you think you might get men who would answer your requirements, even better than to-day, on the Executive side? Why should the average European recruited in England be necessarily more efficient than the best Indian selected here?—Because the average efficiency of the Englishman is greater. I want to put it of course in a way that you will not think intentionally offensive.

1536. That is your view?—Yes, and that is your view too.

1537. I do not think you know my view?—I was reading the other day a speech you made last July in which you said that the average Indian efficiency was very much lower than that of the European.

1538. But I am comparing now your average with our selected men?—I think your question related to averages.

1539. No, not in the case of India. In reply to question (24) there is a statement that a note on the chief riots of the last twenty years has been prepared and will be put in. Is that note going to be put in?—Those words have been cancelled.

1540. You cut out all the words about the failures?—No, they remain. After the words "considerable number of cases" would you mind inserting the words "have occurred."

1541. Have there been no instances where European members of the Civil Service have failed on such occasions?—A very much smaller proportion.

1542. But there have been instances?—They are very rare. I am very much inclined to say there have been none, but there have been perhaps one or two cases in which there has been reason for doubt whether they might not have done better.

1543. I do not wish to go into individual cases, but that statement is made only about Indian officers and nothing is said about European officers. If that line is omitted I will not ask the question?—The words omitted are: "A note on the chief riots of the last twenty years has been prepared and will be put in." Then comes a capital A, and after the words "a considerable number of cases" the words "have occurred" are put in.

1544. (*Chairman.*) You cut out all that to the end of the paragraph?—No, I do not cut out all the words.

1545. (*Mr. Gokhale.*) Those words about the distressing number of failures remain?—Certainly.

1546. Are you prepared to give us a return showing where the Government have had occasion to find fault with European officers in connection with riots?—The Government would certainly have no objection I should think.

1547. Have Indian Collectors selected from the Provincial Service, whom you consider to be equal to the average, been found to fail on such occasion?—I am trying to remember any case in which an Indian Collector has had to deal with a riot, and I do not think there has been a case.

1548. It is claimed by Indian Collectors that they are more successful than English Collectors in preventing riots?—The answer to that is that you cannot tell what would be a riot if it had been differently handled. I have never seen the smallest evidence in support of such a claim.

1549. I have some instances but I do not want to go into them. Do you know what happens in Native States?—I have not sufficient information.

1550. But you read the papers. Do you think there are frequent riots in Native States?—I am afraid I must refrain from answering that.

1551. Were the Indian Officers, who, you say, have failed, all Collectors and men of that status, or inferior men?—None of them were Collectors.

1552. They were men of lower status who had risen from the ranks?—Yes.

1553. So that they were not selected men?—That is quite true.

1554. (*Mr. Sly.*) In answer to question (7) you refer to some results of an open competitive examination for the Accounts Department held in India. Can you give us any information as to the number of candidates who have passed, their nationality and their caste?—The information on that point I possess has been merely obtained by examining the existing lists, and that shows that at the present time there are seventeen Indians in the Accounts Department who are natives of South India. I cannot of course speak of the North.

1555. Seventeen out of how many?—The total number of Indians is 44, of whom I understand about 33 were selected by competition. Seventeen are Madrasis and all the 17 are Brahmans.

1556. In reply to question (24) you have recommended that half the district judgeships might be held by natives of India. What is your experience in the Judicial Department on which that opinion is based?—I have acted on three occasions as Chief Secretary and have therefore seen a certain amount of judicial work, and I have also received impressions from conversation and perusal of reports. I have no judicial experience as a Judge at all, and therefore my opinion on that point must be taken with all reserve.

1557. In answer to question (39) you say that the Collectors holding listed posts are up to the average: will you tell us how many such Collectors you have had experience of?—Four or five, it may be six.

1558. In answer to question (55) you have given an opinion rather against probation in India. If the Commission held that it was necessary to get young civilians out at a younger age than at present would it be possible for the Provincial Governments to make suitable arrangements for their probation in India in their Provinces?—I suppose it would.

1559. In reply to question (85) you have dealt with the quinquennial valuation and the prospects of the Service. Do you consider the method of that examination is sufficient to secure a proper flow of promotion in the department?—I have very little information on the subject.

1560. In reply to question (99) you have said you are not in favour of a time-scale for the service, mainly on the ground that it lessens the incentive to good work. If a time-scale were restricted to the junior grades of the service would you still have that objection?—I should, but not so much. I still think it would have an effect in that direction.

1561. The prospects of arriving at a Collectorship and superior offices would not be a sufficient incentive to good work if a time-scale were in the junior grades?—It would not be so bad.

1562. In reply to question (108) you have given us statistics which show that officers take a very large proportion of their furlough practically at the end of their Service. Do you think there would be any harm to the Service as a whole if some of that furlough were curtailed?—No, I do not think there would be.

1563. In reply to question (123) you have given an opinion in favour of a non-contributory system of pensions, which assumes a considerably greater cost to the State than the present contributory annuities. If the State were unwilling to contribute that extra cost, would you still favour non-contributory, graduated pensions or would you prefer to keep the annuity system?—I like the idea of the superannuation pension.

1564. Even if it meant a substantial reduction in the amount?—I think so. I do not like this plan of the same pension for everybody.

1565. In the Provincial Service you have recommended that fifty per cent. of the posts should be offered for competition in future. How would you safeguard the vested interests of the members already in the Service?—By retaining the other fifty per cent.

1566. In response to a previous question you suggested you would have a competition for listed posts?—Yes.

1567. You have stated that the Tahsildar's grade must be recruited by promotion from the lower ranks of the Service, whilst for the more important and more responsible work of Deputy Collector you have admitted 50 per cent. of the posts by competition. Is there any reason why the Tahsildars and Deputy Tahsildars should not be recruited by competition, in which they would get a training just as good as that of the Deputy Collector and on the same basis?—There are two main reasons; one is that you would tremendously diminish the opportunities of the subordinate Services below the Tahsildar and Deputy Tahsildar and thereby of course prejudice that Service, and the class of man you get in it, and the other reason is that you would not get men with the same expert knowledge of the Revenue system that you get from men who have actually served as Revenue Inspectors and begun at the bottom.

1568. The second objection applies equally to your scheme for Deputy Collectors?—Not quite, because the Tahsildar has more detailed duties connected with the Revenue administration.

1569. (*Mr. Macdonald.*) You admit there is a very considerable body of Indian opinion in favour of simultaneous examination?—Yes, very large.

1570. Did you hear the evidence this morning regarding the improvement in Western education given by Indian Universities?—No.

1571. As the result of Lord Curzon's amendment?—No.

1572. Do you agree that that has taken place?—I can hardly judge whether the standard has been raised as I am not an educationalist.

1573. If it has been raised would you naturally expect that that opinion will be very much reinforced, the opinion in favour of simultaneous examination?—Yes, I think it would.

1574. You agree that Natives of India should come in through the English door?—Yes, I do not like to close the door.

1575. You are a little bit hesitating about it?—I should like to make the Indian Civil Service a European Service and have a separate service for Indians.

1576. And from that point of view we must read the answers you have given to question (7), relating to simultaneous examinations? I understand from what you have said now and from a very careful reading of your extremely interesting answers to questions, that as a matter of fact, in your heart of hearts, you would like to exclude Indians from the Indian Civil Service examination, and that so far as they were qualified to hold positions in the Indian Civil Service they would get those positions by promotion from lower ranks through listed posts?—Through listed posts.

1577. Ought we to read the comments you make upon simultaneous examination with the knowledge of this in our minds: that the person who answers the questions would like to keep the Indians out altogether so far as examinations are concerned?—I am trying to reflect on what your question means.

1578. I will take you through one or two details. The examination being held in England alone is a handicap, is it not, to the general body of would-be competitors in India?—Yes.

1579. And am I not right in assuming that that handicap may be one of two things; it may either simply diminish the number of Indian candidates that go up for examination, or it may have a selective process and mean that certain kinds of Indians will go up for examination, not merely quantitatively but also qualitatively affecting the examination?—For men of larger means and so on—in that way it is selective. It may exclude the poor Indian who would otherwise compete.

1580. Does it mean that men of a better type of character and of governing capacity, or as we should say in Scotland "faculty," go to England?—I confess I am very doubtful whether it does mean that. I have heard it said of course.

1581. Would you agree with a statement that is going to be put in by a later witness to this effect: "The system is now unsuitable"—that is the examinations in England only—"in the sense that the large majority of capable Indian youths are practically shut out from the competition because the examination is held only in England"?—I think it is very nearly true, but I do not know that he puts it quite fairly. It puts a tremendous difficulty in the way of Indians who have not got the means of going to England and therefore does exclude those who have not got the means to go, and that will exclude a large number, I do not say the large majority, of competent Indian youths.

1582. Its only selectivity then is that it divides the rich from the poor?—Mainly I think, except where there are scholarships.

1583. When the Indian gets to England does he receive any conspicuous benefit from being there?—He has benefits, but I am rather doubtful about the balance of benefit.

1584. I notice you say in answer to question (19): "I am also not convinced that the sending of Indian boys to compete in England is wholesome for them or for the Service." May we

agree that so far as the selective value of competition in India is concerned it does not select in India qualities that are desirable to get into the Service, and that it does not select by education and by surroundings in England qualities that are good to get into the Service?—As far as I understand your question I think the answer is in the affirmative.

1585. Let us take the effect on the Service itself when you get them here. As I understand it you reflect in your answer to question (7) upon the practical monopoly of places held by Brahmans, if you had simultaneous examinations?—In this part of India.

1586. The holding of examinations in England does not stave off that difficulty except in so far as it reduces the number of men who can go to England; it does not prevent the Brahman from monopolising the places if the Brahman went to England in sufficiently large numbers?—Not a bit.

1587. The bar is the bar of impossibility to get to England?—As far as the safeguard against that particular evil is concerned it is of course simply that.

1588. But as a matter of fact, if the Indian Brahman, by reason of the development of Western education in India, could be trained in India to pass the Civil Service examination and go to England, he would get in, assuming he is as good as the Englishman and can take the place of Englishmen, by simultaneous examination in India?—I am not quite sure I see your point.

1589. Assuming that the Brahman can pass successfully a simultaneous examination in India, if he can go to England in sufficient numbers he will pass in precisely the same way in England?—As against other Indians.

1590. As against other Indians and as against Europeans?—That is an unknown point at present.

1591. But is it? The examination is the same; it is held at the same place; and the men who come out at the top get the places?—Yes.

1592. That is the whole value of the simultaneous examination?—I think it is.

1593. Then unless a man is physically ill he will pass the same way in England as he does in India?—Yes.

1594. Therefore the withholding of simultaneous examinations does not protect you against the Brahman except in so far as it is difficult for the Brahman to get to England?—That is perfectly true.

1595. The same is true of your next point with regard to the Bengali not going to the Punjab. If the Bengali goes to England and passes his examination in sufficient numbers he has to be sent to the Punjab. You do not require simultaneous examinations to open that floodgate?—If he passes in sufficient numbers you will have to employ him wherever you have vacancies. I quite agree with you on both points.

1596. Really, as a matter of fact in so far as your objections to simultaneous examinations are sound, they really mean that you are opposed to simultaneous examinations because you want obstacles to be put in the way of Indians getting into the Indian Civil Service, and the best obstacle that can be put in their way is to hold the examinations in London and not in Bombay or Calcutta or Madras?—Of course that is not the whole of my point; the whole of my point goes much further than that. It is perfectly true that if Indians could compete freely in London they would compete in the same numbers in India, and we should probably have exactly the same feature of the Brahmans beating everybody else. Whether they could beat Englishmen I do not know. The only thing that makes me hesitate about the answer you want me to give as regards the exclusion of Indians from the Indian Service at home is based upon that point. If you have a sufficient number of Indian candidates you may have the list filled with very largely to Brahman successes at home.

1597. Is it not true that the only safeguard which the present system of examination gives you against the opening of every one of those flood-gates that you enumerate in your answer to question (7) is that so long as examinations are held in England only it would be impossible for the large number of Indians to go and compete?—I think that is right.

1598. If that is so, would it not be far better for the Government and those responsible to the Government to quite honestly say: "We must have a European nucleus and it must not be below a certain proportion of the Service," and then adopt, with the simultaneous examination, machinery to secure that, rather than say to the Indians: "The door is perfectly open, but you have to come to London in order to walk through it"?—Yes, I see.

1599. In answer to question (27) you say "I think the proportion of failures has been larger among the Indians recruited by open competition in England than among the Europeans." I suppose you are aware of the sort of temptations that are put in the way of an Indian who comes over to our Universities?—I think they are obvious.

1600. He is not taken up by his best friends, and his greatest enemies are lying in wait at every corner to get hold of him, particularly so far as morals and evil habits are concerned?—That is so.

1601. If this is occurring and if the Indian will tell you that he is less and less happy when he goes to England, ought not that to be a very important consideration in what we do regarding this examination?—I think it is a point undoubtedly.

1602. Have you heard that things are getting worse in that respect, or getting better?—I have heard that the difficulties an Indian meets with in acceptance at a European College have increased rather than decreased.

1603. Have you enough information to come to any conclusion as to whether these failures you mention have been owing to habits contracted in England by the English training?—I am inclined to answer that it has been probably due to habits contracted either in England, or through the effects of denationalisation, and loss of touch with his own people there.

(Adjourned for a short time.)

1604. (*Mr. Madge.*) For the sake of argument, Mr. Gokhale put it forward as a fact that our educational institutions were so vastly inferior to the Civil Service Examination at home that the country would not be flooded with men, but I put it forward to you in this way: What would be the result of simultaneous examinations in this country? Would not they produce a class of men who would be very inferior?—Assuming Mr. Gokhale's assumption, the men would not pass.

1605. Then it would not be your opinion that the introduction of a system from which you expect nothing would be what is called wrong?—That is one way of looking at the matter. If the educational institutions of the country are so inferior as has been assumed, from that point of view the introduction of simultaneous examinations would have no effect, and therefore would be unnecessary.

1606. So that if simultaneous examinations were conceded in this country it would be a theoretical advantage from which no practical result could be expected?—Yes, making all those assumptions.

1607. Then that would become a very serious matter from your own point of view,—that although the competitive system is the best working method, and should be retained, as far as you have been able to judge from your own experience, its results have not been the happiest?—As regards what class?

1608. The Indian students who come out. I see that in three different places you regard them as below the average of Europeans?—I am not sure that I follow your question.

1609. To begin with, the competitive examination tests as regards Englishmen are certain literary qualifications that by no means take in a great many other things that are necessary for efficiency in an officer. You have recorded your opinion in two or three places, to put it mildly, that you are not quite satisfied with the result of these examinations so far as the Indians in this Province are concerned. On the one hand, you have that fact; and, on the other hand, you have the simultaneous examinations, and if they produce anything at all they will give you no result that you could possibly desire?—I propose that half the appointments in the Provincial Service should be filled by competitive examination; therefore I do not reject the method.

1610. But would the standard of such examinations be the same as the Civil Service?—No, the standard would vary from the Civil Service. It would be quite a different examination.

1611. Question (4) states "Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?" and you say, "No." Have you considered the case of the domiciled European and the Anglo-Indian in this country among these other classes?—I do not quite know what question you mean. I took it to mean colloquial, because a member of the domiciled community of India is a native Indian, and therefore he is covered by the previous question.

1612. May I now invite you to consider, if you do not think the notice too abrupt, whether, considering other circumstances, on the whole you have any way of providing for them in the Public Service other than any already existing, considering their peculiar circumstances?—I think that under the suggestions I have made they will largely tend to be squeezed out altogether.

1613. Then, looking at it from a purely public point of view, and not only in the light of their own interests, considering what English statesmen from Lord Canning downwards have left on record on that subject, do you recognise no kind of political or public or social danger, or any other danger, under the existing system?—I should be very sorry to see them excluded. It might be possible to provide safeguards by utilising the powers that would remain for promoting half the Service from the lower ranks. It would be possible there to provide by executive arrangements for the appointment of a certain number of Eurasians and other members of the domiciled community.

1614. May I ask whether the Madras Government have done that to any extent at all in the past?—Yes. We have endeavoured very much to introduce a certain number.

1615. May I ask whether, as a class, they are now excluded under hard and fast rules from appointments they have held in the past, and, according to official testimonials of their services, held with entire satisfaction to the Government and their official superiors?—I do not realise the rules to which you are alluding. What rules?

1616. I can only speak from my experience of other parts of the country, but there are high grade appointments, such as the Police, the listed branch of the Financial Department, and into the latter they are admitted under exclusive rules, the Police for instance?—I do not think there is any hard-and-fast rule, or any rule excluding them.

1617. Are you not aware of the Secretary of State's ruling and regulations, under which appointments of that class are only made at home?—Yes, they are made by competition at home.

1618. Now with regard to the separation of the judicial from the executive, do you or do you not think that a certain number of years in an executive office is absolutely necessary for efficiency in any class of work, whether judicial or executive; and, if so, what period do you think necessary?—The separation of executive from judicial I understand to refer to the separation from the revenue executive of the magisterial functions which are at present combined under the title of Divisional or District Magistrates; but as regards the question of whether executive experience is valuable for a Judge, a Judicial officer, properly so-called, or a Civil Judge, I think it is of considerable value. As regards the period, it must be a matter of opinion. Nothing less than half a dozen years would be of much use.

1619. You have also said that the duplication of work that would be involved by the separation has a financial significance. Do you think that money spent in that way would be pure waste that might be better spent otherwise?—No, because you could double the number of officers available for doing the work of the country. We have not anything like a sufficient staff. If we could have a District Magistrate who could devote the whole of his time to the control of the subordinate magistracy with the duties of a District Magistrate, I should not regard it as a waste of time. I think it would be very desirable, but it would cost a lot.

1620. Do you think it would be a wise thing to appoint Indian Judges direct from the bar without any other experience?—Judges so appointed have, I think, done well. They lose the experience; they have the disadvantage of the

absence of executive experience; but they are picked men who have proved their worth in very strenuous competition at the bar.

1621. I mean balance the local knowledge against the experience of the country. You think that the two qualifications are pretty nearly equal?—Yes, I think so.

1622. (*Mr. Abdur Rahim.*) As regards the selection of men for the Indian Civil Service, do I take it to be your opinion that you regard a certain minimum of European or English element necessary?—Yes, I have said that.

1623. Am I also correct in saying that in the Public Services of India you regard the representation of the different Provinces and of important communities as also necessary?—Yes, in the Indian Civil Service.

1624. Public Service, I asked?—Yes.

1625. Do you not think it would be desirable, also, in the Indian Civil Service if it could be secured?—Yes.

1626. Proceeding on that basis, supposing there was a simultaneous examination in India, but not on a competitive basis, would it not be better than the present system? You could safeguard the most important interests as well as secure the highest qualifications?—Your idea is that there should be an examination up to which men had to reach a certain standard?

1627. Certainly?—I do not think such an examination would be of any use. You might as well take the results you get in the shape of academic honours.

1628. As regards that there may be a difficulty in the number of candidates or the quality of the students. For instance, there are different universities and the degrees may not have the same academic value. Take the English University degrees. It would be very difficult to compare those degrees with the Punjab University degree and the Madras University degree. That difficulty would be avoided by holding only one examination?—I understand that in this assumed examination nobody would be first, or second or third, but all would be qualified, and all who did qualify would be equal.

1629. And selection would be made?—A selection would be made on no determinate principle at all.

1630. You are suggesting a competitive examination by compartments for the Provincial Service. Apply the same principle?—That is a possible way of dealing with the matter.

1631. Suppose you modified this a little. Take the marks value for the first three appointments, would it not, in your opinion, be sufficient to secure the most brilliant of the candidates; and as regards the rest they may be regarded as more or less standing on the same footing?—I do not think that would be a very satisfactory arrangement.

1632. What would be the objection?—I understand that you would take the first half dozen men by competition. In that way you really would have a competitive examination; so that it would not be a qualifying examination.

1633. As regards the rest, it would be a qualifying examination?—I fail to see how you could combine a qualifying examination with a competitive examination.

1634. I will put it like this. Suppose you have one first class, and you put the rest in one list, requiring a certain standard, whatever be the nature of the standard?—It does not differ very much from my own idea of a competitive examination. You guard against the predominancy of any one class.

1635. I do not want to call it a competitive examination, wholesale; I would call it limited competition if you like. It does not matter what the name is. What I want is your opinion on the merits of such an examination?—I think that apparently it would be a competitive examination. As far as you wanted men to be selected, you would take the first ones that passed and as regards the ones who were not to be selected, they would not be placed in order of merit. It really does come to a competitive examination.

1636. Do you think there is anything wrong in the principle of such a system? It would satisfy the other requirements which in your opinion are essential, having regard to the circumstances of the country, the presence of a certain European element, and also representation of the different provinces and communities, as far as possible?—I do not clearly follow you. How are you going to safeguard your representation of various communities in your competitive portion of the examination?

1637. Not in that?—Then all these vacancies would tend to fall in Southern India into the hands of one class.

1638. I am talking of one examination for the whole of India?—Probably the whole of India would fall into that class.

1639. That would be limited only to the first half dozen: as regards the rest it would be selection?—I do not like the plan. You either have competition or you have selection. This plan of giving certain portions of the vacancies to the competition men who enter with all the *éclat* of being the successful ones, and having the others who had qualified selected by a Selection Board, does not seem to be a good plan. I would rather divide the vacancies, and let a certain number of vacancies be allotted to one class, and let them compete for those vacancies.

1640. I understand your system—competition by compartments—do you think that would be better—Yes. It has difficulties, but I think it would work.

1641. As regards that, in your experience do you think there would be any serious objection on behalf of the Muhammadans of this Presidency if Muhammadans of the rest of India were allowed to compete for Muhammadan vacancies; I mean as far as you know the community?—I should think there would be an objection. I cannot see how you could allow the better educated Muhammadans in the North to monopolise the appointments intended for Muhammadans in Southern India. I do not know much about what the feeling of the community would be. Perhaps I had better say that I cannot give an opinion upon that point. What I have said is my own opinion.

1642. Did I understand you to say that European District and Sessions Judges are, in your opinion, more efficient than Indian District and Sessions Judges?—I think the answer that I gave was rather in the opposite terms.

1643. I understood you to say otherwise in answer to one of the questions put to you; but I may have misunderstood you, or not have heard you properly?—I think that if a proper system of

training were introduced, which has not been introduced hitherto, they would be more efficient.

1644. Who would be more efficient?—The European District and Sessions Judges properly trained would, I think, make on the average better and more efficient District and Sessions Judges than Indians.

1645. May I ask your reasons for thinking so?—I have never been a District and Sessions Judge myself, but I think that they would have the cardinal advantages which European character implies; they would be better able to administrate and control the courts below them; they would possess that quality of an absence of desire to split straws and go into refinements and distinctions, which is undoubtedly a characteristic of the Indian mind. They would fail, probably, in subtlety of intellect; on the other hand, they would possess a larger measure of what one would understand by the phrase "masculine common-sense," which is very important in a Judge. That is my general idea; but it is only my personal opinion.

1646. I do not suppose that you have had occasion to examine and compare the work of one with that of the other. Is your opinion based on your general idea with regard to the characteristics of the two races?—Yes.

1647. Do you think then that the Indian races are one people?—There seems to be no doubt that there are characteristics common to the Indian mind.

1648 I am not disputing that. I simply want your opinion.—I do not dogmatise about there being one race.

1649. But they possess some characteristics which may be considered national, common to all?—Yes.

1650. As regards appreciating evidence given by witnesses, do you think that the European Judge is in a better position than the Indian Judge?—No.

1651. Do you think that he is in a worse position?—He ought decidedly to be in a worse position, I think.

1652. Do you deny an equal amount of intelligence to the well-educated Indian?—No.

1653. That would be a qualification for a Judge?—They have heaps of intelligence.

1654. As regards appreciating evidence he is no worse, and in your opinion may be a better judge. As regards knowledge of law, which is another important matter for a judge to have a sound knowledge of, and its application to facts, what do you say would be the comparative merits of the two?—It is in the application, I should suppose, but I am not an authority upon this matter.

1655. Are you prepared to suggest that in applying law to facts, Europeans have proved better than Indian Judges, taking them from the same class?—My proposition was that if European Judges had been trained in legal methods, as they should be, they would prove better judges in regard to that point.

1656. That is a hypothetical matter. I am asking you as regards your own experience. In the present state of things, as the training goes, are you prepared to say, as a matter of fact, that Europeans are better Judges than Indians?—I think if you look at my answer you will find that I have said that Indian Judges have been rather above the average.

1657. By that did you mean the average of the whole. I thought you meant the Indian average?—No, I did not mean the Indian average.

1658. As regards criminal work, what is the particular point, in your opinion, in which the Indian Judge or Magistrate is deficient?—Common-sense. We have had an instance lately. An officer of long experience and many years' service was appointed as Assistant Sessions Judge. I read a number of his judgments in several cases, which have been referred to the High Court, and he seemed to be astonishingly wrong-headed in his decisions. In one case which has already been decided, the High Court enhanced the sentence. It was an extremely aggravated case and he had passed sentence of one year's imprisonment, and now that has been enhanced by the Court to six years. He tried 16 cases, and reference has had to be made in four of those cases. It seems to be the fact that it may have been due to want of previous training in sessions work.

1659. How many such cases can you recall to your mind; you have given one instance, and I will take that?—I could not tell you. There are others, no doubt; but I could not particularise. It is the general impression one gains: it is to that effect,—that in criminal work the Indian is not so successful. For instance, no less an authority than Sir Philip Hutchins gave that evidence before the last Commission.

1660. As regards criminal work done by European Judges, are you aware that the High Court has had occasion in some cases to find fault with it seriously?—No doubt, yes.

1661. Can you say if such criticisms are more frequent in the case of Indians than in the case of Europeans?—I have no means of judging what the proportion of cases is.

1662. What you say is merely a sort of personal opinion based upon no facts?—I told you at the beginning that I was giving a general impression.

1663. And you have been able to recall only one case, so far, to support your statement?—I have instanced one definite recent case.

1664. Would you be surprised to hear that the criminal decisions of certain European Judges of the Civil Service have been very severely criticised by the High Court?—No, I am not at all surprised.

1665. And that a fairly large number of those decisions have been revised?—I do not know what you mean by a large number.

1666. It is not an insignificant number or one that might be considered as negligible?—It is not a matter on which I have any knowledge. The High Court, as far as I am aware, has not brought it to the notice of the Local Government. If that is so, it has not been reported in the Civil or Criminal Justice Reports.

1667. Have you any opinion with regard to the civil work of European Judges—I mean the District Judge's work?—I do not think I should be justified in offering any opinion upon the matter, of which I see so extremely little.

1668. You have had no opportunity of judging?—No.

1669. Or of comparing it with the work done by Indian Judges?—No. When I said that the Indian Judge seemed on the average better, or above the average of Judges taken as a whole, my opinion is worth very little, because I have no

real means of comparing the two. It is only a rough impression.

1670. You made a rather strong statement that somehow or other Indian Judges were lacking in common sense. Is that so? Do you not think that that is a very strong statement to make?—It is a statement which you may call strong, or not, as you like.

1671. But that is your opinion?—Yes, that is my opinion.

1672. You think it is due to racial defect?—That is my idea, certainly.

1673. Are you aware that high authorities like the Government of India and the Secretary of State, have considered that Indians have been eminently successful as Judges: have you heard that?—All Indians?

1674. Most of them as a class, I do not say all?—What I understood was that a large proportion of them had done well.

1675. In spite of their being wanting in common sense! Is the class of Indians from this Presidency who are educated in England large?—No, very limited.

1676. Do you not think it is rather unsafe to generalise from what, I take it, is your limited experience of a very limited class as regards the effect which English education has on Indians?—Of course it can only be based, as I have said, on very few instances. I have only a limited amount of experience, but so far as that experience goes, it suggests certain conclusions; but further experience, especially with regard to younger men who have come out in recent years, may entirely modify that view.

1677. Do you know of any Indians educated in England for whose character you maintain the same respect as you do of Englishmen of the same age?—Yes, I think some of the younger representatives promise extremely well. Our previous bad bargains may have been bad luck, as I said to Mr. Gokhale.

1678. Supposing there was a simultaneous examination here, and that the Indians who are successful were sent to England to complete their education, would there be any danger of their character being injuriously affected?—I think it is a dangerous experiment to take a young man and send him to a foreign country far away from all his ties, and leave him largely to his own devices. You cannot expect him, on the average, to receive no bad impressions.

1679. Take a young man of the age of 22 to 25: do you not think that an Indian's character is fairly set by that time?—I fancy not. It would still be dangerous, though it would not be so bad as sending him at the age of 18.

1680. Would it be safe at any age for an Indian to travel in Europe?—When you get to 25 you get to men who have left school, and it would be better.

1681. Do I then understand that you are opposed entirely to Indians receiving their education in England?—No. I think if you could send Indians home, when they are quite young, to English schools, so that they could get the benefit of school education at home,—catch them young enough,—it would not have bad effects. You would probably arrange with friends that they should be looked after and that they should have a home there.

1682. (*Mr. Abdur Rahim.*) That would be practically impossible!

1683. (*Sir Valentine Chirol.*) In the course of your experience do you think there are any signs of deterioration in the class of Englishmen who join the Indian Civil Service?—I am not prepared to say that there have been any definite signs of deterioration.

1684. It is sometimes stated that the young men who go up for the examination at home, and elect for the Indian Civil Service, are very often not men who have any "call" to the East, but simply men who have failed to obtain the choice of posts in the Home or Colonial Services: do you know, at all, whether that fact is well founded?—I believe it is a fact that the majority of men who pass in the first twenty do choose the Home Service, so far as there is a choice, but not always.

1685. Do you attribute that partly to a diminution in the attractions of the Indian Civil Service for Englishmen of late years?—I should think there is no doubt about that,—that there has been a diminution.

1686. For one thing, I suppose, from a pecuniary point of view: that whereas the salaries in India remain the same as they were they do not go nearly so far?—They certainly cannot go so far with the greatly increased scale of prices in India.

1687. With regard to the Indians who enter the Indian Civil Service through competitive examination, and the Indians who go in for the Provincial Civil Service and rise to listed appointments: are they recruited from different classes of the Indian communities out here; and when I say "different classes" I mean classes that have not approximately the same intellectual and moral equipment; or are they drawn from approximately the same classes?—Approximately the same classes.

1688. Again, I gather that you are not altogether satisfied with those Indians whom you have happened to come across who have entered the Civil Service through competition at home?—I should like to safeguard myself upon that point. It is not so much the men I have come across as it is the recorded results so far as their careers are concerned.

1689. On the other hand, you hold that a considerable number of those who have gone into the Public Service, through the Provincial Service, are men who have shown altogether greater and better qualifications for the Public Service?—I think they have done better.

1690. I think that one or two of your answers to questions which have been put to you this morning if they were construed literally might tend to induce the belief that you wish to exclude Indians from the Public Service. I take it that that was not in the least in your mind?—No. I think the general trend of my answers was in favour of extended employment, so far as Indians are concerned, in the Public Service.

1691. You wish, rather, to extend it?—Yes.

1692. And I take it that your view is that in practice the system of competition at home has not really led to the most satisfactory results which we should desire, either as to qualifications, or as to the number and proportion of Indians in the Service?—Yes. As to qualifications, apparently it has not produced, regard being had to the small number of instances, entirely satisfactory results.

1693. One of our objects, and I think it is an object which is shared by educated Indians as well as by ourselves, is the retention for a considerable time in this country of a considerable leaven of English officials?—Yes.

1694. And that is the object which we have in mind to attain in the Indian Civil Service: we want, on the one hand, to maintain for service in this country the very best Englishmen that we can have in sufficient numbers to yield that necessary leaven; and we want, on the other hand, to obtain for the Public Services in this country a considerable proportion of the best Indian talent which is available for the Public Services?—Yes.

1695. Those are the two objects which we have in view?—Yes, I quite agree.

1696. Is it your opinion that that two-fold end could be better achieved by having two services which would be co-equal services, one service limited to Europeans, and for which there would be an open competition in London to furnish that leaven, whatever proportion was considered desirable; and, on the other hand, to have another service recruited in India by competition, either open competition or limited competition—and when I say "limited competition" I mean, for instance, selection of candidates to the number of two or three to one for every post vacant, and then open competition from amongst those selected candidates; and that those two co-equal services would probably enlist the best men in England and in India, rather than the present mixed system which we have of getting a few Indians in through competitive examinations in England, and getting another portion of the Indian element through the indirect system in this country?—Yes, that would have the advantage of not avoiding what now happens. Three men compete in the University. One of them only is able to go to England; he passes the open competition and comes back to the Indian Civil Service. The other two remain here. At present they have no opening except quite at the bottom. If you had a competitive examination they would have the same opening in the Provincial Service as they would have in the Indian Civil Service. So that the test becomes one really of pecuniary means to go to England. We have actual cases of that.

1697. Within your experience, do you think that the quality of Western education in India has improved within the last 25 years, or is it merely quantity which has expanded?—I do not like to offer an opinion: I have really no means of judging. I think the general impression is that the old literates which were turned out 40 years ago reached a very high standard, as high as the B.A. of to-day. But the standard has not advanced as much as the quantity.

1698. Is not, perhaps, one of the reasons why our Western education does not produce such happy results as some of us expected, either amongst Indians who go home to be educated, or amongst those who remain out here, that the numbers have increased so very much that there is no longer the same measure of assimilation: that where you had 20 or 30 years ago 15 or 20 Indian students in an English University they were much more easily assimilated, and themselves much more easily assimilated their surroundings; whereas now, instead of tens you have hundreds and they all tend to hold together and to form a group apart from their English fellow-students?—I am told that it is a fact that they are not so much assimilated.

1699. Has not a similar result been attained in India from the very large increase in the number of students of all classes without any corresponding increase,—in fact in many cases a decrease—in the number of Englishmen employed directly in educational work, so that the opportunities of direct contact between the Indian student and the Englishman are much fewer than they formerly were?—I believe that is so, but I have no personal knowledge.

1700. (*Sir Murray Hammick.*) I should like to get from you distinctly what your views are exactly of recruitment for the listed-posts as distinct from the Provincial Service. I cannot find out from your evidence whether you intend, in the scheme you suggest, a distinct recruitment for listed-posts direct, or whether you intend recruitment for the Provincial Service, and then from the Provincial Service for a man to be selected by nomination, as now: do I understand you to suggest that we should change the system?—Yes. I think that the selection must be made for the listed-posts themselves.

1701. Then that proposal of yours would practically make three Services, a Provincial Service, an Indian Civil Service recruited from England, and an Indian Civil Service, that is to say, posts included in the schedules to the Statute as regards Indian Civilians recruited by competition or selection in India?—Yes, that would be so; I think it must be so.

1702. That would in some ways be a reversion very much to the old statutory service which was condemned in 1886–87?—Yes, it was condemned on its results rather than on its scheme, I think.

1703. Then I take it that your objection to the statutory service which was condemned in 1886–87 by the former Commission probably had not a fair trial in its recruitment?—I think it had not.

1704. If the statutory service had been properly recruited then, and if, as originally suggested, the names of the men in the Statutory list had been retained in the list of Civil Servants, and if they had been directly appointed to listed appointments, the statutory service would very likely not have failed in the way it did fail?—Yes, that is so.

1705. And you think that provided we chose proper candidates for services of that kind, provided we placed the appointments in the Civil list on a *par* with our own Civil appointments, and provided we open up in the superior ranks, superior to those of Collectors, certain appointments which would enable them to gain experience and enable them to take the post of Member of Council if necessary, there is no reason to suppose that that service would bear the mark of inferiority which it is always held out that the present service of listed-posts suffers from?—Yes.

1706. (*Mr. Oldfield.*) As to the question put by Mr. Justice Rahim, the question of the training of judicial officers was dealt with by Mr. Justice Benson yesterday: a system of election and grading has also been introduced lately, election between an Executive Revenue career and a Judicial. Firstly a new grading with more advantageous pay was introduced about two years ago?—Yes.

1707. Has any difficulty been found lately in inducing men to elect for Judicial?—No, none at all.

1708. It is expected, is it not, that that will in course of time produce an improvement in the quality of the judges?—Yes, I think it tends to produce an improvement.

1709. It is generally assumed, is it not, in European countries, that criminal and judicial work is sufficiently provided for when you have provided for civil judicial work, that competent Civil Judges are also competent Criminal Judges?—I do not know about European countries as a whole.

1710. Would you accept that assumption in Madras?—I have already said that I think the criminal side is the weak side of the Indian.

1711. Do you consider that criminal work in India presents peculiar characteristics and differences from those of Europe?—No, not the work.

1712. The nature of the crimes to be dealt with?—No, I do not think that it does.

1713. Nor the extent?—No.

1714. I want to put before the Commission a very few statistics by which they could form some idea of the work of the criminal administration, and of the crime during a typical period. Do you think that the year 1911 would present any special characteristics, or would be typical?—I think 1911 would be a normal year.

1715. And your Department is responsible for the preparation and the checking of the reports of the administration of the police, and the administration of criminal justice received from the High Court?—Yes.

1716. I desire to draw your attention to the Police Administration Report for 1911, which contains an account of the more interesting cases that happened during the year. They are not abnormal in that year. There is only one, I think, the Ashe case; otherwise they are normal?—I think the crime of that year was normal.

1717. Our Presidency includes the Agency tracts: can you tell the Commission what the particular characteristics of the Agency tracts are?—The Agency tracts are portions of the Northern districts of this Presidency, into which the whole of the body of legislative enactments have not been introduced because they are mainly inhabited by a small population of jungle people who are still in an extremely primitive state, armed with bows and arrows, and whose interests it is believed would suffer if they were brought under ordinary administration.

1718. They have no respect for the ordinary caste distinctions?—No, as far as I know.

1719. Would it be advisable to put them in charge of an Indian Divisional Officer?—I do not think that it would be advisable.

1720. Is it usual?—No, it is not usual to post Indian officers to the charge of those divisions, though there have been cases.

1721. The Presidency has at various times been the scene of convulsions such as the Mappilla riots and so on?—You mean the Malias?

1722. No, the various districts of the Presidency?—Yes.

1723. Such, for instance, as the anti-Shanar riots in Tinnevelly?—Yes; there have been serious riots in Tinnevelly.

1724. Such occurrences require particular arrangements for dealing with them?—Yes.

1725. Would it be safe to leave them to a Judge with regard to whose capacity there was any doubt, or to an inexperienced Judge? Would great harm ensue if there were a miscarriage of justice in such cases?—Of course it might have a very bad effect if there were a serious miscarriage of justice.

1726. There is some evidence which I believe is to be given to-morrow, with regard to the listed-posts, and to the posts of members of the Indian Civil Service, which, I think, is to the effect that members of the Indian Civil Service, junior to the holders of listed-posts, are prejudiced with respect to promotion: is that so?—I do not think it is; I am not convinced that it is. I should not like to say that it is without knowing a great deal more about it.

1727. Was any account taken of the fact that their interests might be affected if Mr. Meyer's scheme were introduced?—I do not think the question was raised when that scheme was introduced.

1728. (*Mr. Ramachandra Rao.*) I shall confine my questions to the Executive branch. You stated that the Collectors have done well?—Yes.

1729. And you have also stated that the Provincial Service contains some of the ablest men in the Service?—What I said was that some of the men selected for the Provincial Civil Service by competition were some of the ablest men in the Provincial Service.

1730. Nevertheless the number of listed Collectorates in the Executive branch is only two?—Yes.

1731. Out of a total cadre of 140?—I do not understand that figure. There must be some misunderstanding there.

1732. I am speaking only of Deputy Collectors. The number of superior appointments for the Indian Civil Service is 90 out of a total cadre of 175?—Yes.

1733. And that means that the chance for an Indian Civilian is 36 times less for a Deputy Collector. Do you not think that it is now time to increase the list of Collectors?—Yes.

1734. I next turn to the Divisional Officers. You are aware that as far as the listed officers are concerned they are arranged in the same list as the Civilian Collectors, and are put in the same list of rates?—Yes.

1735. With the exception of the question of pay and the prospects of promotion, I believe there is no vital difference between the Deputy Collector and the Civil Divisional Officer in their functions and duties?—I think not.

1736. There is no essential difference between the two?—No, except, I believe, that certain divisions are reserved for the Indian Civil Service.

1737. But the quality of the functions is just the same?—Yes.

1738. Some of the work is much heavier than other divisions?—Yes.

1739. In your answer to question (21) you say, "I am inclined to think that when once the scale of salary has been fixed, the fewer invidious differences that are made between the Indian Civil Service and the Provincial Service the better; any distinctions retained being based on the essential and irremovable difference between service in a foreign country and service in one's native country." You will be surprised to hear that in a small list which I have made in 24 hours, 18 differences between the Indian Civil Service and the Provincial Civil Service have been sanctioned by the rules. I will read just one or two. Indian Civil Service Divisional Officers—acquire the powers of a Collector on being posted to a division (section 3 of Regulation VII of 1828). Provincial Civil Service Divisional Officers—have to be specially invested with powers of a Collector by the Collector of the district (section 3 of Act VII of 1857 (India) and Standing Order 120, paragraph 51). Indian Civil Service Divisional Officers—have an independent right of appointment to posts of Rs. 30 and under (Standing Order 117, paragraph 1). Provincial Civil Service Divisional Officers—the right is expressly subjected to the Collector's veto (Standing Order 116, paragraph 4 (i), and Standing Order 117, paragraph 1)?—I should sweep away a good many of those distinctions. Generally speaking I should try and assimilate the position of the Indian Divisional Officer.

1740. Except as far as pay and prospects of promotion are concerned, you would, as far as possible, assimilate the Civil and non-Civil officer?—That is certainly my position.

1741. Do you not think that the removal of these differences will go a long way to avoid complaints?—I quite agree with you.

1742. In the Financial Department are not they arranged in the same list?—Yes.

1743. Has not a similar scheme been sanctioned by the Public Works Department for the Provincial Officer?—I do not know.

1744. I want to know whether you consider there is any insuperable objection to show all the names in a common list, under a general title known as "Divisional Officers"?—If you mean as the Collectors are shown, I do not think there would be any harm in it at all.

1745. On the other hand in one of your answers you say that you want them shown in a separate list?—No, I thought I said that it would be better to take the listed appointments out of the Deputy Collector list and to show them in the Indian Civil Service list.

1746. Have you any objection to show all the persons doing work in the same way as the Collectors are now being shown?—No.

1747. My objection is that once they are put in a common list only the main differences of prospects of pay and promotion will appear?—I do not see any objection to doing something to raise the position of the Deputy Collector.

1748. My impression is that if that is done the prospects of the Deputy Collector would be improved; do you not agree with me there?—That is what I say.

1749. With regard to your answer to question (24), can you let me know how many of such failures refer to officers of the Provincial Civil Service? I understand from an answer given previously that you admit that all the Indian officers who failed are officers risen from the clerical ranks: I believe that answer is recorded?—Yes, I think so.

1750. Can you remember a single case where a Deputy Collector who entered service by competition did not act satisfactorily in emergency?—As far as I recollect the only Deputy Collector who was practically recruited direct—although not exactly—who was involved in a case of riot is one of those I have classed as having done satisfactorily. The only case as far as I can remember in which a Deputy Collector recruited direct has been involved in a case of rioting is one in which the Deputy Collector acquitted himself fairly well.

1751. And the Government honoured him with a title in consequence of that?—I am not aware of that.

1752. Are there in that list several Indian officers of the rank of members of the Provincial Civil Service?—There are many members of the Provincial Civil Service who have risen from the ranks.

1753. How many permanent Deputy Collectors were there at the time in that list? I have reason to suppose that there could not be many compared with the rest?—I am afraid there were a good many Deputy Collectors.

1754. (*Mr. Subrahmanyam Pantulu.*) Before you became Revenue Secretary you were in charge of special duty regarding the jurisdiction of the Courts in the Presidency as an officer of the High Court?—About four months.

1755. In that connection you toured throughout the Presidency and had conferences with Englishmen and Munsifs as regards jurisdiction local and generally?—A few; not many Munsifs.

1756. And your statement in your evidence that the work of Indian Judges is above the average and that 50 per cent. of the posts might be thrown open to them is justified by your experience as a high officer, is it not?—It was not intended to be drawn from that experience.

1757. Supposing an officer has to give an opinion about the character of a Munsif or a Sub-Judge, do you think that an Indian District Judge who moves amongst the same class of people and has opportunities of knowing their needs has better opportunities of doing so than an English Judge who is away from the community?—He has opportunities of knowing certain aspects of a man's life and character better.

1758. At the present moment an Indian Judge who might rise to the position of drawing Rs. 2,000 a month retires on the same pension as a Sub-Judge who draws Rs. 800 a month with Rs. 5,000 *per annum* maximum, and not more than that: the maximum pension allowed to an Indian servant is Rs. 5,000 be he a Sub-Judge or a District Judge: an Indian does not get more pension than that?—Yes, I know.

1759. Do you not think it a hardship that an Indian Judge should be receiving the pay of Rs. 2,000 when he retires and should find himself in the position of having a pension of Rs. 400 a month? Do you not think it is necessary that the rate of pension should be raised a little more for first-class Judges?—I would point out to you that in the case of an Indian civilian, a Lieutenant-Governor himself who draws Rupees 8,000 a month retires on the same pension as the man who has never got beyond the post of Collector or Judge and whose salary is Rs. 2,500.

1760. (*Sir Theodore Morison.*) Will you tell me whether, in your opinion, the standard of public servants recruited every year in India—the Indians who join the Public Service—is rising, or remains the same?—I think it is undoubtedly rising.

(The witness withdrew.)

M.R.Ry. Rao Bahadur V. K. Ramanujachariar Avargal.

Written answers relating to the Indian Civil Service.

1761 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system is generally satisfactory in principle.

1762 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes. The system is suitable.

1763 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination is advantageous to Indian interests and should be maintained. By this means a high standard of efficiency will be kept up.

1764 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—See my answer to question (1). No alternative system is therefore proposed; and also see my answer to question (6).

1765 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of the system of simultaneous examinations to be held in England and in India open in both places to all natural-born subjects of His Majesty. My reasons are the following:—(i) The system will enable the best Indian intellect to compete at the examination, without being forced as at present to keep back on account of poverty, caste scruples, or the unwillingness of parents to send their children to a distant country at a tender age. If necessary, the successful candidates may be made to undergo a probation in England for a period of two years. But to my mind the advantages to be derived from this course do not outweigh the disadvantages. I find that the successful candidates at the competitive examinations for the Provincial Civil Service held in this Presidency compare very favourably with those, Indian or European, who have successfully competed in England.

1766 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what porportion do you recommend?—I do not advocate a separate examination in India for recruitment of Indians in the Indian Civil Service. If the Commission arrive at a different conclusion, I would suggest one examination for all India; the proportion of the vacancies, which I would recommend, is one-half; but this proportion should be observed only in recruitment, and the successful candidates in England and in India should be entered in the same list for promotion.

1767 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—Please refer to my reply to question (6). I do not favour any system of selection by nomination or combined nomination and examination or any other method. The only proper method is open competitive examination held simultaneously in the two countries. I shall be glad to see all classes and communities represented in the appointments to be made; but they must enter the service by the open door of competition. Regard for efficiency in the highest service of the land demands that no consideration should be given to any discontent that may arise from the representation of particular communities only in the Indian Civil Service. What the backward classes may reasonably claim is equal facilities for education; and I have no objection to opening special schools for the purpose.

1768 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I consider that the "Natives of India" should continue to be allowed to appear for the competitive examination in England, and be eligible for appointment, even though they enter the Indian Civil Service by appearing for the examination in India. But as I have already stated, I do not advocate part recruitment.

1769 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—If the system of simultaneous examinations be approved, I will retransfer the two listed posts of Collectors to the Indian Civil Service. They will be filled in due course by men who pass the simultaneous examinations, and officers of the Provincial Civil Service will not be promoted to the listed posts.

1770 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I recommend a separate method of recruitment for the judicial service. Experience has shown that members of the Indian Civil Service for want of the necessary legal training have not given satisfaction in the discharge of their judicial functions. I therefore propose that no member of the Indian Civil Service shall in future be appointed to any judicial post. The judicial service should be exclusively recruited partly from Barristers and High Court Vakils, and partly by promotion from District Munsifs and Subordinate Judges. District Munsifs and Subordinate Judges may continue to be appointed as at present from legal practitioners.

1771 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there "for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of the term "Natives of India" and have no proposals to make in this matter.

1172 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I am doubtful whether this question refers to English candidates only, having regard to the wording of question (15). If my surmise is correct, I have no remarks to offer on the subject. Please see also my reply to question (14).

1773 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five years of age.

1774 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I would fix the minimum age at 22, having regard to the age limit prescribed by the Madras University for the entrance examination, viz., 15 years. An industrious student will take five years to pass the honours course in the B.A. degree examination and will be 20 years of age. He must have two years to study for the competitive examination. The minimum age should therefore be 22 and the maximum age 24. I cannot offer any useful recommendation as to differentiation between the age limit of Natives of India and others.

1775 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I recommend the following alterations: (i) Sanskrit and Arabic should be placed on a level with Latin and Greek in regard to the marks allotted to them. (ii) Indian vernaculars that are recognised by the Indian Universities should be included in the syllabus of subjects and should be given the same number of marks as the three European languages, French, German and Italian.

1776 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation need be made, as the option given to candidates to select any group of subjects is sufficient.

1777 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—It is necessary to make a reservation as proposed. The posts to be reserved are all posts of District Collectors, four Members of the Board of Revenue and three Secretaries to Government. These are the most important posts in the service of the country and should be filled by most highly educated persons, who can be obtained only from the Indian Civil Service. Thirty-eight divisional charges are now filled by members of the Indian Civil Service, as also the posts of two Under Secretaries to Government and two Secretaries to the Board of Revenue. They should continue to be the training ground for junior civilians; but if the proposal to form a separate judicial service made in my reply to question (11) be accepted, the number of divisional charges to be reserved may be reduced to 20. The Members of the Executive Council may be recruited as they are at present.

1778 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do not consider that any minimum proportion of Europeans in the higher posts of the Civil Administration need be fixed. Having regard to the conditions under which the Natives of India compete with Europeans, viz., that they compete in a foreign language, in subjects of study peculiarly English, and against the flower of English schools and colleges, it is not likely that the Indians will compete successfully to any large extent.

1779 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Please see my reply to question (10). I do not propose that Natives of India should be recruited for posts in the Indian Civil Service by special arrangement in India. I have advocated that they should be recruited only by an open competitive examination in England and in India and by no other method. The listed posts of Secretary to the Board of Revenue and Under Secretary to Government will be merged in the Provincial Civil Service.

1780 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

1781 (22). If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system referred to is not in vogue in this Presidency and should not be introduced.

1782 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can

properly be appointed?—Please see my replies to questions (10) and (20).

1783 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—The rule may be abolished, as listed posts will be merged either in the Indian Civil Service or in the Provincial Civil Service.

1784 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes. The posts should remain merged in the Provincial Civil Service.

178 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

1786 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. The course of study at present prescribed may be followed.

1787 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No differentiation is necessary.

1788 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Please see the answer to question (6). Either country is suitable in my opinion. An option may be given to candidates to choose England or India.

1789 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—If the probationers are to be trained in India, a college at a central place under the control of the Government of India may be opened. In this college probationers of the Indian Civil Service and probationers of other Indian Services also may be trained.

1790 (34). Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No. It is desirable that this should be done at one place by the Central Government.

1791 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. The reason is that the examinations in the vernaculars are not conducted with sufficient stringency. I have no remarks to offer on the second part of the question.

1792 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—I do not propose that members of the Indian Civil Service should be employed in the Judicial branch. As regards officers in the executive service the training which they obtain in the probationary period is sufficient.

1793 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

1794 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation is necessary.

1795 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—The number of officers authorised for the various grades of the Executive branch of the service are satisfactory. In consideration of the proposal made for recruiting the judicial service otherwise than from the Indian Civil Service, 38 Divisional charges included in the cadre of the Indian Civil Service should be reduced as already stated in reply to question (18), so that there may be no block in promotion.

1796 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—Indians admitted to the Indian Civil Service should be subject to the same conditions of service. In regard to their salary, the two-thirds rule at present applicable in the case of listed appointments may be extended to them on the distinct understanding that they are permitted to enter the Indian Civil Service by simultaneous examinations held in India also; but instead of the pay of the Indian being two-thirds of the European's, the European should draw the same rate of pay as the Indian, and the difference should be given as special European allowance. The same rule may be applied to the pension of Indians. The leave, travelling allowance and tentage rules should be the same for Indians and Europeans.

Written answers relating to the Provincial Civil Service.

1797 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions stated in the Government of India Resolution are suitable with the following modifications:—

(i) The general method of recruitment to the executive branch of the Provincial Civil Service should be by open competitive examinations held in each province.

(ii) To secure the due representation of the different classes of the community, and to provide for promotion from the higher class of the subordinate service, one-third of the appointments in the executive branch may be reserved.

(iii) The backward classes, who should be shown special treatment, should be scheduled, and no other class should be recruited to the executive branch by nomination.

(iv) The judicial service should be recruited, as has been already stated in reply to question (11).

1798 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

1799 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I am satisfied.

1800 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The number of appointments in the executive branch should be rearranged, so that one who enters at the bottom on Rs. 250 may reach Rs. 600 in 12 years, serving three years in each grade. Having regard to the re-transfer of two listed posts of Collectors, two appointments on Rs. 1,000 should be added above the Rs. 800 grade. In the judicial service, the Rs. 200 grade of Munsifs should be abolished and the starting pay made Rs. 250. This is only reasonable, if the District Munsifs and Deputy Collectors are to be treated alike, as they should be. A Rs. 500 grade should be added above the Rs. 400 grade. The Sub-Judge should be started on Rs. 650 and end their service through the Rs. 800 grade in a Rs. 1,000 grade.

1801 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Under the present system the Executive officers of the Provincial Civil Service are entrusted with the administration of criminal justice except the functions discharged by the District Judge sitting as a Court of Session. A change is desirable in the direction of a complete separation of judicial and executive functions; but I reserve my remarks on this point.

1802 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The designation "Provincial Civil Service" may be altered into "Provincial Revenue Service" and "Provincial Judicial Service."

1803 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept the principle.

1804 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—See reply to question (56).

1805 (62). Have you any proposals to make with regard to the leave rules applicable to ther Provincial Civil Service? In particular, do you regard the existing difference between the leave rules for the European and Indian Services as suitable?—The leave rules must be made uniform in the case of the European and Indian, whether they belong to the Indian or Provincial Civil Service.

1806 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes. I am satisfied, if the modifications I have suggested be carried out.

1807 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The only proposal that I have to make is in regard to the pay and pension of the Judicial Service. There should be four grades—Rs. 1,200, Rs. 1,500, Rs. 1,750 and Rs. 2,000. The pension should be regulated by the rules in the Civil Service Regulations applicable to Uncovenanted servants, provided that the maximum pension shall be Rs. 6,000 a year in the case of officers who have served as District Judges for five years and more.

Mr. V. K. RAMANUJACHARIAR, called and examined.

1808. (*Chairman.*) You are a retired Secretary to the Board of Revenue, Setttlement Department, are you not?—Yes.

1809. And Chairman of the Municipal Council of Kumbakōnam?—Yes.

1810. Can you tell the members of the Commission what has been your previous experience?—I was a schoolmaster for ten years; I was a Collector's Sheristadar and Tahsildar in Madura; I was in all the departments of the Board of Revenue and the Secretariat.

1811. What is your caste?—I am a Brahman.

1812. I understand from your answers to the questions that you are in favour of open competition for the Indian Civil Service?—Yes.

1813. With the holding of simultaneous examinations in the two countries?—Yes.

1814. You do not favour the proposal for a separate examination?—No.

1815. But if such a proposal were carried out you would be in favour of 50 per cent. of the vacancies being recruited from India?—Yes.

1816. You also recommend that the Judicial branch should be entirely removed from the Indian Civil Service?—Yes.

1817. And recruited independently partly from the Bar and partly from promoted Munsifs and Sub-Judges?—Yes.

1818. Would you suggest that barristers from England should be eligible for appointments equally with barristers from India?—Yes, that is what I mean.

1819. You do not consider that any minimum proportion of Europeans in the higher administrative posts need be fixed?—No.

1820. What is your reason for forming that opinion?—I do not believe that for many years the Indians will swamp the service, as it is apprehended. I do not think it is necessary, therefore, to fix a minimum. Even if any change is made now, it may not have full effect for the next 20 years, and all the officers who have entered the service now will be governed by the existing rules; so that any change which is made now will not be felt for 20 or 30 years hence. We can then consider if any change is necessary should all appointments be occupied by Indians.

1821. Assuming that took place 20 years hence, you do not anticipate that the measures taken would be regarded by the people of that period as somewhat retrogade in character if they were made with a view to maintaining a European element?—I see the force of the objection. I think we might wait for some time and see how the examinations go.

1822. You would let the position develop?—Yes.

1823. And deal with it when it had developed?—Yes.

1824. You would not anticipate any political difficulty or danger from that course?—No.

1825. You recommend that two-thirds of the vacancies in the Provincial Service Executive branch should be filled by open competition?—Yes.

1826. And the remainder by direct recruitment, or by promotion from the subordinate service?—Yes.

1827. You advocate the separation of magisterial and executive functions in the Provincial Civil Service?—Yes.

1828. Have you estimated whether that would mean a large increase of staff?—I am afraid that it would mean a large expenditure. I have not worked out a scheme, and therefore I did not go into the question.

1829. It is merely a theoretical proposal on your part?—Yes.

1830. You recommend that all officers should be granted the same leave?—Yes.

1831. Do you think that the natives of India who belong to the Provincial Civil Service in this country require as much furlough as officers from Europe?—If they got the same amount of leave they might go to England and other European countries and there might improve themselves.

1832. (*Sir Murray Hammick.*) In answer to question (8) I see you say, "I shall be glad to see all classes and communities represented in the appointments to be made, but they must enter the service by the open door of competition. Regard for efficiency in the highest service of the land demands that no consideration should be given to any discontent that may arise from the representation of particular communities only in the Indian Civil Service. What the backward classes may reasonably claim is equal facilities for education; and I have no objection to opening special schools for the purpose." What kind of schools are you going to open for backward classes?—Any school or college that may be required to train them up.

1833. You mean colleges, not schools?—Colleges.

1834. Special colleges for backward classes?—Yes, if necessary.

1835. What is your reason for supposing that the backward classes require more colleges opened for them than at the present time?—I think there is a college for Muhammadans at Aligarh in the North. Other communities may require other colleges. It is a question that will have to be considered.

1836. We do not know anything about the North. Taking Madras, for what backward classes do you wish colleges to be opened?—The backward classes are not represented in the Civil Service. The Brahmin alone enters the Civil Service. There are others who do not, and if these classes want facilities in the matter of education those facilities may be given. That is what I mean.

1837. How long will it take if these backward classes require schools now to be built for them in order to give them the equipment which you think is necessary in order that they may go in for this examination? How long do you suppose it will take such colleges to have any effect upon the backward classes?—I do not think any of the existing colleges will do.

1838. Why do you want a college for Panchamas?—They want it.

1839. Is it because they are excluded from their present colleges?—In some places they are excluded?

1840. You mean that in some places they are excluded owing to the feeling of the people?—Yes.

1841. If you had colleges, open for Panchamas, I suppose it would take 15 or 20 years before the result would be known?—Yes.

1842. I should like to know why in answer to question (51) you make provision for the due representation of different classes of the community as regards the Provincial Service by excluding one-third for appointments direct without examination, and why you do not propose to do the same thing with regard to simultaneous examinations for the service. Why are you so careful to arrange for the appointment of special classes to the Provincial Service while you do not want the same for the Indian Civil Service?—The Indian Civil Servants hold the most important posts. I will not differentiate between the different classes. With regard to the Provincial Service they are not so very important. I should be glad to have competition throughout; but if there is any very strong feeling that some classes are omitted I would provide for their being appointed by selection and promotion.

1843. In answer to question (16) you say, "Indian vernaculars that are recognised by the Indian Universities should be included in the syllabus of subjects and should be given the same number of marks as the three European languages, French, German and Italian." Why do you think that? Do you intend that the person whose vernacular is Tamil should be allowed to take Tamil for the Indian Civil Service and get the same marks as the Englishmen who take up French? Do you not think it unfair to recommend that the Indian should take up his own vernacular, and get the same marks for it, while the English student has to take up a language which is foreign to him?—The English student is allowed to take English, and the English language is a foreign tongue to the native. I do not think it is any injustice that a Tamil man should take Tamil while the Englishman takes English. I do not think there is any greater harm for a Tamil man to take Tamil than it is for an Englishman to take English.

1844. I want to know why you mention French, German and Italian?—Those are modern languages, and I want them prescribed in the syllabus. Tamil has a very important literature, and ought to be included in any liberal education. That is what I mean.

1845. Is the memorandum which is put in at the end of your evidence supposed to represent your views as well as the views of your Association?—No, the views of the Association of which I am President.

1846. It does not represent your views?—No.

1847. (*Sir Valentine Chirol.*) You have said in reply to Sir Murray Hammick that as English is to the Englishman so Tamil is to the Indian?—Yes.

1848. And that therefore the Englishman is not placed at any greater disadvantage by extra marks being given to an Indian for a knowledge of his own vernacular than is the case of an Englishman for a knowledge of English?—Yes.

1849. That really amounts to saying that English is a foreign language to be placed, as far as the Indian is concerned, in the same position as French or German or Italian so far as the Englishman is concerned?—That is the case.

1850. But surely I thought that we, and the educated classes in this country, were at one in thinking that the great importance of our system of education is that we gave to all of you Indians of different classes and communities and Provinces one common language which is the common medium of expression for you all?—I have no doubt that everyone will learn English and that English will be the common language in India; but with regard to the difficulty of studying a language it is on a par with German and French and Italian so far as the Englishman is concerned.

1851. But you must admit that for an Englishman to study French or German or Italian is a counsel of perfection,—something which is quite unnecessary,—that it is not a thing which profoundly affects his real education or culture or status?—Yes.

1852. Will you make the same contention for an Indian with regard to English?—No, I will not. I would make English compulsory for every Indian, and he may take one of the vernacular languages of India. That is what I mean.

1853. With regard to an examination for the purpose of benefiting your own people you are prepared to treat English as a foreign language, but for the general purposes of education you are prepared to treat English as essential to an Indian's education?—Yes. I am afraid there is some misunderstanding in the case. When you mention Tamil, or another Indian vernacular, you mean the colloquial language. There is a large amount of literature which has to be studied, and which every Indian with a liberal education would be anxious to learn.

1854. For the purpose of examination it is the literary and not merely the colloquial knowledge which counts: the same applies to the Englishman who wishes to pass in French, or German, or Italian?—Yes.

1855. (*Mr. Abdur Rahim.*) When you speak of "backward classes", I suppose you mean classes backward in English education?—Yes.

1856. Would you include Muhammadans in that class?—If Muhammadans say that they are unable to appear at the examinations I would include them among the backward classes.

1857. Do you not think that a community may be advanced very much in general culture, and yet owing to some circumstance or other its boys may not be very forward in taking University degrees?—For present purposes I used the terms to represent all those classes who are not able to compete successfully with the Brahman.

1858. (*Mr. Macdonald.*) Do you believe that there must be a certain proportion of Englishmen in the Indian Civil Service at present?—There is a large proportion now, and when the proportion becomes low we shall then consider the matter.

1859. That is not my point. Do you believe that every year there must be some of the vacant posts filled by Englishmen?—Why?

1860. I ask you, do you believe it?—I do not think it is necessary.

1861. You do not believe it? That is to say if they are not able to compete for the examination?—I do not think it is necessary.

1862. You do not take the view that in order to maintain the conditions and character of the service there requires to be an English nucleus recruited every year?—We have the Governor, the Chief Justice, and several other officers.

1863. There are a certain number of posts vacated every year, and those posts are filled up by competition: the Governorship is not one of those posts, and the Chief Justiceship is not one of those posts?—I do not think any minimum is necessary.

1864. (*Mr. Sly.*) Have you ever had any experience of the Judicial Department?—No.

1865. (*Mr. Gokhale.*) You say in reply to question (6) "If necessary, the successful candidates may be made to undergo a probation in England for a period of two years. But to my mind the advantages to be derived from this course do not outweigh the disadvantages." Am I to understand that in your opinion the probation in England for Indian candidates who pass in India, supposing the examinations are simultaneous, should be optional?—Yes.

1866. You would not make it compulsory?—No.

1867. Do you not think that Indians who are members of the Indian Civil Service, and who practically govern the country, should understand the spirit of English institutions and of English rule?—It is certainly desirable that they should understand the spirit of English history; but there are caste scruples, and I would therefore give the option to the Indians. These scruples are being overcome.

1868. If they are not willing to put aside their scruples, surely it is reasonable that they should not want to be in the Indian Civil Service just now: they might wait until they are able to put aside those scruples?—That would be perfectly reasonable.

1869. When you speak of offering facilities to the communities educationally backward, would

not what you have in view be met by providing scholarships and other such facilities?—Yes.

1870. Are there any colleges in this Presidency from which Panchamas are expressly excluded? There are no rules.

1871. Are you aware of any colleges where they are excluded?—No.

1872. As regards Indian vernaculars, you have advocated that they should be added and placed on a level with French, German and Italian?—Yes.

1873. A question was put to you with regard to the relative position of the vernaculars and English?—Yes.

1874. Are you aware that the marks in the list of subjects for English composition and English literature and language are about 1,100—500 for English composition, 600 for languages and literature, and for French, German and Italian languages only 400 each; you propose to have for vernaculars 400 marks?—Yes.

1875. So that that does not place the Indian student on a level of equality with the English student. Even if Indian vernaculars are added you would have only 400 marks as against 1,100 marks for English. The whole thing is already overweighted a great deal in favour of the English candidates?—Yes.

1876. If the balance was a little redressed by adding Indian vernaculars with only 400 marks, that would not be such a ground of complaint for English candidates?—Yes.

1877. So far as the minimum is concerned, you do not want to lay down a minimum for English officials, because you think the occasion for such a minimum will not arise?—No.

1878. You do not mean to say that you do not want any English officials in the service?—No.

1879. (*Mr. Chaubal.*) In your answer to question (6), you pointed to three considerations which prevent parents from sending their boys to England?—Yes.

1880. You refer to poverty, caste scruples, and unwillingness of parents to send their children to a distant country at a tender age?—Yes.

1881. So far as caste scruples operate to prevent boys going to England and appearing at the competitive examination, even under your proposal those same boys would not be prevented from appearing at the simultaneous examination in India, because it is no use appearing for that examination unless a boy is prepared to spend two subsequent years of probation in England?—What I believe is this, that a parent would be unwilling to send his boy to England when he is not sure about his passing. But if a boy has passed an examination here the father would be willing to send his son to England in spite of caste scruples and might compel him to go.

1882. You think caste scruples can be got over?—Yes.

1883. You think that if a boy succeeds in passing the examination here the father might be willing to send his son to England?—Yes.

1884. The father's willingness depends upon what?—Upon his age when he passes the examination. He would then be probably 22.

1885. I understand that there are scruples amongst particular castes with regard to crossing the sea in order to remain in England, and about feeding and drinking with people of foreign nations. If these caste scruples at the present day prevent parents from sending their boys to England, will not the same consideration operate, seeing that you insist upon a two years' probationary course in England?—Caste scruples are not now so very strong. If there is a chance of a boy passing the examination the caste scruples will give way.

1886. You mean that it is a minor consideration?—Yes, a minor consideration.

1887. Supposing there is a larger number of Brahmans in the Indian Civil Service, what is the Brahman supposed to do?—You say that in order to obviate the objections which are taken or in order to obviate the fear that a large number of Brahmans will come into the service, such and such a thing must be done?—Yes.

1888. Will you give the Commission an idea of what it is apprehended that the Brahman will do if he is in a post of office which the Civil Service gives?—It is not what I think in the matter. The Government are of opinion that Brahmans should not occupy all the appointments.

1889. Can you tell us what the Government apprehend?—They apprehend that there will be discontent on the part of non-Brahmans and Muhammadans, and therefore, they say that, as a rule, the Brahman should not occupy more than 25 per cent. of the appointments in each grade.

1890. Supposing what you call the "backward classes" are the non-Brahman classes, and supposing that they get posts which are at present offered by the Civil Service, will not there be discontent among the Brahmans?—What I propose is that the Government of India, in communication with the local Government, should tell off the men to the different Presidencies. The Madras man might go to Bombay—to the north; and the Muhammadan from the north might come here. In that way the difficulty might be obviated for the present until all classes came in.

1891. That may be, but it is not an answer to my question. My question is, what is the fear that the Brahman will do even supposing he is engaged in the same Presidency? You think the fear would be the fear of discontent of other classes?—Yes.

1892. On that my question is, supposing the Brahman is excluded on considerations of giving encouragement or bringing in other classes, would not there be a similar discontent amongst the Brahmans?—Yes.

1893. Have you any experience of Judicial work?—No.

1894. From your knowledge of how Indian officers or barristers and Judges do their work,—are you yourself capable of venturing an opinion as to that? Do you think that if the Judicial Branch is recruited from the European and Indian Bar that the Judicial Branch will be efficiently manned by such recruitment?—Yes.

1895. Although you have no judicial experience yourself?—I have talked the matter over with many Judicial officers, and I know how cases are disposed of, because I am in the country.

1896. (*Sir Theodore Morison.*) How many Indian vernaculars would you admit at the competitive examination?—Four vernaculars. I do not know what the vernaculars are in other parts of India.

1897. If there is anything like that proportion would you admit them?—Yes.

1898. How many would you allow a native candidate to take up?—You must leave it to his option. I do not think there is any compulsion now. All that he has to see is that he makes up the maximum of 6,000 marks.

1899. A European can now take up French, German and Italian—that is three?—Yes.

1900. Would you admit three or four Indian vernaculars at the same figure?—I have no objection.

1901. The marks for each of these, I see, are 600?—Yes.

1902. I think the last regulations say that the total in any of those three European languages is 600?—Yes.

1903. And you would ask that the same number should be given for the Indian vernaculars?—Yes.

1904. Therefore a man could get 2,400 marks according to your proposal by the Indian vernaculars?—Yes.

1905. And, according to your proposal, he adds 1,100 for Sanskrit?—Yes.

1906. That would be 3,500?—Yes.

1907. English I suppose is obligatory?—Yes.

1908. So that you would get 4,500, or very nearly the total number of marks?—No, the total is 6,000.

1909. Is it your opinion that such an education, which would consist of four Indian vernaculars and Sanskrit and a certain amount of English, constitutes a good modern education?—But to make up the remainder he must take up mathematics and science.

1910. I know nothing about the vernaculars of Southern India, but is it possible to give a good modern education in one of the Indian vernaculars of Southern India?—I think so.

1911. (*Lord Ronaldshay.*) Will you tell us the reason why you say that members of the Indian Civil Service cannot satisfactorily discharge their Judicial functions?—It is common knowledge that they have not got the legal training, and their decisions are not satisfactory.

1912. Do you confine that to civil cases, or do you include criminal?—Civil cases mostly, and criminal cases also; but they are not quite so satisfactory.

1913. You cannot say that from your own experience?—I have no experience of those cases personally. I have never been a party in those cases.

1914. It is a sort of general impression?—Yes.

1915. (*Sir Murray Hammick.*) You told Mr. Gokhale that there were no schools where they excluded Panchamas?—By the rules.

1916. I am not talking of rules. Are there any schools where Panchamas are excluded?—When a Panchama boy comes the other boys may leave.

1917. Then there would be a school left for one Panchama boy?—Yes.

1918. (*Mr. Ramachandra Rao.*) Your official experience has been so long that I wish you to state as the result of your personal knowledge the capacity of Indian officers who deal with riots in comparison with European officers?—I think Indian officers, especially those selected by competitive examination, are as good as any others in dealing with riots. These riots require a large amount of presence of mind and resourcefulness by those who deal with them. There are some bad cases amongst the Indian officers, but there are as many bad cases amongst the European officers. In the last six years there have been these cases: Negapatam workshops riots, 1896; Tinnevelly Anti-Shanar riots, 1899; Villupuram riots, 1897; Kottapakunda riot; and the Timpattur riot of 1911. In all those cases the European officer was not able to deal with the riots at all well.

1919. (*Mr. Subrahmanyam Pantulu.*) In answer to question (65) you say that District Judges of five years' standing can be allowed a higher pension than other officers; it is only when he attains a service of five years that he should be given a higher pension than a Sub-Judge?—Yes.

1920. Are you aware that District Judges who are now recruited from Sub-Judges cannot serve for five years before they retire owing to their age by the time they are generally appointed? They are generally made District Judges when they are between 40 and 50?—I am willing to modify the five years to three years.

1921. You think that the District Judge should be given higher pay than the Sub-Judge?—Yes. As I have said I would give three years.

1922. (*Mr. Madge.*) I think I understood you to say that the Indian officers dealt better with the riots?—I did not say better: I said as well as the European officers.

(The witness withdrew.)

M.R.Ry. Rao Bahadur T. RAGHAVIAH PANTULU Garu, Assistant Secretary, Board of Revenue.

Written answers relating to the Indian Civil Service.

1923 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes.

1924 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes.

1925 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The object of the examination being to test the intellectual attainments of the candidates, I see nothing in the combination disadvantageous to Indian interests.

1926 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—In the event of the examination being held in India simultaneously with that in England, it is but fair that the former should be confined to Indians and British-born subjects of His Majesty.

1927 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I can see no reason why it should be held at any other centre within His Majesty's Dominions.

1928 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you

recommend ?—I would have a simultaneous and absolutely identical examination so as to admit of competition among candidates in England and in India with one another. If this is not to be, I would have a separate examination at one centre in India for recruitment of "Natives of India" to the Indian Civil Service. Having regard to present conditions, I would fix the proportion at one-third.

1929 (10). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty ?—The holding of a simultaneous or separate examination in India is no reason why Indians should not be allowed to share with the other natural-born subjects of His Majesty the privilege of competing for appointment in England.

1930 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services ? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services ?—I am not in favour of any system of direct selection of young men who are Natives of India to the listed posts.

1931 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent ? If not, please state fully any proposals that you wish to make in regard to this matter?—I accept the definition, but would so alter it as to take in the subjects of the protected Native States also.

1932 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons ? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty ?—The present age limit seems suitable. There is no necessity to differentiate between Natives of India and other natural-born subjects of His Majesty in the matter of age limit.

1933 (20). On what principle should the subjects for the open competitive examination be fixed ? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of "such a nature that no candidate who may fail "shall, to whatever calling he may devote him-"self, have any reason to regret the time and "labour which he had spent in preparing himself "to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period ?—I accept the principle.

1934 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates ? If so, please state them and give reasons ?—No differentiation is in my opinion necessary, but the syllabus should be so revised as not to give an undue preference, as at present, to the European classical languages over the Indian classics. The papers on Roman and Greek History should be so set as not to render a knowledge of Greek and Latin indispensable on the part of the candidates.

1935 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons ? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54) ? [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.] ?—The schedule does not seem to require any alteration.

1936 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration ? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted ?—Yes. Natives of India might, under present conditions, be properly admitted to one-third of the posts included in the Indian Civil Service cadre.

1937 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) ? Do you recommend any alterations in this system, and if so, what ?—The exceptional powers given by the provisions of the Acts referred to in the question must be retained in order to reward cases of exceptional merit in the subordinate ranks. But the general recruitment to the Indian Civil Service should, in my opinion, be regulated on the lines indicated in my answer to question (9).

1938 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner ? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties ?—On the whole, yes.

1939 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend ?—No.

1940 (38). Is the class of posts listed suitable ? If not, in what directions would you suggest any changes and why ?—Posts already listed are no doubt suitable, but the list may well be expanded by the addition of the following classes of appointments, namely, membership of the Board of Revenue and Secretaryship to Government.

1941 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibilty, and has it been found possible and expedient to employ them in all branches of the administration? —I would say "yes."

1942 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you ?—One year in England is sufficient in any case.

1943 (47). Do you consider that probationers should receive allowances during their period of probation ? If so, please give the scale and conditions that you recommend ?—Yes, £150 a year payable quarterly in advance as at present.

1944 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling ? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course ?—Yes.

1945 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you ?—I would make Hindu and Muhammadan Law compulsory. Such Indians as pass from India under the simultaneous or separate examination scheme should be required to spend their period of probation in England at an approved University. In their case, I would omit compulsory subjects (1) and (2).

1946 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts ?—(i) Yes. (ii) Yes. (iii) Yes, only in the case of non-Indians. (iv) (*a*) Yes, only in the case of non-Indians. (iv) (*b*) Yes. (iv) (*c*) Yes.

1947 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India ?—In England.

1948 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England ?—I am not in favour of the proposal.

1949 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre ?—I am not in favour of the proposal.

1950 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers ?—Please see my answers to questions (44) and (51).

1951 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India ?—In England.

1952 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty ? If so, please state the special arrangements that you recommend ?—Please see my answers to questions (51) and (52).

1953 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India ? If not, what change should, in your opinion, be introduced ?—I would make them attend sessions trials and take down notes.

1954 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend ?—In addition to the present syllabus I would require them to pass in select portions of the Civil Procedure Code and the Criminal Rules of Practice.

1955 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service ? If so, what are the causes ? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied ?—Yes. The ability to converse freely in the vernacular which used to characterise the civilians of the past is not so general among the present members of the Civil Service. The reasons for this are, in my opinion, (i) the spread of English education among the people themselves to a larger extent than before and (ii) the want of a closer touch on the part of civilians with the people amidst whom they are placed. This could be obviated by a stricter insistence on their transacting business with the ryots in the vernacular while on tour and conversing with them as far as possible in their language without the intervention of an interpreter.

1956 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose ?—Please see my answer to questions

(60) and (61) which, however, relate to officers in general and not to judicial officers in particular.

1957 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.—No.

1958 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—Please see answers to questions (44) and (51).

1959 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—Please see my answer to question (43) relating to the Provincial Civil Service.

1960 (134). Have you any criticisms to make on the facilities at present offered—(*a*) to statutory civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—(*b*) Please see my answer to question (45) relating to the Provincial Civil Service.

1961 (136). Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable and explain fully your views, making any suggestions that appear to you suitable?—Yes.

Written answers relating to the Provincial Civil Service.

1962 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—*My answers refer only to the Executive branch*—The conditions are not wholly suitable. I consider recruitment by open competition the most satisfactory method. I am not in favour of Europeans who are not statutory natives of India being considered eligible for appointment to the Provincial Civil Service. In the event of a simultaneous or separate examination for direct recruitment of Indians to the Indian Civil Service being granted, the Provincial Civil Service would sink into a subordinate service corresponding to the second-class clerkships of the Home Civil Service and should begin with the Tahsildari and end with first-grade Deputy Collectorate. Recruitment should be in the proportion of two-thirds by open competition (the probationers being during their probationary period supernumerary Deputy Tahsildars) and one-third by (*a*) promotion from the subordinate ranks and (*b*) by direct nomination, if Government should consider such a course necessary for the representation of the different classes of the community. In case however of there being no simultaneous or separate examination in India for direct recruitment of Indians to the Indian Civil Service, I would suggest direct recruitment to the Deputy Collectorate in the proportion of two-thirds by open competition and one-third by promotion from the subordinate ranks and by direct nomination.

1963 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—*Vide* answer to question (1). I would make the same recommendations here also.

1964 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The system of open competition has, it is generally believed, succeeded best. For the rest, please see my answers to questions (1) and (2).

1965 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—There are none in the service at present, and there is no need for recruiting non-residents of the province for a purely Provincial Service.

1966 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—They are on the whole pretty fairly represented. From my answers to questions (1) and (2) it will be seen that I am in favour of recruitment to the Provincial Civil Service mainly by competition. In order however to secure due representation of the different classes of the community and to reward exceptional merit in the subordinate ranks, I have excluded one-third of the recruitment from open competition.

1967 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Candidates promoted from the subordinate ranks require no training. In the case of persons directly recruited the system of training obtaining in the case of Assistant Collectors should be adopted, the period of probation being fixed at two years.

1968 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Deputy Collectors directly recruited should be made to pass the same departmental tests as Assistant Collectors, the nature of work to be done by both the classes of officers in their capacity of Divisional Officers being the same. The special tests prescribed for the clerical and the lower executive staff are hardly suitable in the case of Deputy Collectors.

1969 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—*Vide* my answers to questions (1) and (2). In case of there being no simultaneous or separate examination, the Provincial Civil Service should comprise the following besides Deputy Collectorships:—one-third of the total number of Collector-ships; two Secretaries of the Board of Revenue; two Members of the Board of Revenue; and one Secretaryship to Government.

1970 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Condition VII of the Resolution of the Government of India, Home Department, Nos. 1046–1058, dated 19th August 1910, bears on this question. It reads thus:—"The Local Government should reserve to itself the right to make promotion to the superior grades of the Provincial Civil Service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades." I take it that the object of this rule is to reserve to Government the right to recognise exceptional merit and reward it in preference to seniority. In practice, however the rule has not been strictly adhered to. A stricter adherence to it is necessary, if merit is to be encouraged.

1971 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—*Vide* answer to question (16). Compulsory retirement of inefficient officers is not insisted on to the extent to which it might be.

1972 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—To the first part of the question my answer is that in the event of there being neither the simultaneous examination nor a separate examination in India for direct recruitment to the Indian Civil Service nor open competition for entrance into the Provincial Civil Service, it is highly necessary that more posts should be listed as open to officers of the Provincial Civil Service of proved merit and ability. As to the number and class of appointments to be listed, please see my answer to question (11).

1973 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—The merging of such posts is not a matter of much consequence.

1974 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–1887, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

1975 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The pay of the last grade should be Rs. 300 and the pay of the first grade should be raised to Rs. 1,000. The number of appointments in the several grades should be so distributed as to increase the strength in the higher grade, thereby making the promotion in the lower grades more rapid than at present.

1976 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. The several grades of Deputy Collectors may be treated as distinct classes for purpose of article 140 of the Civil Service Regulations.

1977 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of the time-scale.

1978 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I consider that officers holding listed posts of and above the rank of Collectors or District Judges should get the same pay as the Indian Civil Service Officers of equal rank.

1979 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—There is a greater tendency of late to take more privilege or short leave than formerly, due to greater stress of work and consequent greater need for rest. Long leave is seldom taken by officers of the Provincial Civil Service, as allowances payable during such leave do not admit of their living on a scale consistent with their position and at the same time meeting the cost incidental to foreign travel which they may wish to do, and also because a good deal of such leave does not now count as qualifying service for pension.

1980 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Leave on full pay is generally not allowed to lapse. In the few cases in which it is not taken it is generally due to the fear of losing a good station or congenial work. The amount of leave on full pay which could be earned under the rules seems suitable. I would however advocate the alteration of the rules so as to allow an officer to accumulate privilege leave up to a maximum of six months and combine it with vacation of all kinds and take the whole of it at one time.

1981 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest? (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend? (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave

allowances admissible, are suitable?—(33-6) The sub joined table exhibits the main differences that now exist between the European and Indian Service leave rules:—

European Service.

1. First furlough not exceeding two years may be taken after eight years' active service.
2. Amount of furlough earned is quarter of active service.
3. Second and subsequent furloughs may be taken after three years' continuous service.
4. Furlough without medical certificate not exceeding three months does not interrupt service for furlough.
5. Service for furlough is not interrupted by leave on private affairs.
6. Leave on private affairs counts as continuous service for furlough.
7. Special leave on urgent private affairs may be granted to an officer who has had furlough.
8. Maximum amount of furlough (ordinary or on medical certificate) *plus* special leave on urgent private affairs is six years.

Indian Service.

1. First furlough not exceeding one year after ten years' service.
2. Amount of furlough earned does not exceed two years whatever the length of service.
3. Second and subsequent furloughs may be repeated at intervals of not less than eight years.
4. Furlough interrupts service for further furlough.
5. Service for furlough counts only from the date of return from leave on private affairs.
6. Leave on private affairs does not count as service for furlough.
7. Leave on private affairs cannot be taken by an officer who has had furlough.
8. Maximum amount of furlough *plus* leave on medical certificate *plus* leave on private affairs is five years.

1982 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I would suggest that the long leave rules applicable to the Indian Service be simplified by abolishing all distinctions, only maintaining the distinction between leave on medical certificate and leave without it. The long leave admissible may be raised to one-fifth of active service in the case of Indians as against one-fourth in the case of Europeans. An officer may be permitted to take, without a medical certificate, all leave at his credit up to a maximum of two years at a time and subject only to the exigencies of the public service; and like the European Officer, the Indian Officer should be allowed to take furlough not exceeding six months although the same may not be due to him, this concession being allowed only once in the whole of his service. The only alteration that I would suggest in the matter of allowances is the removal of the restriction in article 340 (*a*) of the Civil Service Regulations limiting the allowances to one-half of the officer's average salary for the first 15 months of leave on medical certificate and for 30 months of such leave in all. I consider that half the average salary should be given for the entire period of such leave. I would not however interfere with the different maxima of long leave admissible under the present rules to Indian and European officers.

1983 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Voluntary retirement on full pension may be allowed after 25 years of qualifying service instead of 30 as at present, the qualifying service for full invalid pension being correspondingly reduced from 25 to 20 years. All leave with allowances may be made to count as qualifying service for pension.

1984 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. They may be retired on a pension of as many 60ths of their average pay as the number of years of qualifying service put in, subject to the condition that the minimum qualifying service for pension under this rule be ten years.

1985 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Officers holding listed posts of and above the rank of Collector or District Judge should, after three years' active service in such posts, be entitled to a pension of Rs. 6,000 a year as in the case of officers governed by article 475 of the Civil Service Regulations.

1986 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—A system of family pensions should be introduced on the lines of the Indian Civil Service Family Pension Fund with modifications to suit Indian conditions.

1987 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The only other suggestion that I have to make is that Deputy Collectors should be placed on a par with Divisional Officers of the Indian Civil Service in the matter of tentage and travelling allowances.

Mr. T. Raghaviah, called and examined.

1988 (*Chairman.*) You are Assistant Secretary, Board of Revenue, are you not?—Yes.

1989. And a Deputy Collector of the second grade?—Yes.

1990. What is your caste?—I am a Brahman.

1991. What are the posts you have held in the public service previous to this?—I have held a Deputy Collector's appointment for a long time. I entered service in the Deputy Collector's cadre. I came in by competition. I have also held special appointments. I was Forest Settlement Officer for two years, and I was Revenue officer for the Madras Corporation for about four years. I am now Assistant Secretary to the Board of Revenue.

1992. I understand you are in favour of simultaneous examinations?—Yes.

1993. In default of a simultaneous examination you are in favour of a separate examination?—Yes.

1994. Giving one-third of the total number of vacancies to the natives of India?—Yes.

1995. And in default of either a simultaneous or separate examination you would increase the number of listed posts?—Yes.

1996. How far would you go in that direction?—I would raise to one-third the fixed proportion of the listed posts to be thrown open.

1997. Whatever the system of competition for the Indian Civil Service, you advocate the spending of the probationary period in England?—Yes.

1998. I understand from your evidence that even under a system of simultaneous examinations you would fix the proportion of Europeans at two-thirds?—I do not think that under the system of simultaneous examination any proportion should now be fixed, because I do not anticipate that Indians will be able to capture all the appointments. I do not think I have said that under simultaneous examination the proportion should be fixed.

1999. I am referring to question (24)?—I have answered it on the assumption that simultaneous examination was not going to be granted.

2000. This is on the alternative scheme?—Yes.

2001. In the case of simultaneous examination you would have no proportion fixed?—I do not think it is necessary.

2002. Assuming that under the system of simultaneous examination a large proportion of Natives of India were successful, would you suggest any means by which you could ensure the European element?—I would then fix an irreducible minimum of Europeans in the service.

2003. But you would wait until that occurred before you attempted to establish it?—Yes, I think so.

2004. You think it could be quite easily done when the occasion arose?—Yes.

2005. Your answers relating to the Provincial Civil Service, refer exclusively, I understand, to the executive branch?—Yes.

2006. I see that you would fill most of the posts of the Provincial Civil Service by open competition?—Yes.

2007. Retaining only one-third of the total number of vacancies to be filled by direct nomination or by promotion from the subordinate service?—Yes.

2008. Your opinion on the whole is that the open competition system has given better results?—Yes.

2009. Would you say upon what grounds you have come to that opinion?—That is the general impression, and I also say it because most of the appointments which are considered to be especially good have been recruited from men who entered the service by competition, such as Personal Assistants to Collectors, Assistant Secretary to the Board, Under Secretary to the Government, Revenue officer of the Madras Corporation, and also because naturally a man who is directly recruited would be fresher and more energetic than a man who has seen a good deal of service and would be aged by the time he reached the Deputy Collector's cadre.

2010. You think that the higher posts now open can only be obtained at too great an age after long service and when the best in a man has passed?—Yes.

2011. You suggest that Collectors and District Magistrates in the Provincial Civil Service should draw the same pay as officers in similar employ in the Indian Civil Service?—Yes. Their position is very important in the districts. They have to keep up a style, and now Indian officers in such high positions are living more or less like Europeans, and their expenses are nearly, if not quite, as great as those of Europeans.

2012. Would you say that the necessary expenses of the post are as great for Natives of India as they are for Europeans?—Yes, even in the case of a man occupying lower posts. That is so as far as my experience goes.

2013. I notice that you recommend certain changes in the leave and pension rules?—Yes.

2014. You think that there should be a Family Pension Fund for the Provincial Service?—Yes.

2015. Have you any means of knowing whether any appreciable number of officers in the Provincial Civil Service would like to see such a fund established?—I think they would like the institution of such a fund. A good many of them have already joined the General Provident Fund, and a good many of them are insured in the Postal Life Insurance. If a Family Pension Fund were established a good many would join it. They are not able to lay by as much as they would like to do, and in the interests of their children it would be better.

2016. Do you think that those who join the General Provident Fund would desire to join such a fund as this as well?—I am not sure, because the General Provident Fund takes away a large slice of their salary.

2017. To a certain extent it offers the same advantages?—It does offer some advantages, but not exactly the same advantages, because in the case of the General Provident Fund the money goes to the man himself and he may draw it as soon as he retires. In the case of the Family Pension Fund he is left no choice in the way of spending the money. It will always benefit his children and heirs.

2018. (*Lord Ronaldshay.*) Can you tell me what proportion of posts ordinarily reserved to the Indian Civil Service are filled by Indians at the present time?—There are only about seven listed appointments that have been thrown open to the Provincial Service, two Collectors, four Judges, one Secretary to the Board, and one Under Secretary to the Government.

2019. What proportion would that be; about one-tenth or one-twelfth?—About one-tenth as far as Collectors go.

2020. You advocate one-third of those posts in future being filled by Indians, as far as I understand?—One-third of the Collectors, I have not said anything about the Judges.

2021. That would be a large jump from one-twelfth, as advocated by you?—Yes, it would be.

2022. Have you served under District Collectors?—I have.

2023. Have they been Europeans or Indians?—All Europeans.

2024. Then you have had no personal experience of an Indian in Collectors' posts?—I have had no personal experience. Indian Collectors are men known to me and my friends, but I have not served under them.

2025. You are not in a position to compare Indian with European Collectors?—No.

2026. (*Sir Theodore Morison.*) In answer to question (31) you say that members of the Provincial Service very seldom take long leave which is due to them?—That is so.

2027. Do you think that their health suffers in consequence?—Yes, it does suffer.

2028. In your reply to the next question I see you recommend that they should be allowed to accumulate privilege leave up to six months?—Yes.

2029. That would mean that they would go five and half years without a holiday?—There is a month for every eleven months of service, independent of the five years, for which they are otherwise eligible.

2030. Your proposal contemplates their going very long without a holiday?—Yes, I do not mean to tack on privilege leave to other leave. Under my proposal I suggest that they should be allowed to accumulate privilege leave for six months, and then they would have the advantage of full pay and might be induced to go on foreign travel, or something of that sort.

2031. Do you think that the present scale of pay for furlough does prevent them taking leave, and that their health suffers in consequence?—Yes, I think so.

2032. (*Mr. Gokhale.*) You are a Rao Bahadur?—Yes.

2033. When was the title conferred?—Two years ago.

2034. Was it conferred in recognition of special work?—In connection with my work for the Madras Corporation, I believe.

2035. Were you recommended for brave conduct in connection with the Tinnevelly riots?—Yes; Government spoke well of my work in those riots.

2036. (*Mr. Sly.*) You have mentioned certain listed posts held open to the Provincial Service?—Yes.

2037. And you also state the number of posts taken away from the Indian Civil Service and amalgamated with the Provincial Civil Service?—I believe there are seven such posts: two Sub-Collectors, four posts corresponding to Head Assistant Collector, and one post of Assistant Collector.

2038. What are your objections to the introduction of a time scale salary?—My chief objection is promotion would become a matter of course; more so than at present. Even now seniority guides promotion; but under the time-scale the evil is likely to be accentuated.

2039. That is your principal objection?—Yes.

2040. In answer to question (62) you refer to the fact that with the Indian Civil officer there is a want of close touch with the people with whom he is serving. Do you think that the Civil officers are not now in so close touch with the people as they used to be?—I do not think they are in quite so close touch with the people as they used to be 15 or 20 years ago.

2041. Can you tell us the reasons for that?—I think the chief reason is on account of the fact that most of the correspondence is now carried on in English, that the European officers have now greater facilities of going away from the country on leave, and that there are greater facilities for mixing amongst themselves than was formerly the case.

2042. Do you think that the European officers take more leave than they used to do, or less leave than they used to do?—I cannot say.

2043. (*Mr. Macdonald.*) Is this evidence your own evidence or is it representative?—It is largely my own evidence, but I have also had talks about it with my colleagues; men in my own cadre.

2044. Has it been presented to them and then presented by you to us with their sanction?—No.

2045. In answering question (24), you say that under present conditions you are willing that the posts to be filled by Indians should be limited to one-third?—Yes.

2046. If we had simultaneous examination, do you anticipate that there would be more Indians entering the Civil Service than now?—Yes, more, I should think.

2047. And yet under a system where a comparatively small number of Indians enter, you are willing to limit; whilst under a system which will admit a larger number of Indians, you are not willing to limit: you say that if we have simultaneous examination you are not now willing to put down any limit to the number of offices to be filled by Indians?—Yes.

2048. You say, "trust to time: we will see." I put it to you that if you are willing, as you say in answer to question (4) to limit now, when there is a comparatively small number of Indians entering, surely there is no reason why you should not limit under a simultaneous system of examination?—I had not anticipated that.

2049. It is not a question of anticipation. Some of the witnesses, I think, have not quite seen the point. It is not a question of anticipation at all. If you are in favour of a nucleus of English representatives in the Civil Service, it is then no question as to whether that nucleus is going to be endangered or not by simultaneous examination: do you not agree with that?—Yes.

2050. If it is necessary it must be provided for, must it not?—I have no objection to provide for it under those conditions.

2051. In answer to question (24) you say that one-third of the posts should be filled by Indians?—If I should fix a limit I would put it at one-third as the European limit. I answered question (24) on the assumption that a minimum is not to be fixed under a simultaneous examination scheme but I would put the European minimum at one-third: not that I anticipate that the Indians would swamp the Europeans; but if it is considered necessary I would put it at one-third. In all probability not much more than one-third of Indians would get in for a good many years.

2052. Under present circumstances you would limit it to two-thirds Europeans?—Yes; I limit the minimum of Indians to one-third under the present circumstances.

2053. Why do you want to put it at two-thirds under the simultaneous examination scheme?—I do not put it at two-thirds for Indians: I put one third for Indians.

2054. With regard to your answer to question (24), is it not a fact really that you put an irreducible minimum of two-thirds of Europeans, because you say that the Natives of India might under present conditions be properly admitted to one-third of the posts. Does it not mean that they could be admitted to no more than one-third?—It does probably mean that.

2055. Then you do not take the line that there must not be an irreducible minimum?—No, I do not.

2056. With respect to the Provincial Civil Service, you say that they could be recruited by examination?—Yes; two-thirds.

2057. There have, I believe, been recruitments by examination in Madras?—Yes, for some years.

2058. I understand that you are one of the successful candidates?—Yes, I came in in that way.

2059. And then afterwards that system was dropped?—Yes, it was dropped in 1904.

2060. Why?—I cannot say; I do not know.

2061. Was it dropped because it produced inefficient men?—I do not think so.

2062. Were you present this morning when evidence was given to the effect that the men who were recruited in that way were above the average?—No. I was not.

2063. Have you any opinion yourself, from your own experience, and not from what you have heard outside, as to whether those men are, or are not, at any rate, up to the average?—I believe that they are up to the average. I am aware that a few of them have not been up to the average; but the majority of them have been above the average, as far as my experience goes.

2064. If a man gets in by competitive examination and he proves himself to be inefficient, what ought to be done with him?—He ought to be compulsorily retired.

2065. There is no opinion, is there, amongst your friends, in favour of keeping a man in the service when he is not worthy of being retained in the service?—No, there is no opinion of that kind as far as I can gather.

2066. Would your reply be to those who say that inefficient men might get in by competitive examination to Provincial posts that they should be cleared out?—Yes, certainly.

2067. And by a system of competitive examination, supplemented by a drastic system of clearing out inefficient men, you would get a better staff of public employés than you have now?—Yes.

2068. Turning to question (11), you say that one-third of the total number of Collectorships, and so on, should be held by members of the Provincial Civil Service: you mean, I assume, if the proper men are available?—Yes.

2069. You would not lay this down as a rule which must be carried out even if you have to appoint inefficient men to these posts?—No.

2070. (*Mr. Madge.*) In your answer to question (8), "Are all classes and communities duly represented in the service?" you say that they are on the whole very fairly represented?—Yes.

2071. When you say that all classes are "fairly represented," are you confining your remarks to the educated classes?—I mean the important communities of Southern India.

2072. What do you call the "important communities"?—The Brahman, the Muhammadan, the non-Brahman, the Indian Christian, the the Anglo-Indian or the Eurasian.

2073. I am not very well acquainted with the caste divisions of this part of the country, but is there not a class here who are fairly educated, and correspond with what we call the Kaists of Upper India?—They would come under Non-Brahman.

2074. Do you think they are fairly represented in the public service?—I think so.

2075. (*Mr. Abdur Rahim.*) What is the Indian public opinion with regard to the efficiency of the Indian Executive officer?—I think the public considers him as fairly efficient.

2076. As regards simultaneous examination, you would be prepared to lay down a minimum for the European element?—Yes.

2077. Do you think it necessary that the different provinces of India, the important communities, should be represented in that Service?—Probably all the Provinces would be represented.

2078. Would you make any provision for them?—I would not make any provision for them.

2079. Why should you draw any distinction? If you once break away from the logic of competitive examination, why should you draw a line at the European element?—I think it necessary that the administration should be British in character. I would make a provision in favour of the European.

2080. Is it, then, your opinion that unless a man gets through the competitive examination, whatever his qualifications may be, he will not be able to keep up the British character of the administration?—I think so, generally speaking.

2081. Although his qualifications may not be different?—In my opinion a competitive examination is the best test of finding out any one's qualifications.

2082. Do you not think there would be any dissatisfaction amongst men of the province which may not be represented, or amongst the communities who may not be represented under your scheme?—I do not think so, because the Indian Civil Service is numerically a very small body, and efficiency must be the chief criterion in the recruitment for that Service.

2083. (*Sir Valentine Chirol.*) When you said just now that you thought on the whole the expenditure of Indian officials was very much the same as that of the English officials, there are two things that must have escaped your memory, namely, on the one hand that as far as married men go an Englishman is obliged on account of the climate to send his children and probably his wife home for considerable periods, and thereby incurs a heavy expenditure in connection with maintaining them there, which does not fall upon an Indian?—That is true, but Indians are now beginning to send their children to Europe. Indians who hold high positions are beginning to send their children to England for their education. As far as my own home is concerned, one of my own brothers went to England. He has now come back.

2084. You have now very considerable facilities for the education of your children in this country (very fair education, I do not say the highest) at extremely cheap rates: that is to say, education

is extremely cheap in this country as compared with what it is in England, whereas an English official has to send his children home for education: that is so, is it not?—Yes.

2085. Those, I think, are two considerations which ought fairly to be remembered in dealing with that question. Do you agree with me in that?—Yes, certainly.

2086. I do not wish to put it in an invidious way, but you have referred to the relations between the English civilian and the people, and the want of a closer touch on the part of civilians with the people amongst whom they are placed. There are, I understand, in this part of the country, in this province especially, a very large portion of the population, which the people of your own caste especially whose views have not broadened as much as your own views have, call "untouchable"?—Yes, that is so.

2087. Is there any class of the community here that an English official would for a moment regard as "untouchable," or hesitate to come into close personal contact with in the discharge of his duties?—No.

2088. Surely the want of what you call "closer touch" on the part of European people would apply rather to the caste which treats a considerable section of the population as "untouchable" than to the Englishman who has no such religious scruples? That is the only point I wish to establish?—I do not mean to say that the official willingly avoids contact with the people: I mean to say that he has not got the same facilities that he formerly had. There is another thing to be considered, namely, the fact that his work has of late visibly increased; he has a good deal more work to do now than formerly.

2089. I did not mean to reflect upon your English colleagues at all, I only wanted to establish that one point?—Yes, I understand.

2090. (*Sir Murray Hammick.*) I will continue that question. You say that the ability to converse freely in the vernacular is not so general among members of the Civil Service. When you say, "civilians of the past," do you mean that the civilians of the present day speak the language a great deal better than they did in my time? What period do you refer to? I think it is quite the other way. I think the civilian of the present day speaks the language better than he did in my time?—I have known civilians 15 or 20 years ago who talked freely in the vernacular; but I have only come across one instance in recent years of a civilian talking in the vernacular with the people with whom he came in contact. I am speaking of ordinary conversation. That is what led me to say what I did.

2091. That is curious, because you are talking of about the time when you were serving with me; and I should have said that the civilians I meet now talk a great deal better than any of us did in those days. You say that there is equal representation of all classes. The figures are that the non-Brahman is 85 per cent. of the population, and is only represented in 21½ per cent. of the posts of the Civil Service. That is hardly a fair representation. The Brahman is 3·2 per cent. of the population while he holds 55 per cent. of the posts in the Civil Service. Is that what you consider a fair division of appointments among the classes?—I think we must take into account the literate proportion of the community.

2092. I do not wish to say anything unfair, but Mr. Gokhale asked you whether you had conducted yourself quite properly in the Tinnevelly riots. You remember that we were together in the riots, and I reported very highly upon your conduct, but as far as I remember you had actually nothing to do yourself with the riots. What I reported on you for doing was the administrative and executive work, when you came in after the riots as I did, in helping to pacify the country. I think you were not present at the riots?—I did disperse the riots in one village.

(The witness withdrew.)

At Fort St. George, Madras.

Friday, 10th January 1913.

THIRD DAY.

Present:

The Right Hon. the Lord ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

The Earl of Ronaldshay, M.P.
Sir Murray Hammick, K.C.S.I., C.I.E.
Sir Theodore Morison, K.C.I.E.
Sir Valentine Chirol.
Mahadev Bhaskar Chaubal, Esq., C.S.I.
Abdur Rahim, Esq.
Gopal Krishna Gokhale, Esq., C.I.E.
Walter Culley Madge, Esq., C.I.E.
Frank George Sly, Esq., C.S.I.
James Ramsay Macdonald, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. Oldfield, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. Ramachandra Rao Avargal, Collector, Nellore.
M.R.Ry. V. Subrahmanyam Pantulu Garu, District Judge, Cuddapah.

M. S. D. Butler, Esq., C.V.O., C.I.E.
R. R. Scott, Esq. } (*Joint Secretaries.*)

M.R.Ry. Rao Sahib S. N. V. Rajachar Avargal, Deputy Collector.

Written answers relating to the Provincial Civil Service.

2093 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable. No alteration seems necessary.

2094 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules are suitable. No alteration is needed.

2095 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—Correct.

2096 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Direct recruitment should be limited to 50 per cent. of the vacancies in the grade. Half this number should be recruited by open competition and the other half by nomination, the chief basis of nomination being character and family prestige and that the nominee is a graduate.

2097 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Yes. I consider that only residents of the Province should ordinarily be recruited.

2098 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes. It is desirable that there should be a due representation of all classes and communities.

2099 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Those who are selected to the post from outside the ranks are to undergo probation for two years. The system of training given to them is satisfactory and no change is required.

2100 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Yes. No changes are required.

2101 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—Yes. The following classes of officers and appointments should be included in the Provincial Civil Service:—

(i) Inspector-General of Registration.
(ii) District Registrars.
(iii) Assistant Commissioners of Salt and Abkāri Revenue.
(iv) Assistant Directors of Survey.
(v) Land Records Superintendents.
(vi) First Assistant to the Board of Revenue, Land Revenue.
(vii) Registrars and Deputy Registrars in the Secretariat.

2102 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of

promotion?—At present there is no even flow of promotion.

2103 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—No change of practice is required, but I would urge that Rule VII of the Provincial Civil Rules in Appendix A be strictly enforced.

2104 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—In the interests of efficiency of administration, I would submit that promotion to higher grades should be strictly regulated with reference to Rule VII of the Provincial Civil Service rules and the principle of compulsory retirement rigidly applied.

2105 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The executive and the judicial branches are now distinct and should continue to be so. No change is necessary. Here I would suggest that some select Deputy Collectors (Deputy Magistrates) be made Justices of the Peace.

2106 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I would submit that more "listed posts" should be thrown open to officers of the Provincial Civil Service of proved merit and ability, to the extent of, at least, one-fourth of the total number in the Indian Civil Service Cadre. Before appointing Provincial Civil Service officers, as heads of districts, they should first be appointed as Additional District Magistrates or Additional Sessions Judges for some time to befit them well in the discharge of their duties.

2107 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. Such merging has neither increased the status nor the pay of the incumbents thereof. They may as well be excluded from the number of "listed posts."

2108 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes. No change is necessary.

2109 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes. The principle is all right.

2110 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I would submit that the last grade of Deputy Collectors on Rs. 250 per mensem should be abolished and the grades re-arranged as follows:—

	Per mensem. Rs.
I grade	800
II ,, ...	700
III ,, ...	600
IV ,, ...	500
V ,, ...	400
VI ,, ...	300

The pay of the first-grade Tahsildar in the Madras Presidency is Rs. 250 per mensem and it is highly desirable that the last grade Deputy Collector must have some higher pay (say at least Rs. 50) to signify his higher status.

2111 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. Officiating promotions should be made in the Provincial Civil Service.

2112 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—As things stand at present, the only chances for promotion lie in casualties or retirements in the service. The substitution of a time-scale of salary is certainly preferable, in that it gives encouragement and ensures promotion, irrespective of the above chances. The time-scale should be made applicable to all grades of service.

2113 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—Yes. Each main class of appointment should have a separate time-scale.

2114 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—The time-scale of pay that I would recommend would be, to declare that officers of each grade shall rise to the higher grade after they have put in some years in the lower grade, say three years, subject of course to the general principle that they had during that period conducted themselves well and efficiently. In applying the above principle, the service will be divided into six grades as noted in the margin and it will be restricted up to the IV grade. As regards promotion to higher grades, I to III, the principle enunciated in rule VII of the Provincial Civil Service Rules, Appendix A, will strictly apply.

	Rs.
I grade ..	800
II ,, ..	700
III ,, ..	600
IV ,, ..	500
V ,, ..	400
VI ,, ..	300

2115 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

2116 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—More sick leave and less furlough or leave on private affairs is now taken, as officers do not become eligible thereto, owing to the long interval they have to wait. In the one case, ten years' service is necessary for the first instalment of leave (Article 338-A, Civil Service Regulations) and in the other, six years (Article 337, Civil Service Regulations).

2117 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Leave on full pay is ordinarily taken but not to the full extent lest, when officers happen to be in a good station for some time, their lien should be shifted to a bad or unhealthy station. The amount of leave on full pay that can be earned is suitable and no alteration is necessary.

2118 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No. It is not fully availed of, not because it is in excess of the requirements, but because the restrictions as to period of availing and the emoluments allowed during the period of absence stand in the way. In the first place officers do not get even half the pay they derive at the time of their taking the leave but are allowed only half the average salary (Article 340 (*b*), Civil Service Regulations). Secondly the taking of furlough is generally postponed as a contingency for the future incapacity of age, to be availed of at the last days of an officer's service, in most cases, preparatory to retirement. Those who live up to retirement generally do take furlough and then retire; while the many unfortunate die in harness without their expectations fulfilled. Thirdly one has to wait so long as ten years to earn furlough; and fourthly he is not allowed to take it piecemeal.

2119 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—No. At least half the salary of the post held at the time of taking the leave should be allowed.

2120 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—Yes. In regard to special leave, officers of the Provincial Civil Service have no leave corresponding to it. It is very necessary that these officers also should be given the benefit of such leave to enable them to utilize it, in times of extreme urgency, when they are entitled to no other leave. The benefit of Article 316, Civil Service Regulations, may be extended to the officers of the Provincial Civil Service.

As regards extraordinary leave without allowances, the restriction that it may be granted *when no other leave is by rule admissible*, may be removed. This tells very heavily on the Provincial Civil Service officers, *e.g.*, an officer unavoidably overstays his privilege leave, by one or two days. As things stand now, he is compelled to take furlough or leave on private affairs, if he is entitled to any, before the period of overstay is treated as leave without allowances. This means that for the sake of absence of one or two days, he has to take furlough or leave on private affairs and wait for another eight years to utilize the remaining portion of furlough at his credit, or six years before he could earn leave on private affairs. This is indeed hard.

As regards privilege leave and leave on private affairs, both should be made to accumulate as against the present rulings.

In regard to privilege leave, the restriction that an interval of six months should elapse between two periods of absence on such leave weighs very hard on Provincial Civil Service officers. An officer, who has three months' leave at his credit, takes leave for one month and returns to duty. A few days after, he suddenly falls ill, say of typhoid fever, and is unavoidably prevented thereby from attending office. Though he has got a period of two months' leave on full pay unavailed of, he is prevented from utilizing it but has to produce a certificate from the Medical Board and get leave on medical certificate on half the average salary; but for the above restriction he could save a good deal at a time when he has to spend much by way of medical fees, cost of medicines, etc. It is strongly urged that this disability should be removed.

The ruling in Article 197 (*c*), Rule I, that no leave on urgent private affairs is to be granted in consideration of an officer's ill-health, seems to be a bit too hard. According to the present ruling, if an officer should fall sick and has no other kind of leave—privilege leave or furlough—at his credit he has to obtain leave on medical certificate by appearing before the Medical Board. If the District Medical and Sanitary Officer of his station were to certify for his ill-health, I do not see why he should not be granted leave on private affairs, if he is entitled thereto, without making it obligatory on him to appear before the Medical Board.

As regards allowances, no alteration is necessary in the amount, but I would suggest that officers be permitted to commute furlough and leave on private affairs on half pay into one of full pay for half the period of the grant—this half period being treated as equivalent to the full period on half pay.

2121 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Yes. Please *vide* answer to question (37). The easiest remedy seems to be to give each officer a "leave ledger" account recording all leave he has earned, even according to the present rulings, and then allow him to draw upon that credit, at any time when he is in need; subject, of course, to the convenience of Government to spare his services.

2122 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—No. It is not satisfactory

in the interests of the Service, inasmuch as there is generally a feeling that families of officers who have loyally served Government for a long time are left destitute when they happen to die before the time of retirement or immediately after. As a matter of fact, the hardship is felt the keener in the case of those honest and conscientious officers who are really unable to lay by sufficiently, out of their pay, meeting several calls on their purse in life, consistently with their status, and who die a peaceless death, fully alive at the time in what destitute condition they were leaving their families. Generally private service is looked upon as superior in this respect, as the employer is usually found to help the families of the employed. I beg leave to submit that the benign Government who is looked up to, for everything, by his subordinate rendering faithful service for a continuously long period, should show some consideration in the way of protection of his family and children.

2123 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons? —Please *vide* answer to question (40). The best way to give some satisfaction to loyal and deserving officers will be to provide for payment of a bonus, according to the actual service of the officers, either at the time of their death to their families or to themselves on their retirement, in addition to pension reduced proportionately in the case of the latter. The following commutation would, in my humble opinion, be advantageous both to Government and the officers concerned. One month's pay for every completed two years of total service in the case of those who die in service, may be paid as a bonus to their families. In the case of those who retire on pension the same rate of bonus may be paid, their pension being reduced by 25 per cent.

2124. (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The amount of pension may be determined by Government on the merits of each case.

2125 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—No. As these officers draw two-thirds of the salary drawn by Indian Civil Service officers holding similar posts, their maximum pension may similarly be fixed at two-thirds of the maximum pension allowable to Indian Civil Service officers.

2126 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of the members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—No. In the case of voluntary retirement, the period of superior service may be fixed at 25 instead of 30 years as at present.

2127 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—I would suggest that subscription to the General Provident Fund should be made compulsory in the case of all Provincial Civil Service officers.

2128 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Please *vide* answer to question (6).

2129. (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—Here I beg leave to suggest that for the purposes of travelling allowance for journeys by rail and daily allowance, all Deputy Collectors should be classed as first-class officers. The present rates of daily allowance of Rs. 3 per diem and mileage of As. 4 a mile are found in practice to fall short of the actual expenses which an officer has necessarily to incur. This is specially hard when the officer has to travel between 15 to 19 miles and pay not less than As. 4 per mile for a decent conveyance in addition to the charge for a cart to convey his samans.

According to the present classification it happens that both the officers and their subordinates drawing Rs. 50 and above *per mensem* have to travel in the same class, much to the personal discomfort and inconvenience of both. Moreover, nowadays, owing to the rise in the standard of comfort, most of the parties in cases travel in the second class.

I beg to suggest that Provincial Civil Service officers appointed as Personal Assistants to Collectors of districts should be allowed an allowance of Rs. 100 *per mensem*, as the work of a Personal Assistant is more onerous and irksome than that of an ordinary Deputy Collector in charge of a division. Most of the Deputy Collectors would not like to be Personal Assistants.

Mr. S. N. V. Rajachar, called and examined.

2130. (*Chairman.*) You are a Deputy Collector and Estate Collector?—I am.

2131. What is your caste?—I am a Canarese Brahmān.

2132. What other positions have you occupied in Government service?—I was first a clerk on Rs. 25 and I afterwards rose up to a Sub-Magistrate and then to Tahsildar; I then became a Deputy Collector, and as a Deputy Collector I was on special jobs, such as Land Acquisition Officer, Inam Deputy Collector, Special Loans Deputy Collector, Personal Assistant to the Collector of Tinnevelly, and now I am Deputy Collector and Estate Collector.

2133. What is your age?—Forty-four.

2134. Your evidence relates mainly to the Executive branch of the Provincial Civil Service?—Yes.

2135. You would limit direct recruitment to half of the vacancies in the Executive branch, and as regards that half you would fill 50 per cent. by open competition and the remainder by nomination?—Yes.

2136. Do you suggest this system of recruitment with the two-fold intention of giving fair prospects to Tahsildars and of ensuring due representation for the various communities?—Yes.

2137. You think this system would give the various communities a fair opportunity?—Yes.

2138. Could you tell us what you regard as due representation?—I mean all classes and creeds.

2139. What proportion of the different communities do you desire to see represented?—I have said that out of 50 per cent. of persons who come from outside the ranks 25 per cent. should be by nomination and wherever there is any preponderance of any class, that the nomination made by Government would set it right.

2140. You would increase the number of listed posts to one-fourth?—Yes.

2141. Do you mean by that that of the superior posts in the Indian Civil Service cadre for the Madras Presidency you would list a quarter, or more than 20 posts instead of the eight at present listed?—Yes.

2142. In regard to pensions you recommend that instead of the present system officers of the Provincial Civil Service should draw a bonus on retirement of one month's pay for each two years of service?—Yes.

2143. And that in case of death during service their families should draw a similar bonus, as against which the rate of pension should be reduced by 25 per cent.?—Yes.

2144. Would a change of that kind be generally popular amongst officers?—Yes.

2145. You have reason to think that?—Yes. I have also taken opinions from my brother officers on the matter.

2146. You have discussed it with your brother officers?—With some of them, yes.

2147. And they would be prepared to make a sacrifice in one direction to obtain convenience in another?—Yes.

2148. (*Sir Murray Hammick.*) You say in answer to question (11) that the following classes of officers and appointments should be included in the Provincial Civil Service, and you set out the officers?—Yes.

2149. A provision of that sort would surely restrict to some extent the field of selection for these appointments. Do you mean that the Provincial Service alone should have the right to get these appointments or that they should have the right *pari passu* with others?—I simply wanted to keep them in the Provincial Service, because as things stand now they do not belong to any service. I will take promotion as it is now; it is simply bringing them under the service cadre.

2150. I do not quite understand what you mean. For instance, do you mean you would open the appointment of District Registrar to a Deputy Collector and forbid the appointment of a Sub-Registrar to be District Registrar, or do you mean they should be all open?—I do not mean the interchange of appointments of Deputy Collectors and District Registrars. I only bring them under the Provincial Service because they do not belong to any service now.

2151. When you ask for an increase to 25 per cent. of the listed posts, I suppose you would include among the listed posts appointments higher than those which are listed now, such for instance as Membership of the Board of Revenue?—Yes.

2152. Practically at the present moment any Deputy Collector who is appointed to a listed post is unable to rise, and would be unable if the appointment was open, higher than a District Collector, on account of the age when he is generally appointed to a district post?—There is the competition of people who are coming in. It is only those who are taken from the ranks who will find it difficult because their age will be up by the time they become Collectors.

2153. Do you think that system would be better than making a separate list of appointments, beginning from the bottom of the present listed appointments and going up to the top, making those into a separate service and recruiting them exclusively from Indians in this country, having a separate Provincial Service of listed appointments, and the Indian Civil Service itself?—No.

2154. You would sooner see the listed appointments made open to the Provincial Service?—I do not want any third service at all.

2155. You would sooner keep the appointments listed and open to the Provincial Service?—Yes.

2156. Have you had any experience of any service which has a time scale?—No, but I have heard that it is now being introduced in the Public Works Department and they say it is doing good work. As officers we have to depend for our promotion on casualties.

2157. Do not you think it would tend rather to deaden the motives for doing good work if you had a time service, that Deputy Collectors might become lazy, because they would know that automatically their pay would rise whether they were fit for it or not?—I have already said that it will depend on their good work for three years. If a man does not do good work, he will not get the time scale as a matter of course.

2158. Owing to the way Deputy Collectors are transferred from district to district, is it not rather difficult to find out, except in certain cases, exactly how a Deputy Collector has been working?—I do not think it will be a difficult matter.

2159. You say in your reply to question (36): "As regards extraordinary leave without allowances the restriction that it may be granted when no other leave is by rule admissible may be removed. This tells very heavily on the Provincial Civil Service officers, *e.g.*, an officer unavoidably overstays his privilege leave by one or two days. As things stand now, he is compelled to take furlough or leave on private affairs, if he is entitled to any, before the period of overstay is treated as leave without allowances. This means that for the sake of absence of one or two days, he has to take furlough or leave on private affairs and wait for another eight years to utilize the remaining portion of furlough." What you mean, I suppose, is that if a man overstays his privilege leave and has furlough due to him he is compelled by the Civil Service Regulations to count the two or three extra days he takes as furlough, the result being that he is said to have taken furlough and has to spend the necessary period to earn his next furlough?—Yes.

2160. On the other hand if he happens to have no furlough due to him he is allowed to take what is called extraordinary leave, and there is no break in his service for furlough?—That is so.

2161. You think that is a hardship?—Yes.

2162. With regard to your answer to question (41), have you thought out how an arrangement of that sort might affect an officer? If you take a man drawing Rs. 500 a month, after 30 years' service he would retire and get a pension of Rs. 250 a month?—Yes.

2163. Under your arrangement, as far as I understand it, he would get Rs. 7,500 as a bonus, having served 30 years. He would get for every two years one month's pay, and you would count the pay as Rs. 500 in that case?—Yes.

2164. Therefore he would get Rs. 7,500?—Yes.

2165. But he would lose about Rs. 62 a month of his pension?—Yes. The reason I recommend that is that several die in harness leaving their families in a destitute condition, and it would be a great help to the families if they got a bonus. If the officer survives he would not mind a small reduction of 25 per cent. in his pension.

2166. The reduction of 25 per cent. in his pension would in a great many cases be of a capital value considerably more than the bonus received, but you would sooner have the bonus, because it would be a benefit to the families of officers who die before retirement?—Yes.

2167. (*Sir Valentine Chirol.*) You seem to divide the requests of the service for improvement into three categories, one dealing with the question of actual pay, one dealing with the increase of opportunity by increasing the number of posts accessible to them, and thirdly the number of grievances, none of them perhaps in itself very considerable but of which the cumulative effect is considerable?—Yes.

2168. I should like to know to which category you yourself would attach the most importance: to the removal of all these specific grievances with regard to leave, bonus on retirement, and pensions, or the introduction of a time scale which would increase the actual salary, or the extension of opportunities to the service?—It is rather difficult to say. Each of these is important, and requires consideration and redress.

2169. You represent a considerable body of opinion in regard to these minor grievances?—Some of the officers, yes.

2170. And one of them is the provision for families after death?—Yes.

2171. (*Mr. Abdur Rahim.*) Do you know many cases in which officers of your service have died before they were able to make any provision for their families?—Yes, several.

2172. (*Mr. Sly.*) Do you yourself subscribe to the General Provident Fund?—Yes.

2173. To the full extent permissible under the rules?—Yes.

2174. Do most of the officers subscribe to that fund?—Only a few.

2175. You do not consider that is sufficient?—No, it is not sufficient at all.

2176. Not sufficient for the family?—No.

2177. And there is no other family pension for which you can subscribe?—No.

2178. (*Mr. Chaubal.*) When you recommend that one-fourth of the total number of the Indian Civil Service cadre should be included in the listed posts, can you tell me how you arrive at that proportion?—Only by the number.

2179. It is only a number?—Yes.

2180. You do not proceed on a consideration of the posts and the duties attached and whether Indians are fitted for them; you simply say 20, and therefore the number of one-fourth?—I include in my number 20 one of the Members of the Board of Revenue and Secretary to Government.

2181. You proceed simply on the number?—Yes.

2182. What is the feeling in your service about the two-thirds salary when those who received two-thirds salary in the listed posts are performing the same duties as the Indian Civil Service men? Is that considered to be satisfactory in your service?—I think so.

2183. It is satisfactory?—Yes.

2184. Is there any difference in the rules as to furlough between the Indian Civil Service and your service?—Yes. We have only two years' furlough out of 30 years' service, and they have four years' furlough. Another thing is that the interval for us is ten years, and theirs is eight years.

2185. In view of your answer to question (33), would you recommend a compulsory taking of leave by officers in your service?—If the furlough allowance is increased, I think they will take it, because we do not get half the pay but only half the average salary, and that is very small. That is the chief reason which stands in the way of availing ourselves of the full furlough.

2186. (*Sir Theodore Morison.*) I gather from your answers that you do not think officers of your service take sufficient leave for their health, that their health suffers?—Yes.

2187. The conditions of leave are such that they do not take it?—Yes.

2188. And their health suffers in consequence?—Yes.

2189. In answer to question (8) you say it is desirable that there should be a due representation of all classes and communities?—Yes.

2190. Do you say that on the ground that it is desirable for the efficiency of the service or in the interests of each particular class?—In the interests of each particular class.

2191. Is there any discontent among the other classes because they are not represented and do not get any?—I cannot say that.

2192. You think it is only fair?—It is only fair.

2193. You do not think that the present condition of things produces any public dissatisfaction?—No.

2194. (*Lord Ronaldshay.*) If your proposals for improving the provision made for the families of retired members of the service are not adopted, would you be in favour of making subscription to the General Provident Fund compulsory upon all members of the service?—It is only very small, but I think it must be made compulsory in the case of all Provincial Civil Service officers.

2195. (*Mr. Oldfield.*) With regard to your answer to question (43), do the Provincial Service contribute anything towards pensions?—No.

2196. They differ from the Indian Civil Service in that respect?—Yes.

2197. Your knowledge of the southern districts is considerable?—Yes, I have been in southern districts.

2198. Do you think the public appreciate the necessity for actually discountenancing crime and assisting justice?—Yes.

2199. Would you describe the kudikaval system to us?—In the districts of Tinnevelly and Madura that system is in force. A kavalgar looks after all the things and is paid monthly at the rate of four annas or eight annas for each house, and he is made responsible for all the things lost.

2200. On what ground is he made responsible?—He is there in the village.

2201. What caste does he belong to?—The Marawa caste.

2202. Kalars?—Yes.

2203. What are the Kalars by profession?—Cattle lifters and thieves.

2204. What is the ordinary Tamil in Tinnevelly for thief?—Kalar.

2205. Is this payment made generally by respectable classes?—Some do pay.

2206. Many?—Almost all I think in those districts pay.

2207. Do you pay?—When I was in Tinnevelly I think I paid once.

2208. Are those the classes from which our District Munsifs are drawn?—I cannot say.

2209. They are more respectable?—Yes. I do not understand the subject.

2210. Do the more respectable classes pay?—Yes.

2211. From the more respectable classes would the District Munsifs be drawn?—Perhaps they might be drawn; there is nothing to prevent it.

2212. (*Mr. Ramachandra Rao.*) Does the District Officer do the same work as a District Officer of the Indian Civil Service?—Yes.

2213. Would you recommend that all officers should have a training both in the Provincial Services and the Indian Civil Service?—Yes.

2214. (*Mr. Subrahmanyam Pantulu.*) You have had no experience of the judicial Branch?—No.

2215. Your proportion of one-fourth applies only to the executive branch?—Yes, only to the executive branch.

(The witness withdrew.)

M.R.Ry. Rao Sahib T. Balaji Rao Nayudu Garu, Revenue Divisional Officer.

Written answers relating to the Provincial Civil Service.

2216 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable and I have no suggestions to make.

2217 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Competitive examinations for the Executive branch of the service were being held till 1905 as per rule XII of Appendix II to Board's Standing Order No. 120, paragraph 1, but these have since been discontinued—*vide* revised rule II of the rules as amended by G.O. No. 13, dated 6th January 1910. Subsequently in 1912 there was a notification No. 219, dated 1st May 1912, notifying a post of Honorary Deputy Collector.

Young men directly recruited as Deputy Collectors are not likely to be as successful as the officers of the Indian Civil Service, as Deputy Collectors in divisional charge, besides wanting in the previous training that the Indian Civil Service officers have, are provided with smaller establishments and have therefore to do more work. On the other hand promotion of men from lower ranks at the fag end of their service is not also likely to be successful as they would get jaded by the time they become Deputy Collectors. A medium course will be to appoint promising young men with a service of not less than five and not more than ten years. They will have the advantage of experience and the strength of youth to do their work vigorously. The number of probationary Revenue Inspectors and Deputy Tahsildars may be increased, transferring when desirable men from the Subordinate Service to the Probationary class.

2218 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—As soon as Act VII of 1857 was passed, Deputy Collectors were appointed by selection of officers from the lower grades of the service. These proved the most efficient, as the appointments were few in number and the best had to be selected. Later on, inexperienced young men though of bright parts were selected by means of competitive examinations. Subsequently as the number of appointments got considerably increased (the present strength of Deputy Collectors being 137 permanent and 10 acting) the selection had naturally to go not only to the marked or best men but also to others. Consequently I am of opinion that the present day Deputy Collector does not compare favourably with the Deputy Collector appointed under the first system. An inexperienced young man directly appointed will be wanting in the necessary experience and worldly knowledge to discharge his duties properly, and the experienced subordinate officers promoted after a service of over 20 years will be wanting in energy and strength though fully equipped with the necessary knowledge: the best course to be adopted would be the appointment of promising men from the lower grades after a service of not less than five and not more than ten years. To secure this end the appointment of Revenue Probationers may advantageously be revived and the number of Probationary Revenue Inspectors increased, deserving men who enter the service other than as Revenue Probationers or Probationary Revenue Inspectors also being drafted to the cadre of Probationers.

2219 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—One appointment has been made within my knowledge. I consider that only residents of the Province should ordinarily be recruited; for the executive duties, unlike Judicial functions, will be better discharged by persons having local experience.

2220 (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Brahmans preponderate over all other classes and communities, for there is a larger number of educated persons amongst them. To secure that the posts are not monopolised by a single community, the number of appointments to be allotted for each community should be fixed from time to time and selection made from candidates of the community to which the vacancy belongs, taking into consideration only the names of that particular community received from Collectors. In making the selection it should be seen that the fixed number of sanctioned appointments allotted to each community is maintained. The individual merit or force of recommendation in favour of an officer belonging to another community should never outweigh the consideration of maintaining the fixed number under each class.

2221 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Since the competitive examination and the recruitment of Revenue Probationers has been dispensed with, there is no system of training for Deputy Collectors and Taluk officers. The Deputy Collectors now on probation are thus shown just for the purpose of enabling them to complete the tests and giving satisfaction in their work. The Probationary Revenue Inspectors are trained according to G.O. No. 682, dated 11th March 1911. If the system advocated in reply to question (6) is adopted, the Revenue Probationers and Probationary Revenue Inspectors will have to be given the following training:—

(i) Survey training, 1 month and 15 days.
(ii) Taluk accounts, 1 month and 15 days.
(iii) Village officer's duties, 3 months.
(iv) Taluk duties, 3 months.
(v) Revenue Inspector's duties, 3 months.
(vi) Taluk head accountant's duties, 3 months.
(vii) Divisional office clerk, 3 months.
(viii) Collector's office clerk, 3 months.
(ix) Attached to Taluk office, 3 months.
(x) Attached to Divisional office, 3 months.

2222 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—The existing system of departmental examinations is suitable.

2223 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No changes are necessary.

2224 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—The existing strength is fixed on a consideration of the posts ordinarily filled by Deputy Collectors, the reserve required to fill Civilian divisions temporarily and leave vacancies. It is fairly satisfactory, but in view of the acting appointments having gone up to 10 in number in spite of the restriction in G.O. No. 2714, dated 6th September 1911, to fill leave vacancies or to arrange for special duties it appears desirable to increase the reserve.

2225 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—The leave reserve does not seem to be sufficient.

2226 (14). Is there any reserve for officers under training and is it adequate?—There is no special reserve for officers.

2227 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—Statistics are not available.

2228 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—As a rule promotions should be made up to Rs. 500 by seniority, but beyond this limit promotion should go by merit alone.

2229 (17). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Yes. I have no suggestions to make on the selection for higher appointments and the compulsory retirement of inefficient officers.

2230 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The civil judiciary is quite unconnected with the Executive branch, but the Executive branch is still connected with criminal judicial work and also with a certain amount of civil work in connection with land tenures. No change is desirable in the present state of the country as the administrative officers of the district can better secure the peace therein as they are more intimately acquainted with the crime and people therein than the merely Judicial officers. The work connected with the Estates Land Act may be transferred to the Judicial branch of the service.

2231 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointment to these posts suitable? If not, what alterations do you suggest?—Yes. Yes.

2232 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Yes.

2233 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

2234 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

2235 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—The last reorganisation was effected in 1911 raising the maximum pay of Deputy Collectors from Rs. 700 to Rs. 800 and corresponding increase in the number of posts in each grade.

2236 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes.

2237 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No: it is desirable to give Deputy Collectors acting promotions in higher grades. District Munsifs, Collectors and Sub-Collectors get them. Permanent promotions in the higher grades of Deputy Collectors are far between; officiating promotions are therefore necessary. The Madras Government have recommended it frequently.

2238 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I would recommend a time-scale up to Rs. 500, beyond which the present graded system of promotion should be followed.

2239 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

2240 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—The time-scale of pay introduced into the Imperial Forest Service in 1909 is very encouraging.

2241 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—From the Rs. 250 grade to the Rs. 500 grade of the Deputy Collectors an officer should be able to rise in 5 years by annual increments of Rs. 50 each.

2242 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Three-fourths may be suitable considering the present rise in the scale of life in native officers.

2243 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—No. The reason is that an officer cannot take more than 6 weeks' leave on full pay without liability to postpone his furlough for a period of at least 18 months after return from leave and without the liability to get transferred from his present station, which means a lot of expenditure and interference with the education of his children. As, according to the present educational rules, boys cannot leave one school for another in the course of a term or year, the transfer of an elderly officer in the middle of a year means keeping his boys and families in the old station, himself going to the new station. The amount of privilege leave that can be earned is not suitable as the present rule is that more than three months' privilege leave cannot accumulate. The limit may be extended to six months.

2244 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No; it is necessary to allow for as much furlough as is permissible by the present rules, as the consolation that an officer can take furlough when tired of work is a great impetus to energetic work when in office.

2245 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes; but furlough allowance should never fall short of half the *pay* of the officer as the present rule that the furlough allowance is calculated on average salary works hard on officers belonging to a graded service.

2246 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

2247 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No; Yes.

2248 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—The shortness of leave with full allowances causes an excessive number of transfers at the end of privilege leave.

2249 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—Yes. The difficulty can be met by allowing privilege leave to accumulate up to six months.

2250 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Yes. Under the present rules an officer returning from furlough has to remain in service for at least eight years before he can take other period of furlough. The interval may be reduced to five years. Also, if the limit of privilege leave be not extended to six months as suggested in reply to question (38) the interval between each two periods of furlough may be reduced to four years. Furlough may be given in

instalments, the first instalment accruing after four years' service. At present Indian officers hesitate to take furlough specially on account of the long wait of eight years that is necessary for one to be entitled to such leave again.

2251 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes, as far as the interests of individual officers are concerned, but the interests of Government are likely to suffer unless the conditions of continuing officers over fifty-five years in age are made stricter.

2252 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—The same rule that is now being observed in the case of officers of 60 years may be observed in the case of officers who attain 55 years. It may also be desirable to insist on medical certificate as to an officer's health and strength if it is proposed to retain him after 55 years, as this will do away with the individual opinion and favour of Collectors.

2253 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes.

2254 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—The pensions allowed to persons holding the post of Collectors and other higher appointments are low. As a Collector draws a pay of Rs. 1,600, he is allowed only Rs. 416. This is about a fourth part of his pay and is very low. The maximum pension of native officers may be raised.

2255 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Considering the onerous nature of the duties entrusted to Deputy Collectors and the consequent strain on their mental and physical capacities it may be desirable to allow full pension to officers on voluntary retirement after a service of 25 years and to those retiring on medical certificate after a service of 20 years. The small number of officers who have lived to enjoy the benefit of pension after an arduous service of 30 years justifies a reduction in the service limit as above suggested.

2256 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident fund, or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The General Provident fund is now being generally taken advantage of. No further facilities are required.

2257 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable and explain fully your views, making any suggestions that appear to you to be suitable.—Yes.

2258 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.—(i) The minimum pay of a Deputy Collector may be raised to Rs. 300 so as to make it a little higher than the maximum pay of a Tahsildar.

(ii) From a perusal of the monthly lists of Deputy Collectors it will be seen that transfers are more frequent than necessary among them, an officer being transferred from one station to another even before he has time to study the division he is in charge of. Such frequent transfers not only inconvenience the officer but they are also detrimental to the interests of the division. It therefore appears to be quite necessary that Deputy Collectors are allowed to remain in charge of divisions for as long periods as Collectors and Sub-Collectors are, or at least for a period of three years as is done in the case of District Munsifs—no matter whether they may be off on short leave.

Mr. T. Balaji Rao Nayudu, called and examined.

2259. (*Chairman.*) You are a Revenue Divisional Officer, are you not?—I am.

2260. What is your caste?—Sudra.

2261. What has been your past experience in the public service?—I started as a police inspector and then was a Sub-Magistrate and afterwards became a Tahsildar and then a Revenue Divisional Officer, with a service of 27½ years

2262. How old are you?—49.

2263. Your written evidence refers mainly to the Executive branch of the Provincial Civil Service?—Yes.

2264. You are generally satisfied with the system of recruitment, are you not?—Yes.

2265. You suggest that the system of promotion should undergo certain changes?—Yes.

2266. You would make it a rule not to promote Tahsildars of less than five or more than ten years' service?—If the competitive examination were done away with: that is the alternative.

2267. What are your reasons for making that suggestion?—My opinion is that some experience in the lower grades would fit men better to perform the duty of Divisional Officer or District Officer.

2268. At the same time you want to avoid their reaching too great an age before they are eligible for a higher appointment?—Not quite that, because if they should become Deputy Collectors with five or six years' service I suppose they could reach the top of the ladder.

2269. You are anxious to ensure due representation of communities?—I am.

2270. How would you ensure that?—From time to time by Government allotting a certain number of places to each community, when the selections would be made out of the candidates allotted for that community or from amongst the candidates recommended from that community.

2271. You gave a very full explanation of your views as regards salary, leave and pension, and I will not occupy your time in taking you through them now. You make many substantive suggestions in the nature of what you regard as improvements?—I do.

2272. (*Lord Ronaldshay.*) I understand that you attach very great importance to the representation of different classes and communities in the Service?—I do.

2273. For what reason?—Because they would safeguard the interest of all communities. India is not a nation as Europeans are. There are so many sects and classes and communities, and unless each community is represented by its own member I do not think the interests of all are safeguarded.

2274. It is in the interests of the classes themselves?—Yes.

2275. You think it desirable that they should be governed to a certain extent by men of their own class?—Yes.

2276. Can you tell me, roughly speaking, what you mean by classes and communities? About how many different classes and communities do you think ought to have representation?—At least four castes of Hindus, and Muhammadans, and Christians; that makes six altogether.

2277. You also attach great importance to Executive officers exercising criminal judicial power?—Yes.

2278. In answer to question (18) you say that these men are more intimately acquainted with crime and the people in their districts than judicial officers would be. Do you mean by that that if these criminal judicial powers were taken away from the Executive Officers and handed over to the Judicial side of the service, criminals would probably escape conviction to a great extent?—That is not the only reason. For the matter of keeping peace, and such like things, the Executive would be better for administering criminal justice. That is my chief point. Of course justice is administered by either party equally well, but in the matter of keeping the peace and seeing that disturbances do not occur, and such kind of things, the Executive can manage better than the Judicial.

2279. Then I may take it from your personal experience that you would be very strongly opposed to a separation of Judicial and Executive functions in that respect?—Yes.

2280. (*Sir Theodore Morison.*) What disadvantages do you think come from the preponderance of the Brahmans in the official classes?—It is not only the Brahmans. If any caste preponderated, it would be disadvantageous to other classes.

2281. Do you find that there is discontent amongst the classes who are unable to secure admission to the official circles? Is there any discontent from the fact that there is a preponderance of one class?—There is to some extent.

2282. Can you give me illustrations of how you come to know that; some examples of the sort of things. Do people say anything?—Yes, it is from what I have heard people say. The subordinates of the lower grades say that they have no patronage in getting into higher things. If an officer happens to be a Brahman they think Brahmans will monopolise appointments. If he is a non-Brahman, they think non-Brahmans get better chances. They grumble.

2283. You are referring to the persons actually in the service?—Yes.

2284. Is there any discontent among the official classes?—I think the ryot population want more of non-Brahmans.

2285. In what way exactly does that affect him? In what way would he be benefited or think he would be benefited?—He thinks a Sudra has more sympathy. Most of the ryots are Sudras.

2286. (*Mr. Chaubal.*) Will you mention the four classes of Hindus you have referred to as those classes that ought to have representation?—Brahmans, Kshatriyas, Vaisyas and Sudras.

2287. But do not you think that in each of these four main castes there are sub-divisions which exclude each other quite as much as the main classes do?—No.

2288. For instance, in this part of the country among the Sudras are there not different classes which are practically absolutely separate castes by themselves? Are there not classes of Sudras who do not inter-dine or inter-marry?—There are.

2289. Similarly amongst the other castes, so that as regards these main sub-divisions the differences are quite as much accentuated as between the four castes themselves?—Of course they may not intermarry or inter-dine, but all Brahmans are one and all non-Brahmans are one. That is my understanding.

2290. Ought to be one or are one?—Are one.

2291. (*Mr. Gokhale.*) In which of these four classes do you place the Panchamas?—They do not come under any class; they must be separate.

2292. They are Hindus?—I think they are Hindus.

2293. Then why do you leave them out?—I lost sight of them, I suppose.

2294. What will you do about giving them their proper share in the administration?—When they become fit to take part they ought to be given their share.

2295. When you speak of the Panchamas, you speak of them having to become fit first, but when you speak of the Brahmans you speak about their monopolising the service. Why should you not give the Panchamas a certain proportion, as you want proportions to be reserved for the different castes?—I did not propose it for each section. I said Brahmans and non-Brahmans, putting all the non-Brahmans together, Muhammadans, and Christians.

2296. But where do you place the Panchamas in that division; among the non-Brahmans?—Yes.

2297. Therefore they must have their share of the posts allotted to the non-Brahmans?—Yes.

2298. Whatever their proportion may be?—About half.

2299. Would you fix the proportions according to population or according to education? Have you thought out any scheme?—By taking the number of educated men in each class into consideration.

2300. If you take the number of educated men in each case into consideration, will the disproportion of Brahmans appear so serious as it does?—I think it will.

2301. Have you any figures to show that?—I have not.

2302. Can you put in a table at your convenience showing the extent of education amongst the different castes and the number of appointments held by the different castes?—I may be able to do so.

2303. You are sure it will show that the disproportion is great even taking into consideration

the spread of education among the different castes?—Yes, I think so, if we do not restrict it to graduates.

2304. What is the standard of education you have in view in regard to the employment in Government service?—The test required for the officers.

2305. For the Provincial Service what would be the minimum educational standard?—A graduate, because one cannot complete the special test without being a graduate.

2306. If the minimum qualification is that of a graduate for the Provincial Service, will you look up the number of graduates from the different castes and find out how many posts are held by each division?—Yes.

2307. You still think the disproportion would be great taking the graduates into consideration?—If we take the graduates into consideration it would not be.

2308. Do not you think there should be a minimum educational qualification?—Yes, except in special cases.

2309. I agree that with a minimum qualification the backward castes should have not only their share but more than their share, but you must insist on a minimum educational qualification?—Yes.

2310. (*Mr. Sly.*) Do you think that under the existing conditions of society it would be possible for a Panchama to execute efficiently the duties of a Deputy Collector?—Yes, if he had the necessary educational qualification and social status.

2311. As a Panchama, would he have the social status?—Not the ordinary Panchama. As soon as he obtains a status he might.

2312. You mean an educated Panchama?—Yes. He may do his duties well.

2313. It would be possible for him to perform just as efficiently as any other caste the duties of a Deputy Collector?—Yes.

2314. (*Mr. Macdonald.*) Would you make it a little clear for me why you want this caste representation. Is it in the interests of the service or in the interests of the castes themselves?—In the interests of the castes and communities.

2315. More in the interests of the castes?—Yes.

2316. If you had the castes better represented in the service would that change the general tone of the service or would the Brahman still be a Brahman?—I suppose that if we had more non-Brahmans the Brahman would be more considerate.

2317. You say that the ryots want divisional officers who are non-Brahmans?—They would better like the idea of having them.

2318. They would "prefer"—would that word suit you?—Yes.

2319. But in a district where there is a Brahman would it make any difference to the ryot even if in a neighbouring district there is a District officer who is not a Brahman?—It might make a difference.

2320. But you are not quite sure?—They think that a non-Brahman has more sympathy with the ryots.

2321. Are you acquainted with the expression "sharing the spoils"?—Yes.

2322. Is that why these other castes want representation?—I do not think so.

2323. What is the objection to the various communities coming up to a certain educational standard?—There is no objection, but it takes time.

2324. You admit that this educational standard is necessary for the efficiency of the service?—Yes.

2325. And your proposal to the Commission is to lower the efficiency of the service until you have time to come up to a proper standard?—Yes.

2326. (*Mr. Madge.*) I gather from your statement this morning as well as from some of your written replies that you think the Indian community in this Province is so broken up into factions that there is practically no common ground from which they look at any large public administrative question. Is that so?—No, not quite. It is not what I mean.

2327. Then what do you mean by their being so divided into varied interests that the administration should be based on what you have said. If there is no common ground from which they can agree why should there be any difference in any other respect?—I think there is no common ground upon which they can all agree, as long as the numbers of educated men are quite uneven, taking the communities into consideration.

2328. I am not asking about private or social interests but about administrative questions. I gather from what you have said that you want every class to be represented. Is it or is it not because there is no common ground from which they can look at ordinary subjects?—Yes, I think they have no common ground.

2329. Then instead of fixing a hard and fast rule of a proportionate representation, do you not think it would be wiser to advocate a policy under which the Government would select or apportion its appointments so as to meet what you want?—That may be done. It is equally convenient.

2330. Do not you think it is wiser to have that?—Yes.

2331. In your answer to question (6) you have given a number of reasons why certain classes of officers are wanting. As I read them they seem to me to be rather theoretical reasons for your conclusions. Are these conclusions based on any experience of your own?—Yes.

2332. You have had experience on which you base them?—Yes.

2333. (*Mr. Abdur Rahim.*) I understand you consider it necessary that officers should be recruited from among graduates of the Universities?—Not necessarily. I said the test for the post of Deputy Collector requires one to become a graduate, otherwise I do not insist on a graduate alone being entitled to become a Deputy Collector.

2334. In your opinion is the present test sufficient to guarantee a high standard of efficiency?—Yes.

2335. You would not like to lower that standard?—It may be.

2336. You would prefer it?—Yes, I would.

2337. Simply in the interests of the different classes?—Yes.

2338. (*Sir Valentine Chirol.*) You lay great stress upon the representation of communities. Within your experience can you tell us whether there are any categories of questions in which the Executive power being invested in a Brahman and not in a Sudra is calculated to affect directly the material interests of the ryot?—That is the general impression I have.

2339. Can you tell me what are the sort of cases from which that general impression arises? What are the questions in which a Brahman is likely to act possibly less fairly and less liberally to the ryot than a Sudra would?—In the matter of revenue administration, inquiring into the ryot's grievances, and looking into other matters, they think a Sudra is more accessible and better fitted for out-door work and physical labour.

2340. Can you give me one or two instances? Is it drawing water or access to water, or is it with regard to the nature of the taxation of lands?—No, I do not think there is any particular item; it is a general impression.

2341. But the general impression must be based upon a considerable number of individual cases. Can you tell us what the nature of these cases is which gives rise to the general impression?—The ryot population think that a Brahman would be accessible to Brahman ryots of the village, and the Brahman subordinate officers, whereas a Sudra, they think, would be accessible to the Sudra ryots.

2342. That is the main difference, that it is the ministerial officers who will prevent a ryot having this easy access to a superior Brahman executive officer rather than to a Sudra?—Yes.

2343. With regard to question (18), as to the separation of the Executive and Judicial Services, to which you are opposed, it is especially with a view to better securing the peace of the country that you wish to preserve connection between the Executive and the Judicial? I think I was right in understanding from a previous answer of yours that what you had in view was not so much the actual repression or punishment of crime when it has once taken place, as that the executive officer being in closer touch with the country would be able to take better measures for the prevention of crime?—Yes.

2344. (*Sir Murray Hammick.*) Has your service been almost entirely in the North of the Presidency?—Yes.

2345. You have never served in the Tamil district?—No.

2346. All through the Ceded districts, and I think in most of the Telugu districts in the north of the Presidency, the karnam, who is mostly Brahman, gets much more authority as regards the manipulation and keeping of these accounts than he would do if the immediate inspecting officer was a non-Brahman?—Yes.

2347. Have there not been cases in the Ceded districts where the rule of one Brahman sect has become so extended throughout the district that the Board of Revenue had to interfere and transfer officers to other districts in order to prevent that combination of Brahman elements in the district?—Yes,

2348. Such a case occurred I think in Bellary?—Yes.

2349. And also in Cuddapah?—Yes.

2350. And it was generally felt by the officers of the district that the clique which was made by these Brahman officials, acting no doubt through karnams and the lower subordinate Brahman officials, was bad for the administration of the district?—Yes.

2351. (*Mr. Oldfield.*) You have a son in England, I think, studying for the Bar?—Yes.

2352. Is he under Mr. Arnold and the India Office Committee?—Yes.

2353. Are you quite satisfied with that supervision?—Yes.

2354. You have full confidence in his ability to keep straight?—Yes.

2355. You were a Police officer originally?—Yes.

2356. Do you find your Police experience in the investigation of crime of use to you in your position as a Magistrate?—Yes.

2357. With regard to the feeling between the Brahmans and the non-Brahmans I want to put a specific instance to you. You were in Kistna in 1896 I think?—Yes.

2358. Do you remember a feud between the Brahmans and the Komati?—Yes.

2359. The matter in dispute was the claim of the non-Brahman Komatis, amongst other things, to read the Vedas in the same way as the Brahmans?—Yes.

2360. That dispute became very bitter and ended in criminal cases?—Yes.

2361. And spread to other districts?—Yes.

2362. (*Mr. Ramachandra Rao.*) You remember the system recently introduced by direct appointments to Revenue offices?—Yes.

2363. The idea is that after two years they are confirmed as Revenue Inspectors and are probably rapidly promoted to Sub-Magistrates?—Yes.

2364. How long will it be before they rise in the usual course to the greater offices?—About six years I think.

2365. Are you aware of any instance now of an officer appointed at Rs. 100 rising to a Deputy Collector within six years?—I think some of the Deputy Collectors got in after six years' service. They began at 60 or 70 rupees and became Deputy Collectors within six years.

2366. What is the average period which it takes for an officer, after being a Sub-Magistrate, to become a Deputy; would it not be something about 12 to 14 years?—Yes.

2367. Do you expect that your system will give you Deputy Collectors without their energies being reduced in the usual way?—Of course these probationers will not have promotion in the usual way; there must be a separate system.

2368. Your idea is that the probationers should be given special promotion to the ranks of Deputy Collectors after being trained for five or six years as Revenue officers and Sub-Magistrates?—Yes, four or six years.

2369. (*Mr. Subrahmanyam Pantulu.*) You have been an executive officer?—Yes.

2370. You have no experience of the judicial office?—No.

2371. Are all the village munsifs in your district Sudras?—Yes.

2372. Do you think there will be a combination between the non-Brahman officers and the Sudra village munsifs. There may be a non-Brahman official and a Brahman karnam?—There is an idea that a non-Brahman munsif would not be as intelligible as a Brahman karnam to the ryot, who is mostly Sudra.

(The witness withdrew.)

A. R. KNAPP, Esq., I.C.S., Collector.

Written answers relating to the Indian Civil Service.

2373 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle? (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I regard the present system as fairly satisfactory. Its obvious weak point is that it takes into account only scholastic attainments and leaves out of reckoning other and more important qualifications, *e.g.*, character, physique, and what I can best describe as manners—whether inherited or acquired. I consider that limited competition among candidates who had previously secured nomination by an independent Board of Selection would probably give better results. The considerations by which the Board should be influenced in making their selection are too numerous to mention; they would not differ greatly from those upon which the naval authorities now base their selection of candidates for the Navy. Such a system would help to eliminate some men who, though intellectually well qualified, are not by temperament or upbringing altogether suited for the kind of work required of the great majority of Indian Civil servants.

2374–5 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty? (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—(7 and 9) I take these questions together. I am not in favour of simultaneous examinations in India and in England. It is, in my opinion, absolutely essential that the working of the Executive should be British in general tendency and tone, and should reflect, if not British natural characteristics, at least a British training. This is impossible if the Civil Service is filled to any considerable extent by men who have never been in Europe. It may be that with simultaneous examinations the large majority of the successful candidates would still be found among the London competitors, but it would be unwise to leave to the chances of a written examination a matter of such vital importance to good government. It would be necessary to fix a maximum number of candidates to be selected in India, or alternatively to settle in advance the number of appointments to be competed for at each centre. The undesirable results of an identical examination in such conditions are obvious, and the proposal would resolve itself into such an arrangement as is suggested in question (9), namely, a separate examination in India for a fixed proportion of the vacancies. To this also I see strong objections. It would represent the old discredited statutory system with a different but in my opinion not more satisfactory method of recruitment. The fixing of the proportion of vacancies to be filled in India could be based on no logical principle: if the proportion were low, it would fail to satisfy the aspirations of those who now desire simultaneous open competition; if it were high, it would endanger the maintenance of the British element in the Executive; and in any case it could only be arrived at by an arbitrary process.

My conclusion, therefore, is that the present system is in every way preferable to either of the alternatives indicated. It is the only one which allows of provision being made for the due representation of all classes in India, a need which certainly exists now and is likely, so far as I can see, to continue.

2376 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54) [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—As the Administration and the Public Services are at present constituted, I consider it essential that certain posts should be reserved by statute for officers recruited in England to the Indian Civil Service. I can see no other means of ensuring the essential British element.

I see no reason to recommend any change in the schedule, but it may be noted that the *office* of Joint Magistrate, Sub-Collector and Assistant Collector is no longer reserved for Indian Civilians though the *designation* is. The charge of a division of a district which is the office referred to in the Presidency is now held indiscriminately by Civilians or Deputy Collectors.

2377 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—It seems to me impossible to lay down any proportion of the higher posts taken as a whole to which Natives of India can be admitted. In certain grades of the service a proportion has in fact been prescribed and two Collectors and four Judges are now Indians. The fixed principle to be kept in view being the maintenance in the administration of a British tone and standard, the proportion can only be raised from time to time as Natives of India become available who are qualified to meet the requirements of this fixed principle.

In the posts outside the regular grades more definite individual qualifications are needed and the selection by Government should be absolutely unfettered: to fix a proportion of these posts to which persons of any class should be appointed is obviously impossible. The result of fixing a proportion of the whole service would be that failure to find qualified Indian candidates for the special posts would entail an increase in the number to be provided for in the regular grades and a consequent disturbance of the numbers recognised at the time as admissible and suitable in these grades.

Whether the candidates available from time to time are fully qualified to fulfil the conditions of the fixed principle to which I have referred, or, if they are not, in what numbers they can be admitted without seriously interfering with the general tone and standard of the administration, seems to me to be a matter which must be left to the respective Governments in India. But under any system of listed posts it should be clearly laid down that the listing of a post as open to natives of India does not necessarily imply that an Indian must be appointed to it, whether qualified or not; and lest even this declaration should not suffice to remove an impression which now seems to prevail, I would refrain from listing any post outside the regular grades. The appointment of non-civilians to these posts should be made under the Act of 1861.

2378 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I consider that they should receive an allowance sufficient to cover their reasonable expenses. I would fix this at £200 a year which is, I believe, the minimum cost nowadays of a year at one of the larger universities. If anything less is allowed, the result must usually be that an officer will begin his Indian career saddled with debts which his salary in his early years of service will not permit him to clear.

Included in the allowance now given is a grant of £37–10–0 allowed on account of passage to India. This virtually represents the cost of a second-class passage, and has been widely interpreted as such. Officers of other departments (*e.g.*, Educational, Agricultural and Public Works) are granted free first-class passages to India, and it seems inexpedient that an invidious distinction should be drawn between them and the Civil Service. I would recommend that free passages, first class, should be granted to young Civilians, or if this cannot be done, that the grant on account of a passage should be raised to a lump sum of, say, £50.

2379 (72). The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The attainment of "superior" rank in this Presidency does not involve any change of duties or increase of responsibility and there is no need to alter the period at which that rank is in theory attained.

2380 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—My own experience leads me to hold that the number of Collectors should be increased. The number of districts is insufficient, the districts are too large and the work is too heavy. One result is to tie the Collector far too much to his desk and to threaten to convert him from an administrator and supervisor of his district into a head clerk. In another direction the excessive work tends to cause deterioration by leaving a Collector in this Presidency no moment to spare for anything but his daily duties and so cutting him off to a great extent from outside interests and narrowing his views and outlook.

2381 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different Provinces, and say whether they are correct for your Province?—Statement DD in Appendix VIII appears to show that both on the Executive and the Judicial side the Madras Service is better off than that of other Provinces. On the Revenue side it is shown that of our heads of districts 77·8 per cent. draw pay at Rs. 2,250 or over, the remainder receiving Rs. 1,800 or over; in other Provinces the proportion in the Rs. 2,250 grade is much smaller while some Collectors receive only Rs. 1,500. Any inference drawn from these figures alone would, however, be misleading. For purposes of comparison, our first-grade Sub-Collector on Rs. 1,200 should be included with Collectors, seeing that it has been recognised that the Sub-Collector's charges in Madras are as important as some of the smaller districts in Northern India, and Madras Sub-Collectorates of the first-grade have been classed along with district charges as "Superior" posts. If our 20 Sub-Collectors of the first-grade are included with Collectors for the purposes of the statement in Appendix VIII-DD, and the heading of the last column altered so as to include appointments on Rs. 1,200 and over, the result will be as follows:—

Presidency or Province.	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,200 and over but less than Rs. 1,800.	
		Number.	Percentage.	Number.	Percentage.	Number.	Percentage.
Madras	47	21	44·7	6	12·8	20	42·5
Bombay	29	13	44·8	15	51·7	1	3·5
Bengal	39	12	30·8	13	33·3	14	35·9
United Provinces	54	19	35·2	21	38·9	14	25·9
Punjab	34	10	29·5	11	32·3	13	38·2
Burma	40	12	30	13	32·5	15	37·5
Bihar and Orissa	29	9	31·0	10	34·5	10	34·5
Central Provinces and Berar	34	8	23·5	12	35·3	14	41·2
Assam	19	6	31·6	7	36·8	6	31·6

While the figures under "Divisional Officers" will be —

Presidency or Province.	Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,200.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
		Number.	Percentage.	Number.	Percentage.	Number.	Percentage.
Madras	85	16	18 8	16	18·8	53	62·4
Bombay	92	17	18·5	18	19·6	57	61·9
Bengal	90	17	18·8	17	18·8	56	62·2
United Provinces	113	15	13·3	27	23·9	71	62·8
Punjab	76	14	18·4	15	19·8	47	61·8
Burma	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa	53	10	18·9	10	18 9	33	62·2
Central Provinces and Berar	50	6	12	13	26	31	62
Assam	22	4	18·1	3	13·6	15	68·3

The result will be to show that so far from being better off, we are worse off than other provinces, owing to our percentage of lower-paid posts being greater. If Revenue posts above Rs. 2,500 were included in the statement, the disparity would be even greater owing to the number of Commissioners employed in some of the other provinces. A further reference to this matter is made in my reply to question (94).

On the Judicial side, the Madras scale, as the result of the recent reorganisation, is more favourable than that of other provinces.

2382 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—It is not necessary, even if it were possible, to secure absolute uniformity of salary, but there is a strong feeling that there should be, as far as possible, equality of prospects in all provinces. This is not now the case. In Madras, for example, while the average pay of junior officers (*i.e.*, those in receipt of salaries below Rs. 1,500) compares favourably with the general average, the prospects of senior men are considerably worse than the average. This is due to the relatively smaller number of the higher appointments (from Rs. 1,500 to Rs. 2,750 and from Rs. 2,750 upwards). The following tables show the present position :—

TABLE A.—*Posts on Rs.* 2,750 *and over.*

Province.	Sanctioned strength.	Number of posts.	Percentage.
Bihar and Orissa ..	109	15	13·7
Bengal	182	21	11·5
Burma	168	17	10·1
United Provinces ..	228	22	9·6
Bombay	171	16	9·4
Punjab	158	14	9
Madras	175	15	8·5
Central Provinces ..	101	8	8
Assam	46	3	6·5

TABLE B.—*Posts on Rs.* 1,500 *or over and less than Rs.* 2,750.

Province.	Sanctioned strength.	Number of posts.	Percentage.
Assam	46	19	41·3
Bengal	182	68	37·3
Central Provinces ..	101	37	36·6
Bihar and Orissa ..	109	39	36
Punjab	158	56	35·4
Burma	168	52	31
Madras	175	53	30·3
Bombay	171	50	29·2

TABLE C.—*Posts on Rs.* 1,000 *and over and less than Rs.* 1,500.

Province.	Sanctioned strength.	Number of posts.	Percentage.
Madras	175	23	13·1
United Provinces ..	228	20	8·8
Burma	168	11	6·5
Assam	46	2	4·3
Bombay	171	5	2·9
Bihar and Orissa ..	109	2	1·8
Punjab	158	3	1·8
Bengal	182	3	1·6
Central Provinces ..	101	*Nil.*	*Nil.*

The position of Madras is further aggravated by the fact that our conditions are, as compared with some other provinces, not favourable to the selection of our officers for the higher posts under the Government of India: for example, our Secretaries, by the time they attain that office and establish their fitness for higher Secretariat employment, are too senior to make their appointment to the Government of India Secretariat convenient. This disability we share with Bombay; other provinces, in which the Secretaries to the Provincial Government are comparatively junior men, do not suffer in the same way.

The tables that I have prepared show that, to equalise prospects, the Madras Service requires a relatively wider outlet in the higher ranks than it now enjoys. It is impossible on administrative grounds to reduce the number of men in the "inferior" ranks: the remedy can only be found in a larger proportion of posts in the higher "superior" grades. Should it be found desirable, on administrative grounds, to increase the number of Collectors, this would tend to some extent to correct the balance; but an increase in the average pay of the higher posts would also be needed to set matters right. I consider that, as an attempt to equalise the conditions between Madras and other provinces generally, our Collectors should rise, preferably by selection, to a salary of Rs. 2,750. Some of our districts nearly approach to Commissionerships in importance and there would be nothing inappropriate in paying them accordingly.

2383 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance should not be abolished without at least a corresponding increase in salaries.

2384 (96). If abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—The allowance recognises the special burden laid on officers whose domicile is in Europe by the fall in the exchange value of the rupee. If salaries are raised generally irrespective of domicile, the claim of such officers to special treatment will still remain.

2385 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—On the executive side the chief acting promotions involving increased responsibility are from Assistant Collector to Sub-Collector and from Sub-Collector to Collector. An Assistant Collector acting as Sub-Collector receives the full pay of a Sub-Collector of the last grade and is thus suitably remunerated. But a Sub-Collector acting as Collector cannot draw more than Rs. 1,600 and may receive as little as Rs. 1,433 *per mensem*. The pay of a junior Collector is Rs. 1,800 and the full salary of the post is by no means too much considering the official and social position of the officer and the calls on his purse. The expenses of an acting officer are little if anything less than those of a permanent incumbent: the responsibilities are in no way less. I speak from personal experience when I say that the lower grades of acting pay as Collector of a large district are altogether inadequate to meet the social and official obligations imposed by the position. I consider that no officer acting as a Collector should receive less than Rs. 1,700 *per mensem* at the lowest. The principle of fixing a minimum salary for special offices is already recognised in the Indian Codes, for an Accountant-General at the three Presidency towns cannot receive less than Rs. 1,500 per month, while the Inspector-General of Forests and acting Conservators of Forests enjoy a privilege of the same kind.

On the judicial side the lowest pay drawn by a Sub-Collector acting as Judge is Rs. 1,566. The expenses of a Judge are not so great, but for the sake of uniformity and as it is considered necessary to make the judicial branch more attractive than the executive, I would apply the same minimum of Rs. 1,700 to the acting Judge.

2386 (98). How is the system of officiating grade promotions, where there is no change of duties actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The system is convenient and works satisfactorily but should be abandoned in favour of a time-scale.

2387 (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—The introduction of a time-scale would be a great improvement on the present system, at least in the lower grades. Regular promotion and well-defined prospects would have obvious advantages over a system under which promotion depends greatly on chance, and a temporary decline in retirements or leave may seriously retard promotion.

The question whether the time-scale should be carried on into the higher grade is more difficult to answer. The uncertainty of prospects there is not so great and promotion to these ranks is by selection, or at least by the rejection of the unfit. There must necessarily be a break in the time-scale at the stage of transition to the rank of a Collector or Judge, and I do not think any purpose would at present be served by instituting a fresh time-scale for officers of that rank.

2388 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the judicial and executive branches of the service is different?—The scale I would recommend is as follows :—

Year of service.	Rate of salary.	Year of service.	Rate of salary.
	RS.		RS.
1	500	7	1,000
2	* 550	8	1,100
3	† 650	9	1,200
4	700	10	1,350
5	800	11	1,500
6	900		

* Subject to passing the Lower Standard examination.
† Subject to passing the Higher Standard examination.

STATEMENT comparing the rates of pay of Indian Civil Service Officers (*a*) under the Political department time-scale, (*b*) as 'assumed' for the purposes of article 754 of Civil Service Regulations and (*c*) as suggested by Mr. Knapp.

Year of service.	Political department.	Assumed salary in article 754, Civil Service Regulations.	Proposed.
	RS.	RS.	RS.
1 ..	‡ 450	400	500
2 ..	‡ 500	400	550
3 ..	‡ 550	500	650
4 ..	650	600	700
5 ..	700	700	800
6 ..	750	800	900
7 ..	850	900	1,000
8 ..	900	1,000	1,100
9 ..	1,050	1,100	1,200
10 ..	1,150	1,200	1,350
11 ..	1,250	1,300	1,500

‡ Officers of the Indian Civil Service are not usually recruited for the Political department under three years' service; the rates shown for the first three years are those fixed for officers not belonging to the Indian Civil Service.

Thereafter an officer should remain on Rs. 1,500 until promoted to the post of Collector or Judge.

I consider that Rs. 500 is the lowest pay on which a young member of the Indian Civil Service

should start his service in India. That is the sum allowed to officers of the Educational Department whose age and general education resemble those of the Civilian. The young Police officer now attains the same pay, under the operation of the acting allowance rules, immediately on emerging from his period of probation, that is within his two years of appointment and at the maximum age of 23. Partly owing to the great increase in the cost of living during the last twenty years, the Rs. 400 *per mensem*, considered sufficient 20 or 30 years ago for officers arriving at the age of 20 or 21, is not suitable or sufficient for officers arriving now at 24 or 25 years of age. Starting from Rs. 500, I follow generally the lines of the time-scale already in force in the Political Department, but keeping in advance of that scale throughout. I allow a considerable rise in the third year of service, which is the period at which the young officer is released from tutelage and under our system is posted to a Divisional charge where he has to set up house for himself. From the fourth to the ninth year my scale represents an addition of Rs. 100 *per mensem* to the standard scale of "assumed salaries" laid down in the Civil Service Regulations. In the tenth and eleventh years it rises faster than the "assumed salaries," but I justify this on the ground that about that period an officer is likely to marry and his domestic expenses to increase considerably. The scale of assumed salaries has been in force since 1889 at least: my scale in eleven years only reaches a sum about 15 per cent. in excess of the "assumed rate," though the cost of living must have increased since 1889 by considerably more than that proportion.

2389 (103) If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—Recruitment under the present system is arranged to secure that all officers will be promoted to certain posts at approximately a fixed time: I do not see that an alteration in the system of paying salaries would make the application of this principle any more difficult.

2390 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—A newly joined Civilian, immediately on arrival, has to provide himself with a horse and with camp furniture and equipment, all of which are needed for the performance of his public duty. The total expenditure involved is from Rs. 1,200 to Rs. 1,500. At present an advance of Rs. 1,000 is given by Government for this purpose, but this sum besides being inadequate, is recovered from him at the rate of Rs 100 *per mensem* during the first ten months of service, an arrangement which very seriously cripples his resources. An officer who has no private means can hardly avoid starting his career in debt and this is clearly very undesirable. I consider that an equipment allowance should be given by Government to each newly arrived Civilian, to enable him to fit himself out properly for his work.

2391 (107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Under the combined leave system most of the leave on full pay is ordinarily taken, though there are occasional compulsory lapses owing to the restriction of the leave rules.

2392 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I do not consider the rates suitable. The principal reason why officers do not now take all the furlough due to them is that they cannot afford it. The cost of passages to and fro and the exceptional expense of a temporary residence in England, taken in conjunction with the reduction of income to half or less than half, make much furlough impossible. Even with the comparatively small amount of furlough now taken the average officer returns to India in debt, or at least having spent the small savings which he had accumulated during his last period of duty. Were it not for the privilege of combined leave, which enables a portion of the leave in England to be taken on full pay, the amount of time spent at home would be even less than now. Various suggestions have been made from time to time for improving the conditions in this respect; among them are the proposals to remove the three months' limit now placed on the accumulation of privilege leave or in the alternative to allow the commutation of furlough into full pay leave: but these are only palliatives. I consider that the remedy should go to the root of the matter and should consist in raising the furlough allowance from one-half to two-thirds of full pay. Limitations might be placed on the amount of leave which could be taken, or taken at a time, on these allowances, but the general principle should be to allow an officer to enjoy such reasonable periods of absence from duty, for rest or recruitment of health, as the conditions of service in India are admitted to require, without the financial embarrassment which now, for the average officer, marks each visit to Europe.

2393 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—Under any system I consider that the maximum imposed on leave allowances should be removed, or at least greatly increased. The present maximum of £1,000 a year probably amounted to a fair competence when it was fixed: it apparently has no other logical basis. With the rise in the cost of living generally in Europe the maximum has ceased to be suitable, and its existence is an additional obstacle to the taking of leave earned and often badly needed.

I do not consider it desirable to reduce the minimum.

2394 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, generally, but men who at about 25 years' service have risen to the "selected" ranks and continue to serve there may, on the analogy of other branches of the Public Service, reasonably look for an increased pension. I should be inclined to meet this by retaining the present annuity system but by giving an extra £100 a year at 30 years' service to men who had attained "selected" rank. I think that a further £100 a year might be attached to the office of Member of Council if held for three years.

2395 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—No. There would be too much uncertainty of prospect and the man who for no fault of his own, but merely owing to slowness of promotion, finds himself blocked out of the higher paid posts should not be further penalised by loss of pension.

2396 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what and for what reasons?—Yes, as described in my reply to questions (118) and (119).

I am strongly of opinion that the practice of requiring Civilians to contribute towards their pensions should cease. It obtains, so far as I know, in no other service. The contributions constitute a substantial drain on incomes which at some stages barely represent a living wage, and which at no period of the service of the average Civilian now leave any margin for putting by savings against retirement. Such surplus as may be over from regular and unavoidable expenditure while on duty is, at any rate in the case of the married officer, swallowed up by steamer passages for his family and by the maintenance, for more or less extended periods, of separate establishments at home and in India.

I consider that the full pension of £1,000 a year should be provided by the State and I should like to see the present deduction of 4 per cent. placed in a Provident fund to be returned with interest to an officer on retirement, and perhaps to be drawn on, as in the case of the Indian General Provident fund, for exceptional purposes, such as the payment of passages. The £1,000 a year with the addition of the Provident fund accumulation will, as prices and social conditions now stand in England, suffice to provide no more than bare comfort for an officer who has spent his life abroad in circumstances that compel a certain standard of living. Moreover, the Provident fund accumulation will furnish a much-needed addition to the income of widows whose pension of £250 or £300 from the Family Pension fund represents now little more than penury.

Pensions run up to £1,000 in the Military department and £1,050 in the Medical Service, and there seems no reason why the Indian Civil Service should be less liberally treated by the State.

2397 (129). Do you accept as satisfactory the regulations of the Indian Family Pension fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The contributions to the fund constitute a heavy burden on the income of a retired officer, and I should like to see them cease on retirement. I would similarly suggest, as a concession which would cost Government nothing, that contributions should be suspended during furlough and recovered after return by reasonable [illegible]

The stoppage of the pensions of orphan sons at the age of 21 is a very serious defect in the regulations. Young men are no longer established in professions in England at 21 (except in the Army and Navy in which the pay will not keep them) and the result of withdrawing the pension at that age is to debar a civilian's son from all chance of going to a university and of following his father's career or any other of the same social standing. It was not so when the age of entry into the service was lower. I hold strongly that the pension should continue at least to 24. The children's portion of the fund appears to have a very large accumulated balance and would probably be able to make the concession without any present increase in contributions.

2398 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above question? If so, please explain them?—There are two matters not falling strictly under the above questions to which I wish to allude; they are—(i) the unsatisfactory rules governing travelling allowances in certain circumstances, and (ii) the need for some more definite protection for the individual officer against loss of pay and prospects owing to changes in the organization of the service.

(i) The travelling allowances granted to an officer on transfer from one post to another are altogether inadequate. An executive officer is compelled by Government to maintain tents, camp equipment and horses: his duties frequently require him to keep a conveyance. But when transferred in the interests of the State, the whole cost of moving this equipment, as well as his furniture and domestic paraphernalia, falls usually on the officer's own pocket, while a married man with children has also to meet the railway fares of his wife and family. There is a very strong feeling, which I share, that an officer transferred otherwise than at his own request should be reimbursed the actual cost of moving the equipment required for the performance of his duties and a reasonable share of the whole cost of the move. In other words his tents, horses and perhaps conveyances should be paid for; railway tickets for his family and servants should be provided, and a reasonable weight of heavy baggage should be carried at Government expense. If the scale allowed to officers of the Army * were applied to Civilian officers there would be no ground of complaint. Similar allowances should be given on joining a new appointment on return from leave.

(ii) If considerations of policy necessitate the introduction into the service of men who have not entered it in the ordinary way, everything that is possible should be done by Government to mitigate the blow dealt to the individual officer whose legitimate expectations are disappointed. The manner in which this can be secured should be considered and a definite policy in the matter announced. For example, the introduction of officers from outside actually into the *grades* of the

* (*a*) First-class railway fares varying from 2 to 3 for the officer himself and single first-class railway fare for each member of his family; (*b*) a mileage of 8 annas for himself and 4 annas for each member of his family for journeys by road; (*c*) free passage for servants the total number ranging from 3 to 8, and for baggage and tentage, the weight varying from 10 to 30 maunds; and (*d*) free conveyance of horses up to the number which he is required to take on field service, or for which horse allowance is received by him or included in [illegible]

Civil Service at present disturbs the whole basis of recruitment and promotion. Provincial Service officers take practically no leave; and they thus reduce the expectation of officiating promotion which is based on the conditions of a European service. Their average age of retirement is higher and this again disturbs the calculated decrement rate. The Provincial Service officer being paid on a lower scale than the officer of the Indian Civil Service, his employment results in a monetary saving to the State: in other words, the State saves at the expense of the individual officers whose prospects are reduced. I do not consider this equitable or likely to make a contented service. When posts are listed care should be taken that the average emoluments of officers already in the service are not reduced. As an instance of what I mean, I consider that when a collectorate or judgeship is listed, it is only necessary to take away from the Civil Service a post of Collector or Judge of the lowest grade. The pay thus saved will more than cover the salary of the Provincial Service officer to whatever grade he may ultimately attain.

Mr. A. R. KNAPP, called and examined.

2399. (*Chairman.*) I understand that we are indebted to you for the arrangements for our meetings, and on behalf of the Commission I should like to take this opportunity of thanking you for what you have done. You have held the position of Collector, have you not?—Yes.

2400. At present you are on special duty?—Yes.

2401. You appear both in your personal capacity and as a representative of the Indian Civil Service officers in the Madras Presidency?—I have no definite brief as a representative, but I am aware that I do represent the general opinion.

2402. You do not appear definitely on their behalf?—No, I think it was considered that that would probably not be correct; but I do represent what I have ascertained to be the feeling of a large majority of the service.

2403. Of what grades?—All grades.

2404. You say that in your opinion the best system of selection for the Indian Civil Service would be limited competition?—Yes.

2405. Under such a system how many candidates as a minimum would you suggest nominating for each vacancy?—At least two for each vacancy I should think.

2406. Would natives of India be eligible under this scheme?—That is what I contemplated. My opinion as an Executive officer is that some men we get out now are not men who when they arrive prove to be altogether suited for executive work.

2407. You are opposed to the present system because it is absolutely essential that the working of the Executive should reflect what you call British natural characteristics?—Yes.

2408. Or at any rate a thorough British training?—Yes.

2409. Are you quite satisfied that the period of education which some Indians pass in England before taking the Indian Civil Service examination is of real advantage from the point of view of the administration?—It depends entirely on the period. I do not think the Indian who goes to England at 18 or 19, or even 20, after taking his degrees, acquires sufficient of what I call British characteristics as a rule to satisfy my standard, but those who have gone earlier in my opinion come very near it.

2410. When you say earlier, what do you mean?—About 14, 15, or 16.

2411. Are you speaking of the lads who have gone to England and have entered a public school there?—I refer partly to those and partly to instances I know myself of boys going to England at about 16 or 17.

2412. Where have they gone when they have reached England?—They have gone to private tutors. They may have been fortunate, but from what I have seen of them they have emerged very successfully from it.

2413. Do you know of any who have entered a public school in England?—No, not personally.

2414. I gather from what you say that your observations have led you to the conclusion that those who have gone to England at the age of 16 to a tutor have been more satisfactory in their subsequent careers than those who have gone at 19 or 20?—They have not gone far enough at present to carry my conclusion through to the end, but they promise to my mind to be more satisfactory. That is the impression they make on me.

2415. Have you many instances in your mind?—No; I have two at present clearly in my mind.

2416. Have you any instances in your mind where in your judgment the education of young men who have gone to England at 18 or 19 has proved rather injurious than otherwise?—I think there are cases. I would not specify, but I think there are certain cases where a short training in England has not done much good.

2417. I rather gather that you have laid stress not only on the longer training but on the importance of the boy going early?—Yes, I think that comes in to a great extent.

2418. Would you say it came in to a greater extent? Would you regard it as the more important factor of the two?—I think I would.

2419. Generally speaking you would like to see Indian boys going to England three or four years earlier than they do at present?—At a more adaptable age.

2420. You are opposed to simultaneous examinations?—Yes.

2421. And also separate examinations?—I prefer the present system.

2422. As regards your objections to a separate examination in India, do you think it would be possible to secure due representation of classes and communities by reserving to each class of the community a fixed proportion of vacancies?—It would be very difficult to work. If you had to take Presidency by Presidency, for one thing the number of appointments in each would be comparatively small, and it would be very difficult indeed to divide them. It might be done with reference to the figures for the whole of India.

2423. What I want to know is whether you think there is any hope of a direct result from the system which has been suggested to me of holding a separate examination in compartments?—I am afraid I do not.

2424. In your answer to question (76) you say that under the present conditions the districts in the Madras Presidency are too big and therefore the number of them should be increased?—Yes.

2425. What are the special reasons which lead you to that conclusion?—The enormous amount of work, a great deal of it routine, and therefore due practically to size and population, which the Collector has to do.

2426. Which do you think on the whole would be preferable, to increase the number of areas or to increase the staff in the existing areas?—Do you mean increasing the subordinate staff?

2427. Yes?—I do not think that would result in the same relief.

2428. I understand from you that a Collector is so immersed in business that he is practically reduced to being a clerk?—He has practically no time for anything else.

2429. But if he had a more adequate staff under him, would not that set his hands free to carry out his administrative work more efficiently?—It depends not on the amount of the staff, but on the class of the staff. If you gave him a comparatively senior man to assist him no doubt it would, but that would amount to very much the same thing as creating more districts as regards expense. We have had that system in one or two districts.

2430. To increase the staff would involve as much expense as your proposal?—You would have to have a man very nearly of the same standing as the Collector to assist him.

2431. So that on the whole you would prefer the readjustment of areas?—Yes.

2432. Would not that necessitate a good deal of recasting?—An entire readjustment no doubt would be required, but I do not think it is an insuperable task. We have done it quite recently ourselves and small adjustments are always more or less in contemplation.

2433. In answer to question (90) you say it has been recognised that the Sub-Collectors' charges in Madras are as important as some of the smaller districts in Northern India?—Yes.

2434. Do you speak from personal experience?—No, that is a quotation from a letter of the Government of India.

2435. In reply to question (94) you say that on administrative grounds it is impossible to better the prospects of Indian Civil Service officers by reducing the number of inferior posts now occupied by them?—Yes.

2436. Could you explain to us what these administrative reasons are?—At present we have not enough junior men, men below eight years' service, to fill the divisions of districts which on administrative grounds should be filled by civilians, there are 39 or 40 of such, and we do not get enough men to fill them.

2437. In reply to question (97) you suggest that Sub-Collectors officiating for Collectors should draw full salary?—I have suggested a compromise as a recognition of the fact that their appointment is temporary; it is only a slight compromise.

2438. How much is it you suggest?—I have suggested Rs. 1,700 a month as against Rs. 1,800, which is the full salary of the lowest grades of Collector. At present they may receive as little as Rs. 1,430.

2439. Does the temporary officiating Collector have to incur as large an expense as the permanent officer?—I think he does.

2440. What are the expenses you allude to which the officiating Collector has to incur? The out-of-pocket expenses?—He starts with removing probably to a very much larger house, an official house, where he sets himself up, and he is expected to get more in the way of horses and conveyances and be able at any moment to move to any part of his district. There are a good many social obligations also which he cannot avoid if he wanted to.

2441. Entertaining expenses?—Yes.

2442. Have you estimated at all what the expense would be in this Presidency of carrying out your proposal of increasing the number of districts?—No, I am afraid I have not.

2443. You have worked out no figures?—No, the question arose in connection with recruitment mainly.

2444. The question not only arises on that, but it would involve, would it not, a considerable additional expense?—Yes. I have not formulated any ideas as to how many would be required.

2445. I see that you are in favour of raising the furlough allowance from one-half to two-thirds of the pay?—Yes.

2446. Could you tell us from your experience what are the customary furlough allowances outside the public service, for instance among business firms?—I am afraid I have no accurate knowledge of that.

2447. You recommend an extra pension for officers who reach selected ranks?—I recommend a combination of time service and the attaining of certain ranks, the object of that suggestion being to refrain from giving any inducement to a man to stay on just a year or two over his pension period. That would cause a block. But an increased pension at fixed periods would be unlikely to cause a block.

2448. You think it would prevent men staying beyond their time?—Yes.

2449. In question (120) you make a suggestion that the Government should take over the whole charge of pensions for Indian Civil Service officers, but that the existing 4 per cent. deduction made from salary should be continued in order to create a supplementary fund?—Yes.

2450. What additional pension would that give a retired officer?—Retiring at 25 years' service as far as I can ascertain it would be something under £200 a year. It is very difficult to calculate and we have not been able to get accurate figures even now.

2451. I will put it in this way: What is it estimated that the 4 per cent. deduction produces during a man's career in addition to the amount allowed by Government?—For that we have no actual figures. We know the Government fixed their proportion of the pension at £600 a year, leaving it at that time to the officers concerned to arrange between themselves for the rest.

2452. You can assume that the 4 per cent. deduction produces £400 a year?—I doubt whether the amount contributed by the individual officer produces quite as much, but there are the contributions of the other officers who do not reach their pension period, which is, I assume, credited to the survivors. That is what makes it difficult to arrive at any further conclusion than we can draw from the fact that Government fixed £600 a year as their contribution.

2453. You have no estimate as to what would be the increased pension under this scheme of yours?—No.

2454. Broadly speaking, what would you say it would be?—I think it would probably give the average man a lump sum of something like £2,500 down. That is as near as we could get.

2455. Seventy or eighty pounds a year more?—Yes, if invested, but the point to which I think most of the members of my service attach importance is the fact that it would come in the shape of a lump sum and not an annuity terminable at death, and therefore would be much more valuable.

2456. It would be much more valuable to an officer going home to have a capital sum at his disposal?—Yes.

2457. Have you estimated what the additional cost would be for that?—I have not.

2458. It is rather an important item, is it not?—Yes.

2459. (*Sir Murray Hammick.*) I see in answer to question (9), you see strong objections to a separate examination in India for a fixed proportion of vacancies, on the ground that it would represent the old discredited statutory system. What were the actual reasons for condemning the statutory system?—My impression is that it fell through owing to the difficulty of selecting at the age of 22–23 men who were afterwards going to prove a success.

2460. If you object to it on that ground I suppose you would use these listed appointments for introducing into those listed appointments men of considerable service whose character was already well known by experience?—I should prefer to be able to choose my men after at least five or six years' service, as men who are eventually going to reach the listed posts. I should prefer that to having to choose them at 23 on the result of an examination or of any other method.

2461. When you say five or six years' service do you mean that you would put men on five or six years' service into listed appointments?—I had in mind the suggestion made that the merged listed appointments should be restored to their original designations.

2462. In that case you would have so many inferior appointments in order to supply the listed superior appointments?—Yes.

2463. And then your idea is that you would take a man from the Provincial Service after you had seen enough of him to know what he was worth and put him into one of the inferior listed appointments so as to give him a chance?—Yes, if it were thought necessary to restore those designations.

2464. Would there be any objection in special cases to recruiting for that series of listed appointments direct?—I do not think there would. I should prefer the widest field of selection which would include examination, promotion, or selection from the Provincial Service with an age maximum.

2465. You would pay those men the same rates as they are paid now; two-thirds?—Probably.

2466. And you would keep them on a separate list?—Yes, I think I would.

2467. In that case you would have to list higher appointments than are at present listed, such for instance as the membership of the Board of Revenue; you would have to open these appointments to the men who came in in order to give them a complete course through their service?—I think that would be necessary.

2468. Can you tell me whether you think there is any serious discontent amongst the Indian Civil Service officers in Madras at present as to their monetary prospects?—I think there is a great deal.

2469. To what grade of officers does that specially refer?—There is a great deal among the men who have just about reached 25 years' service, and who, comparing themselves with a man of about ten years ago, find themselves three or four years at least behind in promotion. There is also a good deal between the men of from 10 to 15 years' service, that is at the stage where people are waiting for an acting District appointment.

2470. There is considerable delay at present in the men of those two periods attaining what they think they reasonably might expect to get?—Yes. I think it is recognised that it may be partly due to the new grading of two years ago, which is not settled down yet, and which may possibly have to be reconsidered in some respects.

2471. It may set itself right as time goes on?—It may set itself right or may have to be slightly modified.

2472. As regards your answer to question (76) had you experience as Collector at Madura of an Additional District Magistrate?—Yes.

2473. He was a civilian?—Yes.

2474. During what period did you have him?—Nearly a year.

2475. Did you find that he gave you considerable relief from your routine work?—Yes.

2476. That was before the Maduta district was divided?—Yes.

2477. Did you find that the work of the Collector, with the assistance which was given by the Additional District Magistrate was more than a man could easily be expected to do properly?—I think it was.

2478. Have you had experience of the Madura district since it was divided?—Yes.

2479. You have not had any Additional District Magistrate to help you?—Not regularly.

2480. Do you think that the complete work now of the District Magistrate and Collector in Madura compares favourably as regards its quantity with the work of the Collector of the old district of Madura when he was assisted by an Additional District Magistrate? The district has been divided and I want to know whether the division of that district, coupled with the removal of the assistance the Collector formerly got, has been of real assistance to the Collector. Is the present district a much lighter charge than it was under the old state of things when the Collector had an Additional District Magistrate to relieve him of his magisterial work?—I do not think it is.

2481. You do not think it has helped?—Not much.

2482. Is it not generally said of the division of the districts which was carried out four or five years ago on the east coast that the result has been to make the present Kistna district an extremely heavy one?—Yes, I have heard that.

2483. So that that division was unsatisfactory?—Yes.

2484. I should like to know whether on the whole you do not think, provided the Collector could be relieved of his magisterial work by the Additional District Magistrate, that would not be a better way of relieving the head of the district of the mass of work you say he has, rather than by dividing the districts?—My main difficulty is that such a system leaves the Collector head of the district with control over various questions that come up without his having had opportunity of getting acquainted with the details of them. For instance, the Additional District Magistrate does magisterial work. The Collector himself is still responsible for general questions and is rather apt to be handicapped by want of acquaintance with the magisterial work. He still keeps the patronage.

2485. Under our present system, from the bottom up to the divisional officer the judicial and executive work is divided in the sense that there is one set of Stationary Magistrates and another set of Deputy Tahsildars?—Yes.

2486. The Collector, even if he has an additional District Magistrate, at all events knows his Tahsildars and Deputy Tahsildars as well as he did before, but he does not know his Stationary Magistrates?—Yes, and therefore he finds it difficult to decide on their qualifications for Tahsildars.

2487. Therefore you would prefer the division of districts as a method of lightening the Collector's work?—I think so.

2488. Have you any idea whether the Ramnad Collector finds his work very heavy now?—I think he finds it heavy enough, but probably that is because it is an entirely new district, getting a great deal more attention than it ever got before.

2489. I suppose you would say that the work of the Collector in these days has very much increased owing to the creation of a number of special departments, the Agricultural Department, the increased work of the Local Fund Department, the increased work on the municipal side, and such things as the Veterinary Department and the greater development of vaccination: all these matters are matters which have very much increased the Collector's daily work?—Distinctly, I should say.

2490. I think you said you have not calculated out in any way the financial result of carrying out these proposals which you have made for improving the prospects of the service?—No.

2491. It is hardly worth going into them until we have had calculated out the amount it is going to cost. Are we not quite in ignorance at present of the value of that four per cent. deduction that is made from the civilians' salary? I have never heard anybody yet who has worked out whether it meets the charges on that fund or whether it does not?—We know that the contribution of an individual officer does not pay £400 a year for him, but what we do not know, and what probably only the India Office knows, is whether the combined pensions of the service, including the men who do not reach their pension, will amount to enough to pay that £400 a year.

2492. Mr. Cardew said the other day he was very anxious that the contributions under the Family Pension Fund should cease on retirement but that the payment should be proportionately increased during service. Are you in favour of that?—Yes.

2493. (*Sir Valentine Chirol.*) I wish to ask you a question first of all with regard to one Sir Murray Hammick has just asked you. You say one of the difficulties of calculating how much the individual officer contributes to the pension fund is the number of those who die before they can obtain their pension. But is there not another element? The officer as a rule does not contribute the whole £400?—Not, I think, in 25 years.

2494. But is there not a very considerable number of officers who remain on after 25 years, holding high posts with high salaries, who ultimately have contributed a great deal more than the £400?—Yes, there is.

2495. There are cases where an officer contributes very nearly the whole?—That would be the case.

2496. You are against simultaneous examinations in this country?—Yes.

2497. You would continue the system of competition in England open to Indians and Europeans?—Yes.

2498. Do you contemplate any large increase of the Indian element in the Civil Service in that way?—I think we shall have to contemplate it. As far as I can see from my own experience the number of Indian boys who go Home for the purpose of studying for the Civil Service is increasing.

2499. Yet at the same time you contemplate providing a considerable field for the employment of Indians in the Public Service through promotion from the Provincial Service?—Yes.

2500. I am going to confine myself to the last paragraph of all in your evidence, paragraph 2, of your answer to question (130) which appears to me to raise a very important question. As I understand it, you consider that the introduction of officers from the Provincial Service into the grades of the Civil Service results in a substantial injury to the material interests of European civilians?—That is so, I think.

2501. That it reduces the expectation of officiating promotion which is a very important factor in your service and affects the prospects of advancement by disturbing the calculation of the decrement rate, that is to say, that Indians holding those appointments will stay on in the service longer than they need?—Yes.

2502. If this is a legitimate grievance, as it appears to me to be, does it not illustrate the inherent difficulty of combining in any one service material conditions which may be equally fair and satisfactory to two categories of public servants, upon whom, whatever equality may exist between them in respect of intellectual or other qualifications, service in India must always make widely different demands? A European who serves in India will be always serving in a distant country, cut off from his associations, from his friends, and living in a climate very different from his own and one which is trying to his

constitution. If he is married he finds himself constantly separated from his wife and his children, and he is obliged to make provision for them in many ways, very often keeping up a double establishment in England and in India, or if they remain in India in the hills or in the plains. Also his actual retirement from service, after he has finished his 25 years, will be governed very largely by considerations arising out of his family, his desire to go home and be with his children at an important period of their development. On the other hand the Indian will always be serving in his own country, under climatic conditions which he has been accustomed to from his birth, close to his friends and his natural associations, and with his family about him, and he has no special inducement to retire early. I want to know whether it is possible to combine in any way conditions which would be fair and satisfactory to people serving under such very different conditions in the same service?—I do not think it has proved altogether unsatisfactory in respect of men who have entered through open competition in England, partly because they do not serve in their own Presidencies, and to a certain extent because they may be actuated by the same desire to retire after 25 years and go back to their own homes as the Englishman is. Some of them go to England.

2503. I am speaking of the very large section of Indians for whom provision is made for employment in the listed posts?—I quite agree there. It is very difficult to establish conditions which will suit both equally.

2504. And yet so long as the only other avenue open to them is competition in England you must always reckon with a very large proportion of Indians in the Public Service who come in through the listed appointments?—Yes.

2505. (*Mr. Abdur Rahim.*) Are you aware that Indian boys find difficulties in getting on with English boys in England?—Naturally, in a strange country they would.

2506. I mean their difficulties are increasing?—I have heard it mentioned quite recently, but I have no personal knowledge of it.

2507. In the Universities, for instance?—I have heard it said they are increasing, but I have only heard it locally, not in England.

2508. Supposing that is a fact, do not you think that your suggestion to go there at the age of 16 or 17 makes it very difficult for any large number of Indians to go there at all for education?—I think the earlier he went the less difficulty he would find at the University. He might not have to plunge straight into University life without any start in English training before.

2509. Are there no difficulties in connection with their entering public schools?—I think there are plenty of schools in England of a very good class open to them.

2510. Could you give me some definite idea as to the British characteristics that are necessary to keep up the general tone of the service?—Speaking entirely from my own experience and mentioning what was in my mind when I wrote that with reference to the officers I have had serving under me, I should say that probably the most important factor was what I might call a sense of duty. My experience is that the European as a rule is more apt to do a thing because it is his duty to do it than the Indian subordinate, or the subordinates I have had under me. That includes members of the Provincial Service below my own standing.

2511. Talking of highly educated Indians, do you find that sense of duty defective in them? I do not only mean the Indian Civil Service men, but generally; I cannot generalise and say that it is always wanting in the educated Indian or the uneducated one. I am merely giving an impression I have formed of one general distinguishing factor, with very many marked exceptions. I do not wish to say that every Indian I have met is wanting in a sense of duty.

2512. If you have met many would you call them exceptions?—Yes, the many is relative to the far more whom my rule covers.

2513. Apart from English educated classes, is not there a large class of Indians highly educated, men of culture?—Not according to a European standard, cerainly. It is rather difficult to define culture. I know men of good education who do not speak English and who have never had any English education.

2514. That is what I mean, men of culture and education who do not know English at all, who have not passed through an English school or English University. I suppose in them also you would expect a high sense of duty?—Unfortunately, as a rule, we do not get them in the public service.

2515. Of course you will not come across it unless you are in touch with the people who do not know English?—My difficulty in answering is that I have had no opportunity of deciding on their sense of duty because they do not serve under me. I am referring throughout to the people who have served under me.

2516. As regards your proposals, I take it that they come to this, that you want an increased number of men in the Indian Civil Service, and you want to increase the pay and increase the furlough allowance. Is that so?—Yes.

2517. And I understand you have not calculated the cost to India?—No.

2518. You would insist on such increase apart from any question of cost?—No, not in the least.

2519. I take it that you would have some of your proposals accepted if the cost was not very great, if they were within moderate bounds?—Yes.

2520. As regards discontent in your service, how long has it been in existence in this Presidency?—Discontent with the actual monetary prospects was what I alluded to. I do not think I have referred to any general discontent. Certain stages of the service are dissatisfied with their prospects.

2521. You said that even in the higher ranks of the service, among men of twenty-five years' standing, there is discontent?—With their prospects.

2522. How long has that been in existence?—Things have got very much worse in the last ten years.

2523. Do you know if any representations have been made on any particular point?—No, I think they have not, mainly I should say because during the last seven or eight years a new system of grading was known to be in contemplation, of the details of which we had no knowledge, and I think most men hoped that something would come out of that.

2524. Should I be right in saying that the discontent is of somewhat recent growth?—It has increased lately as the block in promotion has increased.

2525. It has not up to now found expression?—Not officially I think.

2526. What is your main objection to relieving District Collectors of their heavy magisterial duties, assuming those duties are very heavy?—Mainly, I think, the difficulty one has in keeping in touch with the conditions of the district as a whole. I have no very strong objection to it; in fact I have served under those conditions for some time.

2527. Do not you think that the multifarious duties, other than magisterial duties, with which the District Collector is entrusted, ought to be sufficient to bring him in touch with everything, more perhaps than he would care for?—I think they do.

2528. Education, municipal work, district board, I do not know that there is anything in the district life with which he ought not to be in touch, apart from his magisterial duties?—His magisterial duties are very slight; they only consist in keeping himself acquainted with the general work of the magistrates under him and not in detail at all.

2529. I thought you said he would lose touch with his district?—He ceases to have the information he wants as to the work of the men, information it is necessary he should have for the purposes of promotion, leave, transfer, and so on.

2530. But supposing he was placed under a separate officer, that officer would be responsible for promotion and all that?—Unfortunately under the present system they would have to come back under the Collector again.

2531. I am not talking of the present system but of the proposal that has been made. Suppose there was an additional magistrate, he would be responsible, I take it?—But his connection with the men will cease as soon as they are elevated out of the position of sub-magistrates.

2532. I am alluding to a proposal for separation of revenue duties from the magistrates' duties?—If there was an actual separation, my objection would not exist. What I said was that I should prefer the reduction of districts to the other system for a specific reason. At that time the question of entire separation had not been made.

2533. Then if there is complete separation it would not matter?—No.

2534. And you would have no objection to that?—No. The objection I should say would be on the ground of expense.

2535. You know that the same officer is now performing magisterial duties and revenue duties?—Yes.

2536. You might concentrate in one officer the revenue duties and in another officer magisterial duties? Of such a scheme the cost might not be very considerable?—There would be great difficulties in providing an outlet for the magisterial men. They would have no grade corresponding to the Tahsildar grade unless you created one for the purpose.

2537. Apart from that you see no other objection?—I see no objection in principle whatever.

2538. (*Mr. Madge.*) In your answers to questions (1) and (2), although you consider the present system of recruitment fairly satisfactory, you say: "I consider that limited competition among candidates who had previously secured nomination by an independent Board of Selection would probably give better results." I presume you refer to those qualities of British officers that are really not tested in a purely competitive examination?—Yes.

2539. Are not those qualities of supreme importance in the administration of this country?—They are.

2540. And they are not at all tested by a purely literary test?—No, that is my position.

2541. Then in the case of Indians going to England what provision would you make for this Board of Selection that you refer to in the case of Indian officers?—Their cases would be dealt with by the same Board and presumably on the same grounds.

2542. They would hardly have the same materials on which to judge?—You mean if they came straight from India to compete for the examination?

2543. That is what I mean?—They would have letters of introduction I suppose or something of that sort from schools or colleges here.

2544. An English Board will have much in common with candidates, in consequence of their belonging to the same social system and having the same standard of living, and a number of other considerations, which they would not have in common with Indian students. Consequently any recommendation of theirs as regards Indian students based purely on testimonials and that sort of thing would be very incomplete?—Yes. My opinion was that it would be sufficient for the purpose of eliminating a certain number of candidates; a bad testimonial would eliminate.

2545. I myself, and I think a great many other people, have stumbled at the provision of a test for character, which is perhaps the greatest of all essentials in the public service, and is really not properly tested in a literary examination of any kind. Have you any suggestion to make with regard to the test of character from your experience of India, that if not up to the quality of the English would in some measure make up for the loss that at present exists?—No, I do not see how you can lay down a test of character. You would probably get satisfactory opinions as to the character from headmasters, heads of colleges, and so on. My general idea was that it would be well to have an opportunity of taking those into consideration, especially for the purpose of eliminating men who had not got the necessary testimonials.

2546. You have exercised both executive and judicial functions?—No. I have not been a Judge. I have been a Magistrate.

2547. Have you found that in exercising magisterial functions, your experience as a District Officer of the conditions of this country have been of great help to you?—Yes, in my experience they are essential.

2548. Judging from your own experience do not you think that kind of experience is almost invaluable in any class of Indian judicial work?—I do not know enough about the conditions of judicial work, civil judicial work, to say.

2549. That is on a higher scale than magisterial work, which is practically judicial so far as it is concerned with the trial of criminal cases?—I think it must be decidedly valuable, though I am not prepared to say it is invaluable.

2550. In that case you would agree with the opinion that appointments to Judicial office from the Bar for instance on the pure ground of technical acquaintance with law would hardly be an advantage?—There again I have not the experience on which to speak. I should prefer the District Judge who is to co-operate with me in my district to be a man who has had some practical experience of what magisterial work meant, and of the actual conditions in the rural parts of the country which had to be met.

2551. You do not think that the administration of justice in this country means exclusively technical interpretation of the letter of the law?—No, I certainly do not.

2552. The contrast between a Judge in this country and a Judge at Home is that a man brought up as an English Judge has an intuitive knowledge of a certain number of things which make him a valuable Judge, and which, coming to this country, he cannot possess unless he has had a very wide experience of the country, and has acted in an executive capacity; but is there any other capacity in which he can acquire the same valuable experience?—I should say not.

2553. I suppose it is that kind of consideration which confirms you in your opinion that the entire separation of the Judicial from the Executive would be a mistake?—I do not think I have said that the separation of the Executive and the Judicial in the service itself would be a mistake. I do not think I have any strong objection to it.

2554. It is really a question of the stage at which there should be an official separation, because no one wants a Judge of the High Court to go back to executive work; but exceptions have occurred, as in Burma, in which a high executive officer has been sent to the Chief Court and *vice versâ*. So that from that point of view the later the separation takes place the better, because it admits of the Judicial officer acquiring a wide experience of the country and its conditions?—I do not think I can follow you quite into the region of the kind of judicial work to which, I think, you refer, that is to say, the work of a Judge. So much of that is civil work, of which I have no knowledge whatever, and it is difficult for me to say whether it is or is not necessary that a High Court Judge should have had executive experience; but I am quite convinced that it is of use to the Magistrate to have had executive experience.

2555. Your magisterial experience leads you to the conclusion that as regards the administration of criminal justice at any rate it would be very valuable?—Yes.

2556. You refer in answer to question (24) to the maintenance in the administration of a British tone. Do you think that depends in any degree upon the perfection of the mere machinery of justice or upon the personality of the officer?—I think undoubtedly the personality.

2557. You have no doubt in your mind about that?—None whatever.

2558. You have suggested in answer to question (76) that the districts are too large and the work too heavy. There appears to be a divided opinion as to whether relief might be obtained in this part by the introduction of Divisional Commissioners, as we call them elsewhere, or merely the provision of subordinate officers for the present District Officer. Are you in favour of either of those opinions?—I should prefer the reduction in the size of the districts. I have no actual experience of the manner in which the Commissioners do their work.

2559. You have already implied, I think, that by the appointment of additional subordinates you still retain a personal connection with the whole of your area and make a better officer for that reason?—Yes.

2560. You have referred to the discontent, or what I should rather call dissatisfaction, pervading the service on account of present allowances and salaries. There has been an opinion expressed that the man on a small salary has to spend his whole salary and the man on a larger salary has to reduce his savings on account of the rise of prices. It is notorious that prices have risen all over the country, and if you have not heard in this part of the world I have in other parts of the world of men with high salaries who have a pretty hard struggle to exist at all. I heard a civilian in the north-west, when we were talking about labour troubles at Home and their difficulties, call his salary "a living wage." Perhaps you are waiting for the report of the High Prices Commission, but what is your opinion on a proportionate improvement in salaries all-round to meet this great difficulty? Unless you have a contented service, considering all the difficulties that have been alluded to, such as sending Home children and that kind of thing, things cannot be all right. Do you not think that a proportionate increase right round, especially when the finances seem to be in a flourishing condition, would remove all that dissatisfaction?—I do not think you can say there is actual dissatisfaction when you get past a certain stage of the service, except on the grounds of comparative prospects. The position taken by most men is that once they have reached a certain position, roughly speaking that of a Collector, their emoluments are not worth as much as they hoped they would be when they came into the service, and that they must make the best of a bad bargain. Where it touches them in the lower ranks of the service is that they think they are not getting a living wage?

2561. But your Collectors are paid higher than they are paid in some districts?—But the average of the top part of the service is lower than the rest of India. Our districts are larger and a few of our men are getting higher pay, but the average of pay of men over a certain standing, of about 18 years, is actually lower than it is in other Presidencies.

2562. And you are quite satisfied with that?—No, I have suggested that the prospects should be equalised.

2563. As regards the consideration of policy in the introduction of Indians, everybody agrees that it is very desirble as far as possible to meet public sentiment on that subject; but dividing this country into a small educated class on the one hand and the great masses on the other, questions of policy resolve themselves into this: The welfare of what class have you to consider if the welfare of one class does not run parallel to that of the other? For instance, the real interests of the educated classes of this country may be very different from those of the masses?—Yes.

2564. Supposing that the educated classes mainly belonged to large cities and were practically ignorant or imperfectly acquainted with the real needs of the great masses who have the greatest claim on the Government, would you not consider first of all the interests of the great body of the people in preference to those of any class that was comparatively small, no matter what their claim might be?—Yes. I certainly should.

2565. Is it not conceivable that there might be a great conflict of interest between the great masses and any selected small class in this country?—Not more I think than there possibly may be between minorities and majorities in England or in Europe. I cannot at the present see any specific case of direct conflict of interests.

2566. As an administrative matter, we are considering questions of policy in this country, and not any others, and whatever the policy of the Government may be it would reflect upon the administration. From what standpoint do you look at the duties of an officer? Are not they mainly directed to the welfare of the masses of the country in preference to that of any class?—Entirely.

2567. Although you would not ignore the others, of course?—My business has always connected me with the consideration of the interests of the people of the district taken as a whole.

2568. (*Mr. Macdonald.*) You have been told off, I understand, by the Government of Madras to prepare this evidence for us?—No, not exactly that.

2569. What is exactly the position?—My only official connection with the matter is that when the Commission's questions arrived I was asked to prepare such information as might enable the Government to give their answers. Mine are in no way official answers. It so happens that when the Commission's questions were received I was here on other duty and I was told off to do some Secretariat work in connection with them.

2570. You were told off by the Government of Madras; you were allowed by the Government of Madras special leave in order to prepare these answers?—No, not in the least.

2571. Were you doing your ordinary work while preparing these answers?—It was not for the purpose of preparing my individual answers. I was put on to collect some information for the Government before the question of selecting witnesses came up.

2572. (*Chairman.*) You are speaking merely from your experience as an officer in the Civil Service?—This is a purely private opinion, speaking from my own experience.

2573. You are not speaking as representing in any way the Government or any body of people?—Not in the least.

2574. (*Mr. Macdonald.*) You have been specialising upon this examination paper since it came to you?—Yes.

2575. These answers that you have given to us are very carefuly considered answers?—No, not as carefully as I should have wished, because, if I may say so, what I specialised on were the more general questions which Government wished to answer. I have not had as much time as I should like to specialise on the questions as they affect the Civil Service.

2576. Would you mind indicating to me what questions Government did want specially answering, because if the other questions have been imperfectly answered the Commission ought to know?—They are not included in my answers at all. They were such questions as the preparation of the list of officers of the Provincial Service, sufficiency of recruitment, and so on.

2577. Was that in a separate Memorandum?—Yes.

2578. May I take it that the answers you have given from question (47) down to the end represent the opinion of the European Service as well as your own individual opinion?—Yes, I think you may.

2579. And that those claims you make in the course of those answers are in the form of a petition from the European Civil Service to this Commission?—Yes, practically.

2580. Seeing that it is so very business-like in its details can you tell me why you failed at the end to put the coping stone on, that is to say, give us an estimate of what it was going to cost?—I thought that that was a matter which would be possibly worked out by the Governments concerned in regard to any proposal that might be accepted.

2581. If these were accepted would it not cost a very substantial sum?—Probably.

2582. Would you mind giving me one or two pieces of information on details? At the end of the tables you make certain suggestions. Were not the divisions of Madras reorganized as lately as 1910?—Yes.

2583. And you want a new reorganization?—Yes, it practically comes to that. That I may say is my personal opinion, not a Service opinion; it is my personal opinion as a District officer.

2584. And very largely from your own experience in the exceedingly heavy district of Madura?—And other heavy districts. I have had experience of two of the heaviest districts.

2585. Your districts, as I understand your evidence, are not very well divided. You have certain heavy districts which you consider to be too heavy?—Yes.

2586. You make a proposal for an increase in the maximum salaries of Collectors, an increase to Rs. 2,750?—Yes.

2587. That is an increase of Rs. 250 a month?—Yes, as a maximum; not an increase throughout, but the higher grade.

2588. I said as a maximum. How would that make the Madras Collector's income compare with the income of Collectors in other Provinces?—It would make it more than the income of Collectors, but the point is that it would not make it more than the income of Collectors and Commissioners.

2589. You insist upon that expression which you use somewhere that your duties here are equivalent—at any rate I think you say only in some districts—to the duties of Commissioners in other parts of India?—I compare our subdivisions with Collectors in other parts of India.

2590. You use the argument somewhere or other?—I use the argument that our Sub-Collectors' charges are equal to those of Collectors in some districts in other parts of India.

2591. Do not you use the argument that the Collectors' charges are equivalent in some districts

to Commissioners' ?—I do not think I have mentioned the word "Commissioner."

2592. I think you mention it in your reply to question (94): "Some of our districts nearly approach to Commissionerships in importance?"—Yes, I see.

2593. Is that the reason why you suggest this increase in salary?—Yes, it is.

2594. The pay of the Madras Collector being greater than the pay of the Collector of other districts?—Yes.

2595. That only applies to certain districts in Madras?—It applies to certain ones and also to the average district in Madras.

2596. The average of your district is much more difficult, is it?—It is larger in area and much higher in population than certainly some other Provinces.

2597. What about your work?—I believe the work grows with area and population practically speaking.

2598. You would take that as an index of the work?—Yes.

2599. A large district, a large population: *ergo* a large amount of work?—Yes.

2600. You give that as a sort of index?—As a sort of rough index. There are exceptional conditions that sometimes disturb it.

2601. In answer to question (97) I should like again to get some information; you suggest that there should be no pay given to an Acting Collector of less than Rs. 1,700 a month, at the present time it may be as low as Rs. 1,433 and as high as Rs. 1,600?—Yes.

2602. Is the increase you suggest owing exclusively to the fact that the Acting Collector has to spend as much money on social and other objects as the Collector, or does it also include an element of pay for the higher kind of work which the Acting Collector has to do?—My ground for considering the present amount inadequate is that it practically leaves the Sub-Collector acting as a Collector worse off monetarily than he is as a Sub-Collector. In other words, he gets nothing for his extra work.

2603. I should have been well advised to have put my question in a more simple way. Does this merely represent the out-of-pocket expenses?—Not entirely.

2604. Are the out-of-pocket expenses heavier than this increase or less than this increase?—You mean to say the increase between Rs. 1,433 and Rs. 1,700?

2605. I do not mind. Take the extreme increase or the smallest increase if you like, what I want to find out is whether you suggest this increase in order to meet out-of-pocket expenses or whether you suggest it in order to meet out-of-pocket expenses *plus* a higher salary for temporary higher work?—I suggest the increase proper to meet out-of-pocket expenses.

2606. In answer to question (99) you refer to the higher grade. Would you mind just telling me precisely where you draw your line? Is it at the Collector?—Yes, at the Collector.

2607. In answer to question (102) you refer to assumed salary where you give your scale of increased pay. Would you be good enough, when you put in this paper, to add a column and put the assumed salary opposite to it? It might be convenient to the Commission not to have to turn to the very voluminous papers we have got if you help us in that way, so that we know exactly what your proposals mean?—I will do that.

2608. Can you tell me now, however, where this man with the eleven years' service to whom you propose to pay Rs. 1,500 would stick at present? What would be his salary on the average at the present moment?—He would have about Rs. 1,100 or Rs. 1,200.

2609. In reply to question (105) you say that the Government advances Rs. 1,000 for certain purposes, but as a matter of fact it advances more, does it not?—It advances Rs. 750 also for tents.

2610. So that the complete advance is Rs. 1,750?—Yes.

2611. And the officer has to repay that advance by deductions from his monthly payment?—The other Rs. 750 is really a mortgage advance of a certain small allowance.

2612. A special allowance?—Yes, but the Rs. 1,000 is an ordinary loan.

2613. Then you suggest the Government should give an equipment allowance, and I suppose you mean by that a free grant?—I mean that they should give a grant where they now find it necessary to give a loan.

2614. Do you suggest they should give the whole Rs. 1,750?—No, I was only taking into account the Rs. 1,000.

2615. That is why do you not mention the Rs. 750?—The Rs. 750 is merely mortgaging a certain allowance.

2616. Coming to the question of policy, in answer to questions (1) and (2), you say you are in favour of an independent Board of Selection. Where would that Board sit?—In England.

2617. How would it be constituted?—I suppose the nucleus would possibly be the Civil Service Commissioners with the addition of selected heads of educational institutions.

2618. You refer in that connection to the Board which selects for the Navy; do you know the position of that Board?—I think it is purely naval. I should certainly include ex-officials in the Board.

2619. You would have Indian Civil Service officials?—Retired officials or something of that sort.

2620. Something like the Secretary of State's Council?—Yes, something of that kind.

2621. Are you aware that a similar sort of thing exists in the Home Office with reference to factory inspection?—I do not know that.

2622. You do not know that in order to sit for the examination of Factory Inspector you have to receive a nomination at home?—No.

2623. You have not worked out the effects of the Board?—No.

2624. You refer in the same paragraph to "temperament and upbringing"; what do you mean by "upbringing" exactly? Have you an idea of family in your mind?—Yes.

2625. One of the elements that you would take into account and that you hoped your Board of Selection would take into account is the family?—No, I mean family life. I did not mean descent. I had in my mind family discipline so to speak, not blood.

2626. Family upbringing, a child that was not well equipped would be either good or bad?—I think so.

2627. Have not you something more definite than that? If you want to put this in as a test, do not you think you ought to give us a series of words that are a little bit more definite than "temperament and upbringing"?—As regards the exclusion of certain candidates?

2628. Yes. Have you had no experience of what we call in England a "scalliwag" coming out of an exceedingly respectable family like a parsonage?—I have a great deal.

2629. Have you not had the opposite experience of an exceedingly fine man coming out of exceedingly unpromising circumstances?—Yes.

2630. Now I put it to you that whatever one may put down on paper in a moment of literary enthusiasm, when one comes to consider definite problems of Government one must be a little more definite?—Undoubtedly. I have a very definite impression in my mind of the kind of Englishman whom we might just as well not have had here in the Executive service. It may be merely a question of being entirely confined to your books, being of a literary habit, with no executive or outdoor leanings at all. That may be one point.

2631. When you have five, six, or seven gentlemen as your Board of Selection to exercise their judgment upon these very indefinite and unknown qualities, do not you think the tendency will be for them more and more to cease to grapple with an insoluble problem and take testimonials from their friends and supporters?—No. I contemplated their taking testimonials from persons who are qualified to give an opinion as to temperament and upbringing and the character of the candidates, such as the heads of schools and colleges and so on.

2632. So that your selection would be mainly if not exclusively a selection from schools and colleges?—Probably, yes.

2633. You would have an approved list of schools and colleges?—No, I did not contemplate that.

2634. Any headmaster?—Yes.

2635. You have a very wide view?—I aim merely at what I might call elimination rather than selection.

2636. You know that if you begin that sort of thing you are going to get so many hundreds of headmasters, whose own qualifications are disputed probably by others, sending in testimonials for boys whom they would like to see sit as candidates for the Indian Civil Service?—I suppose you can only leave that to themselves and to the possibility of their not being found out.

2637. I wanted to know if you had any real definite scheme which would commend itself to us in this respect. You go on to refer to British tendency and tone and you suggest here that the British tone can be acquired at a British University . . . . ?—I do not think I mentioned University there.

2638. In any event it is going to be acquired at British educational institutions, and in reply to the Chairman you laid special emphasis upon schools?—Yes.

2639. Do you put more reliance upon the training at a British public school than you do upon the training at a British University?—Yes.

2640. A boy going through the B.A. course and becoming a B.A. say in Madras University, and then going home to England for the purpose of studying for the Indian Civil Service, would not be so likely in your opinion to acquire that British tone as if he could get to Eton and Harrow and move from there to Oxford and Cambridge and then sit for the examination?—No, probably not.

2641. So that in your opinion there is not very much value to be attached to an Indian B.A. *plus* an attendance at special classes in England, and then a passage into the Indian Civil Service, I mean for Indian students?—The Indian B.A. with a period at home?

2642. Yes. I think it is about a couple of years on the average?—No, I do not think there is.

2643. You do not think that is of very much value from this particular point of view?—No.

2644. I put it to you that translating all these general phrases into definite political language, what you want to discover is a capacity for Government?—Yes, and capacity to work.

2645. May I suggest to you after your experience in India that you cannot govern unless you work?—That is so.

2646. You think that simultaneous examinations in India would give rise to a condition of things represented by the old discredited statutory system?—No, that was a separate examination.

2647. A separate examination held in India for a fixed proportion of vacancies?—Yes.

2648. I understood in reading your evidence that you really transposed the expressions simultaneous and separate, and that the only difference you desired to imply when you used the word "separate" was that there was to be a simultaneous examination in India, not for the complete list of open places but for a certain proportion of open places?—No. I understood simultaneous to mean simultaneous open competition, where I do not use any qualifying word.

2649. Supposing the competition was for a limited number of places for Indians in the Indian Civil Service on terms of equality with the English candidates passing in London. . . . ?—For a separate number?

2650. Yes?—My difficulty there is that they would not be on terms of equality.

2651. The proposal is that if you have twenty vacancies in one year, in order to keep up the British nucleus ten of those vacancies have to be filled by Europeans and ten by Indians. The examination for the ten Europeans will take place in London and the examination for the ten Indians will take place in India. Would you call that a simultaneous examination or a separate examination?—I call that a separate examination.

2652. Then in that case the ten offices to be filled by the ten Indians would be of precisely the same kind as the ten offices to be filled by the ten Europeans?—Yes.

2653. Therefore the question of listed posts does not arise?—No.

2654. You would say that that system represents the old discredited statutory system?—Yes, I should say it did.

2655. What was the system?—The statutory system amounted to the recruitment in India of one man for every five recruited in England. The proportions are different but it amounts to that.

2656. Was not the statutory system nomination?—It was.

2657. Is not that an important difference?—I mention that. I say I consider open competition would not be a more satisfactory means of recruitment than nomination.

2658. Where do you say that?—I think I say that it would amount to the statutory system with a different but not more satisfactory method of recruitment.

2659. I want to know exactly why you come to this conclusion: "The fixing of the proportion of vacancies to be filled in India could be based on no logical principle." Could not it be based upon an application of the governing faculty which makes you come to a certain conclusion that if you had a certain nucleus you would be safe?—I do not see how you are going to fix the actual proportion. I can see my way easily to fixing a number, but I cannot quite see what actual logical considerations you can apply say to fixing the proportion.

2660. Have you never fixed proportions for the purpose of filling offices?—Not that I know of.

2661. Have you ever heard of the classical one-sixth out here?—Yes.

2662. Is not that a proportion?—Yes, but I do not see on what legical basis it was fixed. It exists undoubtedly.

2663. When you tell us that you cannot fix this on a logical principle you simply tell us that you have governed India for a considerable time without a logical principle?—In that respect, yes.

2664. You seem to be afraid that there are too many Indians entering the service in the higher ranks?—No, I do not think I say that.

2665. I took that as the general effect of your answer to question (24). Did not you say in reply to a question put to you by Sir Murray Hammick that there were more men going over now?—I think so.

2666. Have you looked at the figures to challenge your impression?—No, I have not; I restricted it to my personal experience.

2667. Would you be surprised to know that since 1900 thirty-five Indians entered the Indian Civil Service by competition as against 651 Europeans? Have you looked at the figures of the number of Indians actually in at the present time compared with the numbers some years ago?—No.

2668. Do you know that in 1912 in the Indian Civil Service there were 59 Indians?—Yes.

2669. Whereas in 1911 there were 60, in 1910, 65, in 1909, 63, and in 1908, 59, the same number as now according to the latest returns. Does that justify you in having any fears of the English door getting so wide that it may jeopardise Europeans?—I have not suggested that.

2670. Does it justify you in fearing that even if we had simultaneous examinations the door would be too wide?—I do not think I can draw any inference from the English results as to what would happen under simultaneous examinations.

2671. Does that mean that a considerable number of able men cannot pass into the Indian Civil Service because the examinations are in London and not in India?—I think a considerable number of able men cannot appear for examination in England for that reason.

2672. On the whole you would like to keep the examination as it is?—Yes.

2673. And only put Indians into the higher posts through promotion?—Yes.

2674. Which is to depend mainly upon reports made by the superior officers regarding their conduct?—Yes.

2675. Do you still stick to your Board of Selection in England if we make a change now?—I do.

2676. (*Mr. Sly.*) With regard to your reply to question (2) about the Board of Selection, are you acquainted with the system under which they select officers for the Egyptian and Soudan Civil Service?—I have heard something of it.

2677. Do not you think there would be very much greater difficulty in applying such selection to the Indian Civil Service owing to the much larger number of candidates from which you have to select?—Yes, I think there would.

2678. For a service like the Indian Civil Service, in which you have something between 40 and 50 entries every year, do you think a Board of Selection could satisfactorily deal with the recruitment of such a large number?—It depends entirely on the margin allowed of candidates over vacancies: what I contemplate is mainly a question of elimination.

2679. In reply to question (9) you said that in your opinion it is absolutely essential that the working of the Executive should be British in general tendency. Can you tell me why you use the word "Executive" and what you mean by it?—My experience is entirely executive, and I confine my answers to that branch of the administration.

2680. You did not wish specifically to exclude the Judicial?—No.

2681. You have been cross-examined a good deal with regard to the size of the districts in Madras. Could you put in any statement giving us the size of the districts, the population, etc.?—I have a statement ready.*

2682. You have also based your opinion mainly on area and population as a criterion of the amount of work?—Yes.

2683. Do not you think the system of land tenures is almost if not quite as important a factor?—I think it is.

2684. In reply to question (94) you have referred to the fact that it seems hardly necessary to secure absolute uniformity of salary, but as far as possible equality of prospects throughout the service. Is there any system under which you can get equality of prospects without fairly uniform salaries?—I refer to the difficulty of comparing conditions in one Presidency with those in another as to actual uniformity of work. For instance, it is very difficult for us to compare our Collectorate with a Collectorate for which the pay is Rs. 1,500.

2685. If such a time scale as you propose were granted in Madras, do not you think it would be necessary to have a similar time scale throughout the whole of India?—I think it would be very desirable.

2686. At the present time the scale in the Judicial branch of the Indian Civil Service differs in some respects from that in the Executive branch?—Yes.

2687. It is better in some respects?—Yes.

2688. If you are going to have a time scale for the service, how are you going to reconcile the particular scales in the Executive and the Judicial branches?—I have only recommended a time scale up to the tenth year, and by that time bifurcation has not actually taken place.

2689. In answer to question (96) you have spoken of the abolition of exchange compensation, that if compensation is given in the shape of increased salary the claim of such officers to special treatment will still remain. Can you explain how it is possible that having been once given an increase of salary on that ground they should still have a claim to special treatment?—The increase of salary, as I understand it, was given with reference to the fact that the emoluments of an officer whose domicile was in England had fallen relatively to those of an officer whose domicile was not in England, and it seems to me that if the salary of the latter is raised it would be rather difficult to persuade the former that they are not entitled to a similar relative rise.

2690. If an officer domiciled in England is given compensation and the Government at the same time, either for motives of expediency or other reasons, gave a similar compensation to other officers, do you mean to say the first lot would still have a grievance?—If that had been done when the exchange compensation allowance was invented probably not, but after this system has gone on for twenty years, I do not think it unnatural that such an idea could exist.

2691. In reply to question (107) and other questions in regard to leave you have made certain proposals. Can you tell us what is the general opinion amongst the Service officers you have consulted in regard to the accumulation of privilege leave?—They all welcome the accumulation at present and a great many of them would like to see the period of accumulation extended, but solely as far as I can ascertain because the full pay received on privilege leave is practically necessary to allow one to take the furlough to which it is joined with a reasonable amount of comfort. If you cut off the accumulation, the taking of furlough with any degree of comfort will be impossible.

2692. I suppose you know historically that privilege leave was simply introduced as an annual holiday at the time when officers could not go to Europe so frequently as they can now?—Yes.

2693. Do you think that in the Service generally there is no desire for such an annual holiday or that it is necessary?—Personally I think it is desirable.

2694. Has the Service discussed that matter at all?—No, I think opinions would be divided.

2695. In answer to question (118), you have made a recommendation for increased pensions for certain officers. If those increased pensions could only be granted by Government by increased contributions to cover the cost throughout the Service, would you still recommend them?—No.

2696. Do you think that the Service would desire there should be a thorough actuarial examination of the conditions in regard to their annuities so that there may be definite information before the Service as to what proportion of that annuity is paid by Government and what proportion is actually covered by the annuities?—I think they would welcome it, distinctly.

2697. In reply to question (120) you have suggested that the Government should provide the whole of the pension and that contributions should no longer be required. If that increase in the non-effective charges were found to be impossible, do you know whether the Service would prefer to continue their contributions on the annuity system or would prefer to have smaller pensions on the ordinary superannuation lines?—I think that depends entirely on the amount that was offered; it would be a matter for calculation whether a Government pension *plus* the 4 per cent. of salary saved is better than the present pension with the 4 per cent. deducted from salary.

2698. In reply to question (23) you refer to the statutory provisions affecting the Service. So far as any protection that is given by the statute of 1861 with regard to the appointment of the Natives of India is concerned, has that protection been entirely withdrawn by the Statute of 1870?—The protection now only exists in the form of Executive orders of Government under the Statute of 1870.

2699. What benefit is there to the Civil Service at the present time from the Statute of 1861?—Merely that before a post can now be transferred there has to be a formal issue of rules under the later statute in order to comply with the provisions of the earlier one, and that introduces a certain amount of formality into the matter and therefore secures that it should receive consideration. The Statute of 1870 requires that a list shall be published.

2700. Does the statute of 1861 give any further protection to the service in regard to the appointment of Europeans?—Yes. It gives protection against the appointment of Europeans from outside.

2701. That is one of the reasons why you wish to retain that statutory protection?—Yes.

2702. (*Mr. Gokhale.*) I understand you to say that although you have not been deputed by the members of the Civil Service to speak for them you are expressing the general feeling of the service in your evidence?—Yes, in most of my evidence.

2703. You are not speaking for the Indian Members of the Service?—No, I have not had an opportunity of consulting them.

2704. You stated in reply to a question by Sir Valentine Chirol that the Indian Members entering by the London door have on the whole been increasing?—No. I said that in my experience more boys went home to appear for the examination. I did not offer any opinion as to the increase in the numbers.

2705. Do you think the number is increasing or about the same?—It appears to be about the same.

2706. You would not close the London door to Indians, would you?—No, I would not close it.

2707. What difference would there be between an Indian who goes to England for two years and gets in by the London door and an Indian who passes his examination held in this country, the same examination, and goes to England afterwards for two years?—None whatever, I should say.

2708. From that standpoint there would be no difference if Indians got in by means of simultaneous examinations held here and in England and went subsequently to England?—No, no difference.

2709. Your main objection then about British upbringing would not apply to those who entered by passing the examination held in India and subsequently going to England?—No: they would still fail to obtain it.

2710. You say it is difficult to fix a proportion on logical grounds, but supposing we are illogical, as we have often to be in life, and a proposal like one-third was fixed, how do you think it would be received by the educated community of this country?—Do you mean as regards sufficiency?

2711. No. You said in reply to question (7), that if the proportion was too low there would be great dissatisfaction and if it was too high the British element would be dangerously reduced? I want to get at your idea as to what you mean by too low and too high?—I have not said too low; I have said low or high. I did not formulate figures.

2712. True, but what would be your idea of a proportion too low?—My difficulty is that I cannot fix the proportion.

2713. What is the meaning of this then?—If it were high. . . . .

2714. High in whose opinion?—In the first place in the opinion of those who now desire simultaneous examination.

2715. Are you speaking for the Indian community or the European community? You say if the proposal was too low there would be dissatisfaction; do you mean too low in the opinion of the Indian community?—Yes.

2716. What do you think they would regard as too low?—Probably anything less than one-third but I have no means of saying.

2717. You are aware that in 1893, when the resolution of the House of Commons on the subject of simultaneous examinations was being discussed by the Local Governments, the Madras Government proposed a proportion of one-third for Indians with a simultaneous examination. Do you think that is too low or too high? Leaving simultaneous examinations out, if one-third of the number of posts were reserved to Indians in the Civil Service would it be too low or too high?—I might give an opinion as to what is too high but the opinion of what is too low is for the Indians themselves.

2718. I am asking for your opinion. Would you be prepared to give one-third?—I do not see how you are to arrive at any question of proportion.

2719. But if you had to be illogical and mention a proportion, as the Madras Government were illogical, would you mention one-third or one quarter, or what?—If I were told I must fix a proportion and I was unable to do so I would ask you to fix it for me.

2720. You have no opinion to offer?—I have no opinion as to proportions.

2721. Coming now to the listed posts, you know the present number of listed posts is seven in the Madras Presidency excluding those that are under the Provincial Service?—It has been raised to 10, I think.

2722. I understand 6 or 7 have been amalgamated with the Provincial Service?—The total is 15.

2723. The number of civilians who have been recruited in England at the present moment in the Presidency is 175?—One hundred and seventy-five is the sanctioned strength.

2724. So that 175 civilians who entered by the English door are in the Presidency today?—Yes.

2725. Plus 15 men who are appointed to the listed and amalgamated posts?—Yes.

2726. Altogether 190 men if there had been no posts taken from the schedule of 1861?—The total would have been more, because we should have made allowances for leave and training.

2727. That is better for my question. I should take it at 200?—Yes.

2728. Under the rules of 1879 there was to be one Indian appointed locally, if full effect had been given to the rules, for every five appointed in England?—Yes.

2729. If the rules had been given full effect to out of 200 men one-sixth or 33 would have been Indians, as against 15 today?—Yes.

2730. If the idea of the Madras Government of 1893 had been given effect to, one-third of the recruitment would have been of Indians?—Yes.

2731. That would mean 66 as against 15 today. In view of all these circumstances what addition would you recommend to the listed-posts of today. Have you any opinion to offer on that?—I do not think I am prepared to offer an opinion. To my mind it depends to a large extent on the candidates available and so on.

2732. You have no opinion to offer?—No.

2733. In reply to question (24) you suggest that only posts in the regular grades should be listed. I suppose you mean the Collectors and the District and Sessions Judges?—Yes.

2734. All posts outside them you would leave where they are, and if appointments are made they must be made under the Statute of 1861?—That is my position.

2735. It is much more difficult to make appointments under the Statute of 1861 than if posts are listed?—I know that certain qualifications are required under the Statute of 1861.

2736. Each appointment has to be sanctioned by the Secretary of State with the full concurrence of a majority of his Council, who will not be in a position to know the circumstances under which a Local Government wants to appoint?—They will receive the Local Government's reasons for the proposal.

2737. You know that the Government of India themselves have considered that it is a cumbrous procedure?—I did not know that they had taken that view.

2738. If the appointment is in the list the Local Government can appoint?—Yes.

2739. So that there is a difference between the two?—Distinctly.

2740. The notification mentioning the listed appointments says that if a qualified Indian is not available a member of the Civil Service may be appointed in his place, so that the objection you raise about unfit Indians being likely to be appointed is met by that statement in the notification?—I do not think it is my view that the listing is equivalent to determining that they shall be only filled by qualified Indians. That is the view taken by the public I believe.

(Adjourned for a short time.)

2741. (*Mr. Gokhale.*) The question I was putting to you when we adjourned was that you proposed that outside the regular grades no posts should be listed?—Yes.

2742. Your object in excluding such posts from the list is that if they are so included in the list they will ordinarily be given to Indians, whether the Indians are qualified or not?—A claim would be set up that they should be.

2743. Whereas if they were not so included it would be open to the Government to appoint Indians?—Yes.

2744. I want to draw your attention to the fact that the notification which concerns these appointments expressly states that if qualified Indians are not available they would not be appointed to these posts?—I am not aware of that.

2745. I understand that is so. Have you a copy of the notification?—I have a copy of the notification with the Commission's questions.

2746. It is distinctly stated?—I have found something of that kind in one place in the Madras Rules, but there it apparently applies to the lower posts. It is a local rule, and I do not know what it is meant to meet. It provides, practically, that Deputy Collectorates may be held by Indian civilians, but there is nothing said of the superior listed posts.

2747. I think it applies to all listed posts?—I do not think so.

2748. If the notification is clear upon that point would you still exclude them?—In view of the interpretation put upon the listing of posts I think it would be wise to exclude them.

2749. What is the age you propose for the Civil Service in England?—I did not contemplate interfering with the present age.

2750. You would leave things as they are as to age?—Yes.

2751. And reduce the listed posts in India?—No.

2752. Would your excluding certain appointments from the list have that effect?—The higher posts I refer to are not listed.

2753. They are not listed?—I mean memberships of the Board, Commissionerships, and so on.

2754. I misunderstood you. You say that in any case there is a difference between making appointments under the Act of 1861 and making appointments to listed-posts?—Yes.

2755. And that it is more against the Indian?—I do not think so.

2756. Under the Act of 1861 appointments can be made only with the sanction of the Secretary of State in Council with the full concurrence of a majority of the Council?—Yes.

2757. In the other case the Local Government can make appointments?—Yes.

2758. I believe the one is more difficult than the other. However, I will leave it at that. You know that for the educational service first-class men are brought out from the English Universities?—Yes, I believe so.

2759. At the end of their service they retire on a pension of Rs. 5,000, or, at the special rate of exchange, about £440?—Yes.

2760. The Civilian retires upon a pension of £1,000?—Yes.

2761. The men in the educational service are often very brilliant men, are they not?—Yes.

2762. And they retire on a pension of £440 a year?—Yes.

2763. According to Sir William Meyer's recommendation three more districts have been created recently in Madras?—Yes.

2764. And he says that no more districts need be created?—He said that some years ago. That was his opinion. I think his report must have been sent in five years before.

2765. Five years is not a very long time?—It is seven or eight years now.

2766. Still it is comparatively recent. The circumstances have not altered very much in five or six or seven years?—I am not prepared to say I think they have, possibly.

2767. (*Mr. Chaubal.*) With reference to your answers to questions (1) and (2), do you think that the old Haileybury College approached your recommendation of limited competition? My impression is that there was a certain selection for candidates who were admitted into that college, and it was only from that college that persons could appear for the Indian Civil Service. Is my impression correct, and if so would it come to your recommendation?—No, because I presume the object of Haileybury College was partly to train candidates for service in India.

2768. Was there no selection before admission to the College?—My ideas are not very clear on the subject. I imagine it was nomination to some extent; there may have been selection.

2769. Finally it was nomination; but before you get to nomination you must go through the stage of selection. Would it approach something like your system of limited competition?—I do not see very much resemblance; it is not what I had in mind.

2770. Would you say that the system then prevailing was a system of unlimited competition?—I am afraid I do not know enough about it.

2771. Entering Haileybury and confining the appearance at the Indian Civil Service to candidates from that College?—No, I do not think that bears any resemblance to the system I have suggested.

2772. My question is, would you call that unlimited competition?—No.

2773. It was a limited competition?—Apparently, yes.

2774. Do you know why that system was abandoned?—No, I am afraid I do not know any details.

2775. In answer to questions (7) and (9), may I ask you generally if the highest appointments in the different departments are confined to persons who come into the Indian Civil Service through the competition door in England, do you think that the general British tendency and tone that you require may be satisfied? If such posts are confined to persons coming in through the Indian Civil Service through the open competition door in England, would not that satisfy what you want the administration to be in general tendency and tone, or do you want the subordinate posts also filled by the same kind of men? By the highest posts I mean those posts that carry with them control and supervision over departments, origination of schemes and the general main points of administration?—No, I do not think that would be enough at all. I consider that the more important executive posts would require a strong British element.

2776. To put it more completely: would you consider all posts (posts below the grade of senior Collector and District and Sessions Judge) placed

below that? If all places from that upwards were filled by persons coming into the Indian Civil Service through the English door, then would there be any objection to leaving the rest free to others? Would not the purpose of recruitments of a general British tendency and tone in the British administration be maintained by leaving those senior posts, and reserving them for persons of the Indian Civil Service coming in through the English door?—That would practically be enough. It seems to me that it is impossible to arrange it. You must have junior men to succeed to those posts. As a principle, however, there is nothing to be said against it. In fact, it is very nearly what we have now.

2777. With reference to your answer to question (23), I see you say: "The charge of a division of a district, which is the office referred to in the Presidency as now held indiscriminately by Civilians or Deputy Collectors." In the first place how many divisions are there; there are 24 districts in Madras I believe, are there not?—There are 24, excluding Madras.

2778. Taking them to be 25, how many would they constitute?—An average of five, I should say.

2779. That is to say, 125 divisions?—Yes, I should think about 125 divisions.

2780. And for those 125 divisions you say at present the charge can be held indiscriminately by a Deputy Collector or a Civilian?—Yes, there are certain divisions that are set aside for Civilians.

2781. Can you say how many those would be?—My impression is that there are 39.

2782. And the rest can be filled in indiscriminately by either?—Yes.

2783. As regards these charges of divisions, how many of these are at present held by a Deputy Collector?—The last figures I have seen shew that they hold all the divisions open to them, and I think that 10 of those ought to be held by civilians; that is to say they hold all but 29.

2784. Out of the 125 you reserve 39?—Yes. All the rest are held by Deputy Collectors, and 10 out of the 39 reserved ones.

2785. So that practically all except 29 are held now at the present moment?—Yes.

2786. Do you consider the general tendency and tone which you say should be British has not been jeopardised by the employment of so many Deputy Collectors, or is it jeopardised at present?—No, I do not think that it is.

2787. What is your opinion with regard to this: supposing these listed appointments have not come in; according to your view these listed appointments could have been filled up under the Act of 1861 as individuals became eligible for them?—Yes.

2788. Do you think that if these posts had not been listed, any natives would have been appointed under that Act?—I think it is rather hard for me to answer that question.

2789. Can you tell me whether between the years 1861 and 1879 that Act was availed of for any appointment?—Not that I am aware of.

2790. So that at least for 18 years the Act was there, and there was no enforcement of the possibilities of that Act?—Apparently not.

2791. Am I right in supposing that it was in 1879 first that the so-called statutory civilian came in?—Yes.

2792. These rules reserving one-sixth came in in 1879, did they not?—Yes, I think in 1879.

2793. Is it a correct inference for me to draw from the figures and tables you have given in answers to questions (90) and (94), that the Bombay Civilian Service is the worst off in all the Provinces?—It looks to me as if it were; but I have not examined the position of Bombay.

2794. At any rate that is the impression I have gathered from looking at the figures?—It may be so.

2795. (*Sir Theodore Morison.*) With regard to your system of nomination for competition, which I approach with a good deal of sympathy if we can work it, in the first place I understand that this particular recommendation represents your private opinion?—Yes, entirely.

2796. Do I understand your system to be that it should be nomination of two men for each vacancy?—Yes, roughly.

2797. That is to say that for 60 vacancies you would nominate 120 men?—Yes.

2798. And your Board of Selection would perhaps be grouped about the Civil Service Commissioners, and it would contain persons familiar with the educational system of England?—Yes.

2799. And do I understand that you would take into consideration the opinions of headmasters, and others, who could tell what the school history was of candidates whom they sent up?—Yes.

2800. If, for instance, a schoolmaster were to say that such and such a boy captains his eleven excellently, but that he happens to come of very poor parents, and so on, would you consider him eligible for the service or not?—Certainly.

2801. Let us consider how it could work with regard to Indian candidates. I understand you to say that you would admit Indian candidates equally by this door?—Yes.

2802. The history of their educational upbringing is necessarily in India?—Yes.

2803. Therefore do I understand you to say that you would invite the opinions of the principals of Indian colleges and the headmasters of Indian schools?—Yes.

2804. Those, presumably, could be checked and the value of them known only by persons in India. To put it frankly, what it comes to is, that the Board of Selection receives from a certain headmaster a flaming testimonial; it may not be worth as much as it looks; the great advantage of having educational experts upon your Board is that they have a personal knowledge of these different masters, and they discount or add to what is actually said upon the paper, and perhaps cross-examine upon it. No Board sitting in London could do that for India?—No, they would have to refer for advice to the educational officers out here.

2805. Have you any objection to the selection of the Indian candidates for competition being made out here?—The question of proportion would arise again.

2806. Are you willing that the Selection Board should do the nomination?—I do not see any objection to that.

2807. Can you suggest any means by which the proportion of nominated candidates is to be determined?—I do not think I am prepared with the solution of that.

2808. Supposing you have fixed your proportions, whatever they may be, are you then prepared to abide by the result; that is to say, if there is restricted competition among these 120 boys?—Yes, undoubtedly; but my trouble is the proportion; that is my difficulty in answering that.

2809. I see another practical difficulty in working it. You would very likely get nominated here, youths who have shown all those characteristics of energy and power of command, and things of that sort, in an Indian college or school; but it is quite possible that they might belong to the races, like the Sikhs, or the Muhammadans, who would not do very well in an examination?—Yes.

2810. And is it not possible they might be wiped out in competition?—Under my proposal the system of listing would still provide for that.

2811. As far as the London door is concerned?—I do not think it would have much effect upon the number of Indians who get in. I was aiming mainly at the Europeans who get in.

2812. Let me put it this way. I suppose the Englishmen who would come up would be very much the same as they are at the present moment: only a certain number would be held back?—Yes.

2813. Do you think the result of selection by a Board in India would be to bring up exactly the same class as appear now?—Yes, I think it would, because we must presume that only men of a certain intellectual standard would be selected out here. It would be no use nominating a candidate who had no chance of succeeding.

2814. I was at the Aligarh College, and I could recommend certain persons who would have done admirably and passed the B.A. standard, but I fear they would have been wiped out in that competition?—Yes, I understand you.

2815. Arising out of your written evidence do you think that the popularity of the Indian Civil Service amongst the English candidates has declined?—Yes.

2816. What makes you say that? I should like to hear what you have to say about it?—It is a very general impression which one receives at home in conversation either with people who have sons who might choose it as a career, or with possible candidates themselves.

2817. Can you think of any instances among your own brother officers, who have not wished their sons to try for the Indian Civil Service?—I do not know of any at the present moment who have sons who could have gone in, and who have not done so because it is not sufficiently attractive; but I have frequently heard the opinion expressed by men who have sons who will shortly come to that age.

2818. That they do not intend to enter them?—Yes.

2819. Do you think that is a comparatively modern opinion?—Yes.

2820. Do you think that that was true when you joined the Service?—No, I do not think it was true 20 years ago.

2821. Do you think that social obligations, the expenses, of the English Civil Servant have increased?—No, I should say not.

2822. Do you think that the amount of entertaining which a Collector, or even a member of the Service who is higher up, has to do, has increased?—Not here; I think not. That opinion is based partly on the fact that our European society here has been reduced to a very great extent.

2823. And has there been no increase of entertainment towards the Indian public?—Yes, perhaps, slightly; but that is infrequent.

2824. It is infrequent, and it is not expensive?—Yes, that is so.

2825. Are you much visited by globe-trotters in Madras?—We are, in one or two places.

2826. (*Lord Ronaldshay.*) You are not altogether satisfied with the present system of open competition because it merely provides a test of scholastic attainments?—Yes.

2827. In other words, under the present system the men who will get into the Service are in every case educationally qualified; but they may be deficient in other qualifications?—Yes.

2828. Could you give me an example of what you mean by "deficient in other qualifications"?—The lack of activity is most marked, I think.

2829. Have you, in your personal experience, come across any cases of men who have become members of the Indian Civil Service, and who have been deficient in manners, for instance?—Yes

2830. You have?—Yes.

2831. And as the result of that, has there been friction between members of the Service, and those whom they govern?—I think it would be likely to lead to that. That is one of my points.

2832. You think it would be an extremely undesirable thing if men of that kind were to get into the Service in any numbers?—Yes.

2833. You think that that might be avoided by your proposals for a combined system of nomination and examination?—Yes, I think the chance would be reduced.

2834. You therefore attach a great deal of importance to some modifications of the present open competition system?—Yes.

2835. In the course of your evidence you have said that in your opinion an Indian who went to England at a fairly late age, and only spent a comparatively short time there, was not benefited by his stay?—Not greatly benefited.

2836. You would desire to see them go to England at a much younger age, is that so?—Yes.

2837. More as schoolboys than as University men?—Yes.

2838. Is it not a fact that one of the objections to instituting a system of simultaneous examination in this country is that the men who get into the Service by such an examination would not have had the training in England which you consider to be necessary to produce satisfactory officers? You accept that, I suppose?—Yes.

2839. In order to get over that objection, it has been suggested that after the candidates passed their examination in this country they should go to England for two years' probation or something of that kind. I understand, however, that you would not consider, holding the views that you do, that such a course as that would provide these men with desirable training?—I do not think it would provide it; it might under certain conditions do something, but I do not know that I consider it necessary.

2840. But generally speaking, you would not regard a comparatively short probation in England at a comparatively late age, after they have passed an examination in this country, as a satisfactory British training?—No, I should not.

2841. You lay great stress in your written evidence on maintaining the British tendency and the British tone. What would you describe as the main characteristics of the British administrator, which constitutes this British tone? May I put one or two suggested characteristics to you and ask you whether you agree with them? Would you say, for instance, that the practice of regarding all castes and all classes purely upon their merits, and not from the point of view of class or caste, as one of those British characteristics?—I should place that first.

2842. You would also regard accessibility on the part of the British officers to all classes of communities as a British characteristic?—Yes, that follows from the other, I think.

2843. I suppose you would include a purely disinterested impartiality as a British characteristic?—Yes.

2844. In your experience as a District Officer are you of opinion that these characteristics are clearly apparent to the masses of the people?—I think they are.

2845. And that they are appreciated by the masses of the people?—Yes.

2846. And do the masses of the people, in your opinion, consider that Indian officers holding so high a position as Collectorships may generally be considered to possess these qualifications?—I do not think I have had any means of gauging the opinion of people in a district where there have been Collectors. I find it rather difficult to answer that question for that reason.

2847. You would rather not express an opinion?—I would rather not express an opinion.

2848. Have you ever come across any instances of people in a district expressing a desire for a European Collector or an Indian Collector; expressing any preference for one or the other?—Yes, I have known that happen with regard to a Divisional officer, which comes much to the same thing.

2849. What has been the desire expressed by those people, so far as you know; have they expressed a desire to have an Indian Divisional Officer, or a European Divisional Officer?—I have known cases where a desire was expressed for a European Divisional Officer. It would not be a universal desire: it would probably be the desire of people of one class or caste, probably based upon the idea that the Indian they had at that time was not impartial. I do not think, however, that I can generalise from it.

2850. With regard to pay and pensions, should you say that there is a very general and strong desire on the part of members of the service for the substitution of a time-scale of pay for the present system?—There is in this Presidency among the junior men.

2851. Do you think there is a very general desire for it?—Yes, I think there is a very general desire for it.

2852. With regard to the question of pensions, do you think that the knowledge that a candidate will receive a certain pension of £1,000 a year on retirement is one of the main attractions of the Civil Service at the present time?—I do.

2853. And in your opinion, therefore, if any alteration were made, such as granting pensions in accordance with the pay a man was drawing when he retired, that would be resented by the Service, and would render the Service less attractive to candidates who thought of going in for it?—Yes, unless there was a minimum fixed.

2854. £1,000?—A minimum is fixed in other departments.

2855. (*Mr. Oldfield.*) With regard to these listed posts, I want to draw your attention to the note which was framed by the Madras Government. It states two conditions upon which Indian Civil servants may be appointed to them. Perhaps you will be good enough to read it?—It is as follows:—"These appointments are subject to the claims of officers in the Indian Civil Service appointed before 1880. If no fit and competent member of the Provincial Civil Service is available, or if the preponderant administrative needs of the province require it, an Indian Civil servant may be appointed to any of these appointments or to any of the 14 appointments of Deputy Magistrates and Deputy Collectors in grade VIII."

2856. Is the £1,000 which the Indian Civil servant receives, a pension properly speaking, or is it an annuity of which a share is contributed by the officer?—It is an annuity of which a share is contributed by the officer.

2857. The position of Madras is aggravated by the fact that Madras men are not taken by the Government of India to the same extent as in other Provinces: is that true with regard to the number of appointments that they receive?—No, I refer only to the higher appointments of the Government of India Secretariat.

2858. With regard to the importance of the appointments?—Yes, with regard to the importance of the appointments.

2859. With regard to your answer to question (129), your suggestion is that the pensions of officers' sons should continue until they are 24. You consider that an important point?—Yes, a very important point.

2860. At present does Government contribute towards their pensions?—The Government contributes an amount which decreases with the length of service of the officer, and the ultimate position is that Government contributes 25 *per cent.* and the officer 75 *per cent.*

2861. Is it your wish that Government should contribute towards the increased allowance you desire?—I think they might contribute in the same proportion.

2862. Do you think that officers would be willing to subscribe further for it?—Yes, I think so.

2863. Even if Government did not contribute and they had to bear the whole cost themselves?—I am a little doubtful if Government does contribute to the fund; but I think officers would be prepared to incur higher subscriptions for the purpose of obtaining this.

2864. As regards improvement in travelling allowance, will you tell the Commission what an officer actually receives at the present time for moving himself, and his family and possessions, from one district to another on transfer?—He receives the equivalent of two first-class fares.

2865. You could not tell the Commission what the total cost of all these concessions would be: would it have been possible to obtain information upon which the computation could be founded?—We could not obtain it for the whole of India.

2866. (*Mr. Subrahmanyam Pantulu.*). I understood you to say in one of your replies that an Indian would not be able to perform his official duties with such sense of duty as an Englishman?—I said I thought that that was one important factor in the distinction which I drew between the average work of the Englishman in India and the average work of the Indian official who has served under him.

2867. I may take it that your unfortunate experience is restricted to the Executive branch?—Entirely.

2868. You desire that the pay of the Civilians should be raised on the ground that the cost of living and prices generally have risen?—Yes.

2869. Would you allow a corresponding increase to Indians also?—Certainly.

2870. From your experience, would you say that there has been of late years a rise in the standard of the living of the higher class Indians?—Yes.

2871. Would you like a corresponding increase of pay in the Provincial Civil Service also on that ground, apart from the rise in prices?—Yes.

2872. Amongst Indians there has been a rise in the standard of living on account of education; would you allow, for instance, a corresponding increase in their pay, on the ground that their standard of living has risen?—I think it would be a very fair ground to base their claim upon.

(The witness withdrew.)

M.R.Ry. Diwan Bahadur L. A. GOVINDARAGHAVA AIYAR Avargal, High Court Vakil, Madras.

Written answers relating to the Indian Civil Service.

2873 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think the present system is generally satisfactory in principle subject to what I say later on about the Judicial Service.

2874 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I think the system suitable, subject to what I say in answer to question (16).

2875 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think the combination is good as the level of the efficiency in the candidates ultimately selected is well assured and as the examination will continue under the control of a body like the Civil Service Commissioners. I would however exclude from selection for India candidates belonging to Colonies which show a tendency to exclude Natives of India from them.

2876 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I consider the present system of recruitment by open competitive examination to be satisfactory in principle.

2877 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of simultaneous examinations as indicated in the question.

2878 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—If simultaneous examinations as indicated in question (6) were not to be had, I am for a separate examination in India of an equal stiffness with the examination in England on subjects the same as or similar to those prescribed for the examination in England, though I think also that the institution of a separate examination would be inconsistent with the principle of the Statute of 1833 as pointed out in paragraph 64 of the Report of the Public Service Commission of 1887.

The proportion I suggest is one-half of the posts open to the Members of the Indian Civil Service.

2879 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—The Indian Civil Service should form a *corps d'élite*, admission to which should be regulated by merit and merit alone. I do think it desirable that all classes and communities must be represented in the Indian Civil Service, but that is not to be at the expense of efficiency. The advance in educational facilities and the incentive offered by the insistence on the Civil Service forming a *corps d'élite* will enable the less forward classes to also have their proper share of representation in course of time. To provide for cases of marked ability and merit to be admitted into the Indian Civil Service either from the Provincial Civil Service or otherwise, power may be exercised under section 6 of the Statute of 1870; but this power should very rarely be exercised and most cautiously.

I am not therefore for the methods of selection indicated in this question.

2880 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes.

2881 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial

Civil Service?—As stated in my answer to question (8) I do not recommend any system of selection other than that based on open competition.

If simultaneous examinations be held in India and in England, I would put back into the Indian Civil Service the listed posts now open to officers of the Provincial Civil Service.

2882 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I recommend the complete separation of the Judicial service from the Executive branch of the Indian Civil Service, and it is not necessary that there should be compulsory recruitment from the Indian Civil Service to the Judicial service. The recruitment for the posts in the Judicial service now filled by members of the Indian Civil Service should be made from the legal profession and from the lower ranks in the Judicial service. If, however, it be considered absolutely essential that members of the Indian Civil Service should fill some of the posts in the Judicial service, I suggest that not more than a third of the posts now open to them inclusive of the listed posts should be filled by members of the Indian Civil Service, the remaining posts being filled in equal proportions by recruitment from the Bar and by promotion from the lower ranks of the Judicial service.

2883 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the domi-"nions of His Majesty in India, of parents "habitually resident in India, and not established "there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would omit the words "born and" in the phrase "any person born and domiciled . . . "; and would include in the definition the subjects of Princes and States in India in alliance with His Majesty.

2884 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I would retain the present age limits, and for the reasons for which they were fixed.

2885 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I recommend no differentiation.

2886 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Indian History and Constitution may also form one of the subjects. The marks assigned to Sanskrit and Arabic should be raised so as to be equal to those assigned to Latin and Greek. Knowledge of the original authorities in Latin, Greek or the modern European languages should not be made necessary for examination in Greek or Roman History and Roman Law.

2887 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

2888 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I think it necessary that all posts now reserved for the Indian Civil Service inclusive of the listed posts but exclusive of those posts now reserved in the Judicial service should be reserved by statute for officers of the Indian Civil Service. They form the *corps d'élite* and the efficiency of the Executive administration will mainly depend on them.

2889 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I consider the existence of the European element in the Civil administration necessary; but with a system of competitive examination, whether held in India and England or in England alone, there is no fear that the Indian element would become so large as to encroach on any minimum that may be considered necessary. I believe that, on the other hand, the European element will predominate. If a proportion be considered necessary to be fixed, under present conditions, for Natives of India, I would suggest half of the posts open to the members of the Indian Civil Service.

As for the Judicial service see my answer to question (11).

2890 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No. I prefer simultaneous examination held in England and India.

2891 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I am not for the old system being revived.

2892 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I do not at all approve of the system.

2893 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—As stated already I do not approve of the system of listed posts; but if the system of listed posts has to be retained, I would suggest that in the case of judicial appointments the rule be generally followed.

2894 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Please see my answer to question (24). If the system of listed posts were to be retained, I would, so far as the Madras Presidency is concerned, have the number of the listed posts increased so as to include:—

(*a*) Two Members of the Board of Revenue.
(*b*) One Secretary to Government.
(*c*) One Secretary to the Board of Revenue.
(*d*) Two Under Secretaries to Government.
(*e*) Registrar of the High Court
(*f*) One-third of the Collectors.
(*g*) One half of the District Judges, and
(*h*) One half of the Sub-Collectors and Assistant Collectors.

The listing of the posts of Sub-Collectors and Assistant Collectors is however subject to the condition that there are enough posts left which will allow of sufficient recruitment to the posts of Collectors from the Indian Civil Service.

2895 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I am for the entire separation of judicial and executive functions. The executive officers in charge of divisions or districts may however be allowed to exercise the powers under Chapters 9, 10, 11 and 12 of the Criminal Procedure Code.

2896 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

2897 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

2898 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I prefer that the probationers' course should be in England; and the answer applies to both Natives of India and other subjects of His Majesty.

2899 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

2900 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I fear there is some deterioration. I believe this is largely due to the members of the service not sufficiently mixing with the people of the country.

2901 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—As regards the Judicial branch no special course of studies is necessary if the officer selected has been called to the Bar or has taken a degree in Law; otherwise before he is appointed to the post he should be required to pass an examination in Hindu and Muhammadan Law, Contracts, Torts, Criminal Law, Revenue Law, Evidence, and the interpretation of statutes. The examination should be directed to the testing of the candidate's knowledge in the general principles in the above subjects.

2902 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Please see my answer to question (37).

2903 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—I would suggest that members of the Indian Civil Service appointed as District Judges should undergo training as munsifs for at least three years and as Sub-Judges for at least two years.

2904 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—If so, please state the special arrangements that you recommend?—No.

2905 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

2906 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—No exchange compensation allowance is necessary for future entrants. I would not interfere with the existing rules as regards the present incumbents.

2907 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—In the cases of the posts of District Judges and Collectors and of higher posts I would make no difference in salary.

Written answers relating to the Provincial Civil Service.

2908 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have no remarks to offer except what is stated with reference to questions (52), (53) and (54).

2909 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—I shall first deal with the executive branch of the Provincial Civil Service.

Efficiency should be the first consideration and subject to that, the representation of the various classes of the community.

Deputy Tahsildars, Tahsildars and Deputy Collectors should be included in one service and 75 per cent. of the recruits should be by competition open to all in the province who possess the necessary physical fitness and produce satisfactory certificates as to character; and the recruits will start as Deputy Tahsildars. The remaining 25 per cent. may be by nomination and promotion from the lower ranks.

In view of the Indian Civil Service forming a *corps d'élite* and the number composing it being small and restricted, I would suggest the formation of a fresh grade of Deputy Collectors on a salary of Rs. 1,000 per month. If the listed posts are retained, direct recruitment will become necessary to the grade of Deputy Collectors, the persons so recruited being eligible for the listed posts.

I consider that there should be a complete differentiation of the executive and judicial services. I would include second and third class magistrates in the judicial service to be under the control of the High Court. The members of the executive service in charge of divisions or districts should have only the powers given under Chapters 9, 10, 11 and 12 of the Criminal Procedure Code. I would suggest that the Munsifs should start on a pay of Rs. 250 a month and rise to Rs. 500 and that Subordinate Judges be classed into three grades on salaries of Rs. 600, Rs. 800 and Rs. 1,000, respectively. This judicial service may be recruited partly from the legal profession and partly by promotion from the lower ranks. There must be one combined judicial service including District Judges and Sub-Judges and inferior posts.

2910 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—The recruitment may ordinarily be restricted to the residents of the province to which the Provincial Civil Service belongs.

2911 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—In the present conditions, I think there is a fair representation. I fear this theory of class representation is being pressed too far. Encouragement to less forward classes can better be given with greater benefit to the classes themselves, by providing additional educational facilities, wherever necessary.

2912 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service?—If not, please state your objections, and what other arrangements you recommend?—Yes.

2913 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Deputy Tahsildars as a rule are also Magistrates; and the District Collectors and Sub-Divisional officers are also District and Sub-Divisional Magistrates. I am strongly in favour of the separation of executive and judicial functions and will recommend separate recruitment for the executive service and judicial service as suggested in my answer to question (52).

2914 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Please see my answer to question (52).

2915 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—If not, what rates do you suggest for the various appointments?—I approve subject to my answer to question (47).

2916 (64). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Please see my answer to question (52).

Mr. L. A. Govindaraghava Aiyar, called and examined.

2917. (*Chairman.*) You are a member of the Madras Legislative Council?—I was: I am not now.

2918. Will you tell the Commission what posts you have occupied?—I was a member of the District Board of North Arcot. I was Vice-President and member of the Chittoor taluk; a member of the Legislative Council, seven years in all. I am Vice-President of the Madras Mahajana Sabha; one of the Secretaries of the Provincial Congress Committee, and a member of the Senate.

2919. What is your caste?—I am a Brahman.

2920. I see from your answers to the questions that you are in favour of recruitment to the Indian Civil Service by open competition, but think that the competitive examination should be held simultaneously in England and in India?—Yes.

2921. You are also desirous of maintaining the existence of the European element in the Civil administration?—I think the European element is essential.

2922. You regard that as of the first importance?—Yes, of great importance.

2923. Regarding it as of the first importance, would you suggest any safeguards in your scheme for a simultaneous examination?—As far as I can look now into the future I do not think any safeguard will be necessary for securing that element if we have simultaneous examinations in India.

2924. You are prepared to leave that to chance?—I do not think it will be necessary. The European element will not be jeopardised in India.

2925. You are against fixing any proportion, but if a proportion is to be fixed you think it should be a half?—Yes.

2926. Assuming that the half is filled up, have you estimated how many Indians would occupy positions in the Indian Civil Service in the Presidency of Madras; I am speaking of the whole of the Service?—It was stated that there are 175 civilians. Half of that number would be 88, so that, including all the listed posts, it would come to about 100.

2927. Do you propose to retain the listed posts as well?—No.

2928. Would you abolish the listed posts?—Yes.

2929. You would put the listed posts back into the Indian Civil Service?—That is what I have said in my answers.

2930. You are desirous that all classes and communities should be represented?—Yes, provided that it does not interfere with efficiency.

2931. Have you considered how you could reconcile those two conditions?—I want an increase in the posts to be allotted to the Provincial Civil Service as far as the pay goes. The highest post to which the Provincial Civil servant can rise carries only a salary of Rs. 800. I have proposed Rs. 1,000.

2932. How is the increase of salaries to Rs. 1,000 going to ensure the due representation of the various communities?—The position I take is this. The first consideration ought to be one of efficiency: consistently with that the classes may be represented. It may so happen that in the Provincial Service the test of efficiency might not be applied with the same rigour as in the Civil Service, and to give the same opening to members of the classes who might not be so fortunately situated as the other classes, I would allow them to rise up to Rs. 1,000 if they have shown a fairly good capacity for the work they are expected to do. As far as the Indian Civil Service goes I am anxious that it should be a *corps d'élite*—that it should contain only the best men that are available.

2933. You think you would be able to ensure representation better by the retention of the listed posts than by carrying out the proposal for holding simultaneous examinations?—It will depend upon how you man the listed posts. If it be merely by nomination, it may be that the classes would be better represented by listed posts; but I object to the system of nomination as far as listed posts go.

2934. You suggest in one of your answers that a proportion of the appointments in the Provincial Service should be made by nomination?—Yes, 25 per cent. of the total number, partly by nomination and partly by recruitment from the lower ranks of the Service.

2935. It is only by means of that 25 per cent. of nominated candidates that you would be able to make sure of any due representation?—Yes, according to my scheme it would be that. I think a better means of seeing that the classes are represented in the Provincial Service or in the Indian Civil Service would be, not by making any nomination to those Services simply because a person belongs to a particular class, but to fit them to come up by competition into these Services, and by increasing the educational facilities by which they might make themselves better able to compete.

2936. That is nomination on the basis of education and efficiency, and not on the basis of the distribution of the community?—What I mean is this, that for those classes who we now feel have not got their due proportion of representation in the services, the educational facilities given to those classes might be increased, so that members of those classes would be better able to compete in the examination than they are at present. It is in that way that I would suggest "differentiation."

2937. You would start by giving educational facilities to those classes that are backward?—Yes.

2938. It would be some years before that took fruit?—Yes.

2939. Would you suggest anything being done in the interval?—With any scheme which may be ultimately accepted seeing that it cannot be allowed to defeat the expectations of present officers, it must take some time before that scheme can be put into operation, and by that time the educational facilities will be advanced so that the hardship of working my scheme will not be felt.

2940. (*Lord Ronaldshay.*) If a system of simultaneous examination were instituted in this country, would you take the listed posts away from the Provincial Service, and restore them to the Civil Service?—Yes.

2941. Would not that have a depressing effect upon the Provincial Civil Service?—The scheme which I suggest has no reference to persons now in the service. They will be allowed all the advantages that they were given to expect at the time that they were started in the service. As for fresh men, if they are fit to get into the listed posts, they are fit to get in by competition.

2942. Do you think that you would get the same standard of man to go into the Provincial Service in future as at the present time, if you took those highest posts away from the service?—According to my standard of the man, I think you could get it.

2943. You say in answer to question (18) that "it is necessary that all posts now reserved for the Indian Civil Service, inclusive of the listed posts, but exclusive of those posts, now reserved in the Judicial Service, should be reserved by Statute for officers of the Indian Civil Service." Do you give that answer on the assumption that a system of simultaneous examination will be instituted?—Yes.

2944. But if the present system were to continue, you would give a different answer to that question?—Yes. That remark of mine is in answer to question (27).

2945. You are afraid that there has been some deterioration in the ability of members of the Civil Service for talking to the people in their own language in the present day, and the reason for that is that the members of the Service do not mix sufficiently with the people. Do you mean that they do not mix with the people as much as they used to do in former times?—Yes.

2946. What do you think is the reason for that?—Perhaps it is due to the fact that there is more red tape now than there was before. The second reason is that the civilian officers are so worked that they have not much time to mix with the people. the third reason is that the correspondence put before them is now all in English, and they think they could get as much as is necessary, for the discharge of their duties from the information supplied to them through their clerks.

2947. You think that members of the Indian Civil Service ought to have less work, and that red tape ought to be swept away?—Yes; and attempts are being made now to lessen the work.

2948. Were not the documents they had to read always written in English, or were they written in the past in the vernacular language?—The documents are written in English. There are more translations now than there used to be before.

2949. (*Sir Theodore Morison.*) In answer to question (16) you suggest a change in the syllabus of subjects for the open competitive examination?—Yes.

2950. You say "Indian History and Constitution may also form one of the subjects"?—Yes.

2951. "Constitution" means what?—Indian constitution; that is to say, the system of Government in India. The book that I have in my mind is by Sir Courtenay Ilbert.

2952. Later on you suggest "Knowledge of the original authorities, in Latin, Greek, or the modern European languages should not be made necessary"; that is because it presses hard upon the Indian student?—Yes.

2953. You would not recommend it in the interests of scholarships alone, would you?—I do not think I am quite competent to say anything with regard to that. But I believe the interests of scholarships will not suffer if translations are allowed.

2954. One suggestion was made to us yesterday, with regard to which I should like to ask your opinion. It was suggested that the Indian vernaculars should be added, and put upon the same level as German, French and Italian, and marked the same: would you like to see that? You have not recommended it?—I shall give my reasons. I take it that the syllabus for the Indian Civil Service examination is conceived on the basis of securing general culture and scholarship. I am not sufficiently acquainted with the vernacular languages to say that the literature they have is such as will ensure general culture. If we have sufficient literature of that kind I would allow them to get into the syllabus.

2955. May I ask your opinion about the vernaculars of this Province? Are you unwilling at present (for the next 20 years, we will say) to introduce them, or not?—In the next 20 years the position may change, because there are so many means of developing the vernacular literature.

2956. (*Mr. Chaubal.*) What is your feeling, and the feeling of your people; do they consider that the English Civilian is more accessible to the people, or that the Provincial servant is more accessible?—Quite the other way, that the Provincial Civil servant is more accessible than the English Civilian.

2957. When it is said that the Indian officer regards certain classes as "untouchables", is it as a matter of religious faith, and does that detract from his sympathy and kindness towards the so-called "untouchable"?—It is purely a matter of religious faith. I am afraid that there is a lot of misconception about that. It is not absence of good-will. So far as the officials are concerned there is no such feeling towards those people.

2958. (*Mr. Gokhale.*) You have been a nominated member of the Madras Legislative Council for the last three years?—Yes.

2959. And you were an elected Vice-President of the Mahajana Sabha?—Yes.

2960. And the Government have conferred on you the title of Diwan Bahadur?—Yes.

2961. You have practised in the mufassal for some years?—Yes, I have practised for 15 years and now practise in the High Court.

2962. You were at one time a Government Pleader in the mufassal?—Yes.

2963. And you have also been Government Pleader for a time in the High Court here?—Yes.

2964. And you have had considerable experience of mufassal cases?—Yes, I have had some experience.

2965. Will you tell us how the work of the European District and Sessions Judges and the Indian District and Sessions Judges compares: how does the civil work of the two compare?—I believe that the Indian Judges are superior to the English Judges with regard to civil work.

2966. How does the Sessions work of the Indian Judges compare with the Sessions work of the European Judges?—I have had much experience of the work in the Arcot district; and I must say that I think the Indian Judges were quite as good as the European Judges, and in one or two instances I consider they were superior to them.

2967. You have had experience of both classes?—I have had experience of five Indian Judges and ten or twelve European Judges.

2968. As regards administrative work, what is your experience?—As far as District and Sessions Judges go, I do not think that the European Judges are in any way superior; on the other hand there are certain considerations which make the Indian Judges better able to do their administrative work. They know more of the details of the work, and they have had some experience as Sub-Judges or as District Munsifs. Further, they are more in touch with the Indian establishment. The staff can go and represent their grievances. They are less under the influence of the Sherishtadar.

2969. Have you any experience of the magisterial work of Europeans and Indians?—I have had some experience of magisterial work.

2970. How do you compare the two?—I do not find any difference, because there are people who are unsatisfactory in both classes.

2971. What is your experience of first-class Indian Magistrates against first-class European Magistrates?—I have nothing to say with regard to them.

2972. Are they about the same?—Yes, I think they are about the same.

2973. In cases of threatened disturbances, how do Indian and European officers compare?—I think the Indian officer has the advantage. He is able to know the causes of the disturbance better than the European officer.

2974. And in cases of actual outbreaks?—In the case of an actual outbreak I do not think there is any difference between the two. There is a feeling largely prevalent among Indian Executive officers that they have not got that amount of support from higher quarters in these cases of exceptional difficulty as the European officers expect, if they go wrong.

2975. (*Mr. Sly.*) You are a Vakil of the High Court?—Yes.

2976. And acquainted with the High Court Judges?—Yes.

2977. Would you accept their opinion as being of any value on the comparative merits of the Judges?—Certainly their opinion is valuable.

2978. And if their opinion was not the same as yours, would you in any way be prepared to modify your opinion?—I should have to keep to my opinion; I have formed my opinions after some consideration.

2979. With regard to your answer to question (11), will you tell us what your system of recruitment for the legal profession would be?—I include barristers, vakils, attorneys and first-rate pleaders as far as they are available.

2980. From the Indian Bar?—From the Indian or European Bar—the English Bar.

2981. You would have the service wholly recruited in India?—Yes.

2982. In reply to question (32), you have recommended that the probationers' course should be spent in England?—Yes.

2983. If it should be decided that the successful English candidates should pass their probation in India, in that case would you like the successful Indian candidates to pass their probation in England or in India?—I would suggest that they should go to England. My reason for desiring that the Indian candidate should go to England is that he may have some acquaintance with English conditions, and so get himself into touch with English ideas and English administration.

2984. How long do you suggest that that course of probation should be?—Two years.

2985. Two years in England, you think, would give him that?—I think that two years in England would give him a tolerably good degree. If he could be there for a longer period I should welcome it.

2986. You say "a tolerably good degree." He is going for a period of probation. Do you expect him to take a degree after that?—By "degree" I meant a tolerably good extent.

2987. (*Mr. Madge.*) You are entirely in favour of the separation of the Judicial from the Executive function?—Yes. I have to state that I made a mistake in my answer. There is one point I should like to add. I refer to my answers to questions (28) and (52). I would add also chapter 9 to the chapters I have mentioned in answer to these two questions.

2988. Do you think that the Executive experience of a Magistrate during the earlier portions of his career is of little or no value while acting as a Judicial officer later in life?—Taking the question in the abstract, it is of some value.

2989. How do you distinguish between the abstract and the concrete duties?—I mean the experience which an Executive officer has is considered to be valuable to him as a Judicial officer; he has experience, as he knows the country before he is appointed a Judicial officer. It is because he is in touch with the people that he gets his experience, and not because of the peculiarity of his being an Executive officer.

2990. In that respect do you think that the Indian official, wherever he may be appointed, will have the same advantage?—He may not have the same advantage because he might not be acquainted with the different conditions prevailing in different parts of the country; but if he has experience as a legal practitioner he will be well fitted to discharge his Judicial duties.

2991. In adhering to your own opinion, for which no one will blame you, in preference to the opinions of the High Court, do you think that the opinions of Judges of the High Court, are to any extent influenced by race feeling; I do not say race prejudice?—I do not say that: I never thought so.

2992. In answer to question (37) you say: "As regards the Judicial branch no special course of study is necessary if the officer selected has been called to the Bar, or has taken a degree in law." Do you think that a technical legal training (of course it is an essential part) is a very important part of the Judicial office?—I believe so.

2993. Do you think that the respect with which a British Judge is held at home is owing, to a very large extent, to other qualities than his technical acquaintance with law?—If I may say so, it seems to me that people of very superior technical qualifications at the Bar are generally persons who possess a high level of general culture. If a person has good legal qualifications it means that he is a fairly good man, even otherwise.

2994. (*Mr. Abdur Rahim.*) So far as your knowledge goes, is there a strong opinion amongst people in this Presidency in educated circles, and perhaps in other circles, with regard to the combination of the Executive and Judicial functions in the same officer?—The feeling is very strong against the combination.

2995. During your practice in the mufassal as well as here, have you had any cases which confirmed your opinion as to the advisability of separation?—I have had several occasions when I have had to regret it.

2996. Do I understand you to suggest that we have not got very capable English District and Sessions Judges?—Certainly not. I said that as a class Indian Judges were better, but that was not on account of the general inferiority in intellect and ability of the other men, it is because they have not had the training of the Indian. As far as capacity is concerned I do not think it is the monopoly of the Native of India.

2997. I understood you only to criticise the system?—Yes, the system, and not the persons who worked the system. I should be very sorry if such an impression has been created by any statement which I have made.

2998. Suppose it were possible to devise a scheme by which the two services could be bifurcated at the beginning, immediately on the passing of the competitive examination, would there be any very great objection left.—The objection would be greatly minimised. The only objection which appeals to me strongly is, why should you pay for the training of those persons who are to become Judicial officers, when you can get them direct from the Bar.

2999. It is only the question of the cost of the training that appeals to you?—So far as that goes.

3000. The cost to the State or the cost to the litigant?—The cost to the State and the cost to the litigant have some connection.

3001. I find you generally support the competitive system for recruiting the Indian Civil Service. What do you consider to be the peculiar feature of this system? As I understand it, it

is this: you recruit a number of young men, and assure them at the very start of their career of promotion to posts of very high responsibility, Judicial as well as Executive. Do you agree with me that that is the principal feature of the system?—Yes.

3002. And do you also agree with me that that peculiarity arises from the fact that there is a necessity for recruiting young Englishmen from England for service out in India?—I am sorry I do not follow you.

3003. I suggest to you that this feature of the Civil Service system is due to the fact that there is a necessity felt for recruiting young men from England for service out in India under conditions of life quite different from those in England?—Yes.

3004. Do you think that the necessity for assuring young recruits to service that they will rise to posts of the highest responsibility, Judicial as well as Executive, in the ordinary course of promotion, arises from the fact that the recruits have to be obtained from England?—I do not know if the first point follows necessarily as an effect from the second. It may be one of the determining causes.

3005. You have studied the history of the Indian Civil Service. Do you not think it had that origin?—If they have to come away from their own place they have to be assured of good prospects.

3006. You have to give them that assurance as young men? Supposing you want to employ Indians in India, is there any necessity for such assurance, or is it in the normal course of things that such assurance should be given?—That does not apply to Indians.

3007. Would you perpetuate in India this anomaly, which arises from abnormal circumstances?—For my part I do not look upon it as an abnormal circumstance, because I take it that a person is recruited from England on account of his own ability and capacity for work that is expected to be done by him.

3008. What I am suggesting to you is this. You want highly qualified men for discharging the highest duties of the Government. Supposing there is a necessity for recruiting young men especially for the Executive Service, you would recruit them and train them in the simpler duties to start with, but it is possible, and it is within your experience, is it not, that some of these recruits might not rise to the responsibility of higher service?—That is so.

3009. Where is the necessity in the case of Indians to assure them of gradual promotion to higher service?—If that is the only consideration to make one assure them of their prospects of promotion, it may be that the consideration does not apply in the case of the Indian; but to enable the Indian to properly discharge his duty he must be put upon a footing of equality with his English brother as far as the prospects of the position are concerned which he is asked to fill.

3010. Disregard for the moment any question of equality. I am asking you to consider the best interests of the service in India. So far as the employment of Indians are concerned, and only from that point of view, is there any necessity to give them such an assurance?—They, I think, will do their work better if they have that assurance than without it, though, I admit, the necessity for that assurance is not so great as in the case of Europeans.

3011. Supposing the necessity for such an assurance is a vital feature of the present situation of the Indian Civil Service scheme, would you perpetuate that in the case of Indians?—If that is a vital feature of the case I would not like to perpetuate it.

3012. Then I suggest to you that the most ordinary method would be recruitment for suitable places, and if they are found fit to discharge higher duties, promote such of them as are found fit by trial and not merely by gradual promotion?—I quite recognise the utility of that scheme, but there is the other fact, namely, whether it is not desirable that persons should be recruited in the first instance with definite prospects before them.

3013. What I suggest does not take away the prospect. The prospect is only for those who have proved themselves fit by actual work?—It will not take away from the prospect, but any amount of uncertainty will have a damaging effect upon the number of recruits you get.

3014. You would have it held out to them at the sacrifice of the best interests of the Indian Service?—I think the best interests of the country will be served by certain things being held out.

3015. Take the Provincial Civil Service, Judicial Branch, that is constituted on the lines I have suggested to you; that is to say, promotion by trial?—Yes.

3016. (*Sir Valentine Chirol.*) I understand you to say that you would be prepared in the event of simultaneous examinations being introduced, to give up the listed-posts?—Yes.

3017. I understand you also to say that you do not expect any very large increase of Indians entering the Civil Service through the introduction of simultaneous competitive examinations?—Yes, I do not expect nearly such an extension of Natives into the Civil Service as would jeopardise the necessary European element.

3018. Have you any idea as to what would be the increase resulting from simultaneous competitive examination?—For the next few years we might not get as many as we are now getting into the listed-posts; but I have sufficient faith in Indians that they will rise equal to the occasion and be able to pass. Even with a simultaneous examination the Indian is at a disadvantage, but I do not mind it because there would be more equal opportunities given to the Indian in that case than at present.

3019. You think you will make a temporary sacrifice for the sake of a permanent improvement?—Yes, I do not want the Indian to have any advantage over the European when once there are simultaneous examinations in both the countries.

3020. Do you think it is possible to organise one single service in which the conditions will be fair and satisfactory, quite apart from intellectual qualifications, to Europeans coming out from England to serve in this country, and to Indians serving in their own home?—The theoretical perfection may not be possible, but I think simultaneous examination will have that result.

3021. You say you would leave to education the task of giving a fairer representation to the different communities. We had a witness yesterday who told us, taking the elementary stage of education, that there are very great actual difficulties in the way of a low caste boy having access to a school in which the majority of the boys were Brahmans. He put it to us in this way: that whilst the rules would admit a low caste boy who went to school, as a matter of fact all the high caste boys would run away. Do you take that to be a fair description of the conditions?—I am afraid it is not a fair description. I do admit, however, that in some places there is some prejudice against Panchamas joining institutions to which Hindu pupils go, but that prejudice is gradually wearing away. By educational facilities I mean where there are any places where this prejudice is strong you may incur some expenditure for the purpose of giving Panchamas education separate from the rest. That is one of the educational facilities that I had in my mind when I said that it is the educational facilities that you must look to in the bringing up of the so-called backward classes.

3022. But the description was not altogether inaccurate?—I cannot say that there are any cases where it is so, that it is a description of what generally obtains. I, for one, should think that generally it is inaccurate.

3023. (*Sir Murray Hammick.*) I think you said that from your experience of the Sessions Judges in North Arcot you thought the level of the Indian Judge was higher than the European Judge?—Not quite that. I said it was equally good. Only in a few instances have I found that some of the Indian Judges were better than the English Judges.

3024. I should like to know who the Indian Judges were that you had experience of in North Arcot; I should like to have their names?—The Indian Judges whom I had experience of in North Arcot were Mr. Venkoba Chariar, Mr. Venkataramana Poi, Mr. Kuppuswami Aiyar, Mr. Manavadan Raja and Mr. T. T. Rangachariar. The Sessions Judge who occupied the post of Sessions Judge during most of the time I was there was Mr. Manavadan Raja, who was there for nearly seven years. He was there longer than the other Judges.

3025. He was a statutory civilian?—Yes.

3026. And therefore had gone through all the posts of Sub-Collector, Assistant Collector and Collector before he became Sessions Judge?—That must be so.

3027. He had no experience of civil work until he took charge of the district. He had never been an Assistant Judge or a Munsif?—No; neither Munsif nor Sub-Judge.

3028. If your suggestion with regard to simultaneous examination is not adopted, you propose that one-half of the posts should be open to members of the Civil Service on a separate examination to be held here; and besides that you are going to give over the whole, or at least two-thirds, of the Judicial offices, and I suppose besides that there will be the listed offices?—With regard to the listed offices I have made my recommendation in answer to question (27).

3029. You desire to increase the listed-posts; but you would not increase the listed-posts if you were going to have an examination for half the posts in the Civil Service out here?—My scheme is either a simultaneous examination, or, if you want to retain the listed-posts, it would be as in answer to question (27).

3030. You have another suggestion—that half the posts should be open to examination here simultaneously with an examination in England?—That is a separate examination.

3031. In that case you would not keep the listed-posts?—No. That is simply in answer to the question put to me as to what minimum I would suggest in that event.

3032. Then you would have half the posts going to Indians recruited out here, on this alternative scheme, and all the judicial, or at least two-thirds, also, to Indians in this country?—The judicial service does not depend upon whether the posts are given to Indians or Europeans.

3033. It would not go to the Indian Civil Service?—No; under the scheme which I suggest it would not. I have also suggested that in the event of it being considered necessary that members of the Indian Civil Service should get into the judicial service one-third should be reserved for them.

3034. Do you not think that the extraordinary reduction in the number of posts which would be put up for competition in England that would consequently follow, would very likely reduce the standard very much indeed; that very few Englishmen would care to come out to a service which had lost 50 per cent. of its posts, *plus* the whole of the judicial posts in the service? Do you think that any one would agree, to come out from England to join the service under those circumstances?—I confess I do not quite follow your reasoning.

3035. The reasoning is simple enough. I calculate that instead of fifty appointments for competition in England in the year you would have fifteen appointments, and you would have to tell the Englishmen who competed for them that they would never have the chance of being a Sessions Judge, that they could only be in the executive service, and that they would have to compete with half the number of Indians in this country. Do you think it is likely, under these circumstances, that any Englishmen of the same character that come out now, graduates of the universities with high honours, would go up for your examination for the purpose of entering upon this career?—The scheme I suggest does not involve that. The number of recruits for the Indian Civil Service would be reduced as time goes on. But I have suggested in another place that there should be only one combined examination for the Home, Colonial and Indian Civil Services. The effect of this will be that the number ultimately taken from those who have satisfied the Civil Service Examiners will be less. The effect of all that, I think, will be that you will get the very best men available in England for service here.

3036. I do not follow you?—Let us say there are fifty persons recruited. If my scheme is accepted, it may be that the number of persons recruited would become fifteen. That means that in the Indian Civil Service examination held in England you will take out of the number that have appeared for the examination fifteen rather than fifty; but I do not see why that should diminish the efficiency of the fifteen that are taken out. On the contrary, there is more

likelihood of the fifteen being of a higher level of efficiency than the fifty. In that way I say that fifteen may be better than fifty.

3037. I cannot follow your argument at all?—That is the line of reasoning I adopt.

3038. Supposing you have a service in which the competition is to be 50 per cent. of Indians out here against 50 per cent. of Europeans, and that for Europeans all the Sessions Judge posts and High Court posts are lost, is the career offered to the European, under those circumstances, likely to attract the very best men, such as those who come up for the service now?—I cannot offer any opinion as to that. It comes to this; what would be the effect if you extend your circle of choice?

3039. In answer to question (11), you recommend the complete separation of the judicial service?—Yes.

3040. In answer to question (52) you say, "I consider that there should be complete differentiation of the executive and judicial services, I would include second and third class Magistrates in the judicial service to be under the control of the High Court." I should like to know what you mean by "under the control of the High Court." Would the High Court have the power of dismissal and appointment, and so on, in connection with all those services?—As far as second and third class Magistrates are concerned, I did mean, when I said they should be "under the control of the High Court," that the High Court should have the power both of appointing and dismissing these men.

3041. Do you know any country where the High Court has these powers?—I confess I have no knowledge of other countries; but if the High Court can appoint munsifs I do not see why it could not appoint judicial officers who have merely to exercise criminal functions.

3042. You do not know any country in the world where there is such a system?—No.

3043. Have you any conception of the work that would be thrown upon the High Court Judges if such a system as that were adopted?—It may be that you would have to add one or two Judges to the High Court Bench; and those who are temporary now would have to be made permanent.

3044. Apart from that condition that the High Court should have this control, are you still anxious that there should be separation, only that the appointments should remain, as at present, in the hands of Government: do you think that it is a necessary condition?—Both in the interests of the Magistrates and of the work to be done by these Magistrates, I think that there should be this separation. I do not suggest the taking away of magisterial powers altogether from the Executive officers, what are called the "preventive" powers; those powers will remain with the Executive officer. Everything which partakes of a judicial character will go to the Magistrates and the District Sessions Judges, over whom I should say the High Court should have the controlling power.

3045. I understand you to say that the High Court is to appoint the second and third class Magistrates, but apparently not the Divisional Magistrates?—I have not elaborated my scheme, but I am prepared to do it. I would suggest that if my scheme were to be adopted it will be possible for much of the second and third class criminal work to devolve upon the Bench Magistrates I would have first-class Magistrates, and these first-class Magistrates would also be Munsifs. You will have the combination of the judicial and civil functions lower down the scale than you have amongst the District and Sessions Judges and the Sub-Judges who, so far as their criminal work goes, will do the work of Assistant Sessions Judges. Over them there will be the District and Sessions Judges, and so on. So that the High Court will be the chief controlling body, and all the criminal work of the country will be done by this process.

3046. Have you ever heard objections raised to the proposal that Munsifs should be Magistrates?—Yes; I have heard one or two objections, in private conversations.

3047. Has it not occurred to you, or have you not heard, that the greater reputation for honesty and uprightness, the greater probity on the part of Munsifs, as compared with Magistrates in this Presidency (of whom we were told last year 73 per cent. were corrupt) is due to the fact that they are only Civil Judges and do not have to mix with the criminal administration of the country?—I have heard the suggestion that a certain class of the Magistrates were corrupt, but I have not heard that Munsifs were more honest on account of the fact that they were exercising only civil functions. I think it depends on the pay and the class of men that you recruit the Magistrates from whether they are corrupt or not.

3048. (*Mr. Oldfield.*) Are you aware that the scheme, of which Mr. Justice Benson spoke before the Commission, for training Civilians for their judicial duties, differs from your proposals in one respect, in that he proposes that they should go to Europe: are you strongly opposed to that? That scheme presupposes two conditions: one is that it should be a Civilian?—I am not in a position now to criticise that scheme as I would wish. It seems to me that it may be possible to have a differentiation seven or eight years later than in the service. A person entering the service wishing to go in for the Judicial department might make up his mind earlier in his career, and he might get himself qualified in England.

3049. Your scheme is that the judicial service may be recruited partly from the legal profession and partly from the lower ranks: are you going to fix any proportion to be recruited from the legal profession direct?—I do not insist upon my proportion being accepted, but I suggest half and half.

3050. And from the legal profession you would make appointments direct from the Bar to the vacant posts?—Yes, half and half.

3051. If you appoint a District Munsif at Rs. 250 Government servants will presumably go into the department?—District Munsifs will have to be recruited from the Bar. With regard to the higher posts it will be half and half. Every second vacancy I will recruit from the Bar.

3052. You suggest your appointments will be from the Bar to these Sub-Judgeships of Rs. 600, Rs. 800 and Rs. 1,000?—Yes.

3053. Would you appoint only to the Rs. 600 grade, or would you appoint to the others?—Ordinarily to the Rs. 600 grade, but if a gentleman happened to be particularly good I would not mind making an exception in his case.

3054. Would you not mind disappointing a man of Rs. 600 and Rs. 800?—That is so even according to the existing system. If there were somebody very much better than any that could be secured from the ranks of the service, he would have the appointment.

3055. But I believe such men have been disappointed, and expressed their disappointment?—That disappointment is incidental to the career they take to themselves.

3056. You could not give them any certainty that they would not be superseded?—If they were particularly good they would not be superseded.

3057. (*Mr. Ramachandra Rao.*) In the work done by the Divisional Magistrates there is less corruption?—I have no doubt there will be more substantial justice.

3058. (*Mr. Subrahmanyam Pantulu.*) Do you think that your first-class High Court vakils would accept a Sub-Judge's place?—They will not.

3059. Do you think that the second rank vakils would accept a Sub-Judge's place?—If his pay to start with is Rs. 800 they may.

3060. I am asking you about the Rs. 600 posts?—They may not.

3061. Would you think it advisable to appoint indifferent third grade vakils from the High Court as Sub-Judges with unlimited jurisdiction?—I would not. I would add to my answer that a person does not know if he is in the first or second or third rank until after he has picked up some experience.

3062. Would you mind starting members of the Bar to be recruited from the profession to Munsifs' places with a pay of Rs. 400 for a beginner, extending up to Rs. 1,800?—As far as members of the Bar are concerned I am not very much impressed with this question of unlimited jurisdiction, because the work they are called upon to do very often is the same whatever might be the amount in dispute.

3063. Are you aware that the High Court of Madras about a year and a half ago started an English barrister with a first grade Munsif's place, and that he accepted it?—I am aware of that.

3064. You do not agree with the High Court in that practice? If the High Court thought it was necessary to start an English barrister with a first-grade Munsif's place, you think they ought to give him a higher place?—If the barrister was willing to take up the post the High Court was right in giving it to him. Even a barrister starting life may accept a first-class Munsif's place.

3065. Would you agree with the High Court?—It depends upon the personality of the individual and upon the qualifications the High Court would require, and upon the willingness of the individual selected to accept the post on the conditions offered.

3066. I am not speaking of exceptional cases. If a man had extremely high attainments he might be appointed a High Court Judge direct?—I am not suggesting that barristers should be started at first-rate Munsif's pay: all that I am saying is that it is good in the interests of the Judicial Service that recruitments should be made now and then directly from the Bar in the various grades of service. I am, at the same time, anxious to protect those who are already in the Service, and therefore I suggest that promotions should be made in the Service wherever they are proper and desirable, and that there must be recruitments from the Bar direct. My impression is that a person who starts on a Munsif's pay of Rs. 200 or Rs. 250 is not the very best man you can get from the Bar. If he starts with Rs. 400, 500, 600 or 800, you could get a very good man early in life who would be able to rise to high offices and discharge his duties for a fairly long time. Whereas we find that Indians who are appointed Sessions Judges have only been able to occupy that position for a short time.

3067. You are for abolishing listed appointments altogether in the cadre for Judicial Service?—Yes, that is my view.

3068. The whole of the original civil work in this Presidency is done by Sub-Judges and Munsifs. The High Court has only the appellate jurisdiction?—The District Judges also do original work.

3069. The Sub-Judges and the District Judges and the Munsifs do the entire original work?—Yes, they do.

3070. According to the present state of criminal work and other administrative work the District Judges are not able to take much part in the disposal of civil suits: they are all being disposed of by Sub-Judges?—Wherever the criminal work is heavy that is so.

3071. So with regard to Munsifs and Sub-Judges, the efficiency of their work in deciding cases arising in the mufassal would be considerably higher if prospects of District Judges are held out to them than if they are excluded?—I quite appreciate the force of that argument. It seems to me that it is necessary for the efficiency of the Judicial Service that there should be recruitments to it now and then directly from the Bar.

(The witness withdrew.)

The Rev. E. M. Macphail, Professor, Christian College, Madras.

Memorandum relating to the Indian and Provincial Civil Services.

Gentlemen,—I have the honour to acknowledge receipt of a set of questions relating to the Indian and Provincial Civil Services. As I do not feel that I have the detailed knowledge necessary for answering most of the questions I have thought it better merely to write a short account of my views on one or two of the main points on which an expression of opinion appears to be desired.

The main problem before the Commission appears to be the question as to the desirability of changing the character of the Indian Civil Service by making it easier for Indians to enter that service. While strongly sympathising with Indian national aspirations and while recognising that it is natural and inevitable that in course of time a larger number of higher appointments must be occupied by Indians, I consider that at present it would be a calamity for India to do anything that would reduce the number of Europeans in the Indian Civil Service. It may be assumed that it is intended that the Indian Government of the future should be conducted on western and not on oriental lines. This, I

believe, is the ideal which Indian public men are setting before themselves. That being so, it is essential that the Indian Civil Service should continue for a considerable time to be recruited from men who have been trained in Europe and who possess the qualities which experience shows are essential in men who are to administer a country on modern lines. Only by having a strong body of such men can it be hoped that the mass of Indian officials will be gradually leavened, so to say, and raised to the standard which it is desirable to find in all public servants. In the present condition of India the democratic ideal of "government of the people, by the people, for the people" is impossible, but to me it seems that the last part of that ideal—"government for the people"—is more likely to be obtained by the present system than by one that would reduce the number of Europeans in the Civil Service. The European official is at present as necessary in India as the foreign podesta was felt to be in the Italian mediæval republics. In my opinion, therefore, it is not desirable to have a simultaneous examination in India and England for the Civil Service. That service should, however, continue as at present to be open to young Indians who go to England and who may by their stay there be expected to assimilate more of the ideals of the west than is possible for an untravelled man, but in my opinion it is worth considering whether such candidates should not be required to spend a certain number of years in the west as a condition of their becoming candidates. If it is desired to increase the number of Indians holding higher appointments, that should be done by careful selection from amongst the men of proved efficiency in the Provincial Civil Service.

As regards the Provincial Civil Service, I think that there is no reason why a competitive examination for it should not be held. In my own experience I have found that those students of the Madras Christian College who have entered the Madras Provincial Civil Service and the Mysore Civil Service by competition have been men whom personally I would have recommended for such appointments. If, as is probably necessary in the special circumstances of India, it is desirable that a certain number of appointments should be given for particular reasons—as, for example, in order that certain families or particular sections of the community may be represented in the public service—a definite number of appointments might be reserved for such candidates provided they passed the qualifying test even though they might not be high up in the list. Appointment merely by nomination is discouraging to able young men without influence, and almost certainly tends to create an oligarchy restricted to a small number of families. In India where influence is regarded—and with a good deal of reason—as all powerful, it is specially desirable that the idea should be fostered that there is room for men in Government service who possess ability but no family influence. Competitive examination may be a crude method of selecting public servants but it is less open to objection and abuse than any other that has been devised and in the main it works well, as is shown by the history of the Indian Civil Service for the last fifty years.

The Rev. E. M. MACPHAIL, called and examined.

3072. (*Chairman.*) You have not answered the questions but you have sent in a short statement of your views?—Yes.

3073. Would you tell the Commission what positions you have occupied here in past years?—I am a missionary of the United Free Church, Professor of History in the Madras Christian College, and I have been a Fellow of the University for a number of years. I have been a member of the Syndicate for six years. For a short time I was the representative of the University of Madras on the Legislative Council.

3074. You are opposed to the reduction of the European element in the Civil Service?—Yes.

3075. And you deprecate the holding of simultaneous examinations?—Yes.

3076. Are you in favour of increasing the number of Indians in the higher appointments?—I think so, gradually. I certainly consider that the present system of affairs is an anomalous one, and as time goes on there will be a natural tendency that more Indians should hold higher posts; but as long as the present system continues it seems to me that an irreducible minimum of Englishmen is required, and that that irreducible minimum should be recruited from England.

3077. As regards the Provincial Service, you would advocate the filling of posts by open competition?—Partly; I think that there should be open competition, and that some posts should be filled partly by nomination on the strength of a minimum test.

3078. In order to allow for the representation of the different communities?—Yes.

3079. Have you had many years' experience of the University of Madras?—I have been out twenty-seven years.

3080. Then perhaps you can tell us something about the educational standard of the students in the University?—Yes.

3081. How many students are there in the University?—It varies from year to year.

3082. Roughly speaking what would be the number?—We have about seven hundred in our College, and there are about six hundred in the Presidency College. There would be about 4,000 students altogether. The number has increased very largely in the last two years.

3083. What is the average number of students who take their degree every year?—About five-hundred took their degree last year.

3084. And in the previous year how many were there?—The number would be rather less.

3085. Has there been a steady increase?—Yes, there has been a steady increase.

3086. In the last ten years?—It is hardly worth while saying whether there has been a steady increase or not, because there will be a falling off next year.

3087. How many took their degree last year?—I have forgotten. I rather think it was about five hundred, but it may have been more.

3088. Has the standard for the degree improved during the past years?—Yes, it has steadily improved.

3089. How would it compare with the Universities at home?—It is very difficult to make a comparison. In the first place all the teaching is done in a foreign language; but

certainly many of the best students here would be able to hold their own fairly well with men of the same age in England. It has to be borne in mind that the students here are much younger than those in England. They come up here at the age of 15 or 16. They graduate at about the age when students are going to Oxford or Cambridge, at 19 or 20—they cannot do it younger than that now—and consequently they are not mature. Many of them are very bright, but they have not the mature minds of men who come up to college at the age of 19 or 20.

3090. How many would you say of the successful candidates would have a fair chance if they were to take part in the competitive examination in England?—Under present conditions I do not think any one would get through going straight home from here, without working at home. One of our students went home and went up for the Indian Civil Service, and passed; but it was after he had spent two years at home.

3091. You have never had a case of a student going direct from here?—No.

3092. But after two or three years in England would you say that an appreciable number would have a fair chance?—Yes, the best students. Of those who have taken their degree here many of the best would like to go home, but they cannot do so because of caste restrictions.

3093. There would be quite a considerable number of men from these Universities who would have a fair chance in the competitive examination if they went to England?—Yes. You would have to recast the whole of the educational system and give them a much longer school course and make them come up much later on if they are to be on the same level with Oxford and Cambridge men who are taking their degree at home.

3094. Under present conditions, assuming that opportunities for learning the subjects necessary for the competitive examination were afforded here, would you say that a considerable number, given those opportunities for two years, would have a fair chance?—You would have to recast the whole educational system of the country today if you introduced a cramming system as is the case at home.

3095. I am not suggesting that. I am asking what chance the student would have under those circumstances?—I think the number of students out here would be able to do extremely well in a competitive examination if they had the same teaching out here as they have at home. The standard for a home University is higher than out here, and that is largely owing to the fact that students here come up so much younger.

3096. (*Sir Murray Hammick.*) In the records of the 1886–87 of the Public Service Commission (I do not know whether you have read the evidence), it is said perpetually that although the schools in India would be possibly able with some assistance to train boys up to the standard almost reaching that of the Indian Civil Service examination, it would be impossible to prepare them for a simultaneous examination if such an examination were started in India; and it was generally said at that time that the schools of India failed in the matter that they did not teach character and power to command. I should like to ask you whether you think that since 1886–87 there has been throughout the Presidency a considerable advance in the capacity of the schools out here in that direction?—I do not know that there has been any great advance. A good deal depends upon the schools. Some schools do much more than others in the way of training character. I think there is more attention now being paid to that. But I know that results are very different. I know that there is an improvement, but I do not know that that improvement is very marked.

3097. Is it not the case, taking some of these colleges in the Madras Presidency now, that the classes in those colleges have become so very large that the intercourse between the lecturer and the student is less than it used to be forty years ago?—Forty years ago the things were in the beginning. We then had only half a dozen in a class whereas during all my time, or nearly so, we have had large classes of 150 students. It depends a good deal upon the Professor whether he sees much of the students or not.

3098. Probably in your college, and in colleges similarly situated to yours, the Professors see more of the students than in the Government colleges?—I cannot say.

3099. You say that you think it probably necessary in the special circumstances in India that a certain number of appointments should be given in order that certain families, or that particular sections of the community, may be represented in the public service. Why do you think that?—I think it is undesirable that the great mass of appointments in this country should all be in the hands of one caste.

3100. Why do you think it is an objection that one caste should hold them?—Because I think it is extremely important that the interests of the other castes should be represented. From the way that members of different castes speak to me I can see that there is a good deal of jealousy between the castes. There is a feeling that a man does not get fair play unless he belongs to the caste to which another man belongs. This is true even of sub-sections of castes. If a man is at the head of an office there is very little chance of anyone getting into that office unless he is a member of the particular caste. It is said that there is little chance of an Aiyar getting into an office of which an Aiyangar is head, or of an Aiyangar getting into an office of which an Aiyar is head. It is the same with other sections. As long as that sub-sectional public opinion is so strong it seems to me that it is desirable that all sections of the community should be represented in the public service.

3101. Your objection is to one caste getting a large proportion of the appointments in the public service. Your feeling is that people who are under the administration suffer from it, and that the castes who do not get into these appointments feel jealous and disappointed because they do not get them?—It is difficult to say. I have not had sufficient experience of life in the mufassal to speak as to that. Whether it is due simply to the jealousy of the upper classes, or to the fact that there is actual distress caused by the fact that there is want of sympathy between the ruler and the ruled I am not quite sure. I think in this country when a man gets into a position he is often liable to disregard, to a certain extent, the lower classes.

3102. Are there Panchamas in the Christian College?—I do not suppose we have any who

would call themselves by that name, but I think there is perhaps one. We have a considerable number of Native Christians, however, who are Panchamas by descent. The matter was fought out as to whether we should take Panchamas, and when they were taken in, the whole of the caste people cleared out. That was in Mr. Anderson's time, a long time ago; but we have not had any trouble so far as that goes.

3103. (*Sir Valentine Chirol.*) Do you think the caste prejudice in this country is a serious difficulty in the way of the spread of education; does it create material difficulties?—Now that public opinion is brought to bear upon the people, that has a very healthy influence in the country districts. In former days it did. For example, I have heard of cases where the whole of the caste pupils cleared out because a Panchama was brought in. There were also cases in which Brahmin officials found great difficulty in looking into the low caste schools. That, however, I think has been minimised to a very considerable extent, except perhaps over in the west.

3104. How long have you been out here?—I came out 27 years ago.

3105. Apart from intellectual attainments, do you think that the present system of education turns out better men than it did 27 years ago?—It is rather difficult to say. The students that one gets at the present time seem to me at least as good as the students one had before. In some cases one sees, certainly, advance. I think that there is a great change coming over the country. A great many of the prejudices have broken down, as regards, for example, such small matters as the taking of tea and European food. Twenty-five years ago when I first came out hardly one student would take tea and European food if he went to a tea party. Now if students come to a tea party, European refreshments are provided and they seem to prefer them. A great many of these prejudices, as I say, are now breaking down. There certainly is progress, in that direction. What Sir Murray Hammick said was certainly the case when he said that there was greater individual influence on the part of a man who had only to deal with half a dozen students. Still, at the present time, there is a great deal of intercourse between European Professors and the Indian students. Far more than there was at Edinburgh in my day.

3106. Do you think that there is an improvement amongst young people as to their ideas of public, civic duty?—I do not know. There has been a considerable increase in the growth of interest in politics, but whether that is the same as civic duty is another matter. I think there is a greater feeling now of a desire to serve the country. I am of opinion that one finds that amongst the students of the present day. There is a strong feeling that they have something to do for their country and fellow-countrymen, and the poorer classes, as well as others. During the last two or three years there has been started in the Christian College a Brotherhood. One thing which that Brotherhood does is that they have school in the school class rooms every evening for Pariah children from the streets. The Brahmin students and others teach in that school, simply because they feel that they have a duty towards those children. Certainly there is a greater desire for service to the community as a whole, than there used to be. I think there is no doubt about that.

3107. (*Mr. Abdur Rahim.*) You said there was a necessity for the representation of classes on the ground of jealousy among them. I suggest to you another reason for representing, as far as possible, different communities or sections of communities, and that is that so far as the communities backward in modern education are concerned, if you appoint a certain number of men properly qualified in that community it encourages education in that community?—Yes, that is so, certainly.

3108. Otherwise if they are excluded it might tend to retard education?—I quite agree with that.

3109. I suppose in your experience there is a considerable amount of capable material in your school and college?—Yes.

3110. And if those men were properly trained they would be up to discharging their high duties and office?—Yes.

3111. And I take it that amongst the men which your college has turned out there are many who have been discharging duties of a very high order?—Yes.

3112. I believe that some are now Judges of the High Court?—Yes.

3113. I think Mr. Justice Sundara Aiyar is one of them for instance?—Yes.

3114. Have you any particular knowledge with regard to the conditions of education of Indians in England?—No, I have no particular knowledge. I used, of course, to see Indian students in Edinburgh, long ago, before I came to India, and I know some Indian students today.

3115. I am not speaking of the present day but of the last five years?—No. When I was last in Edinburgh they were starting a sort of club for Indian students, and the Lord Provost of the City had an entertainment at which Indian students were invited. The present movement, however, had not begun when I was last at home.

3116. Supposing an Indian graduate goes to England, receives training, and joins one of the universities, and remains there for two or three years, do you not think that that will considerably improve him?—I think it would be extremely good for him if he came under good influences at home. It seems to me that he can be spoilt, however, by going home. I do not think that going home necessarily does him good.

3117. I meant if he was subject to wholesome influence, and came across the right sort of people?—Yes.

3118. Is it your opinion that the age of 22 is too late for him to get the benefits of English education?—I think it would be better for him to go home when they are formed.

3119. (*Mr. Madge.*) You have said that the professors have intercourse with their students out of college hours?—Yes.

3120. You have had a considerable number of students through your hands?—Yes.

3121. I believe there are parts of the country where fatalism prevails a great deal in the beliefs of Indian students?—Yes.

3122. Have you come across anything of that kind among your students?—Yes. Take for instance the case of the schoolboy going up for an examination. Schoolboys do not seem to consider preparation matters very much as long as they are allowed to appear, and they thought there was a chance of getting through. I remember a case of a boy who forged his teacher's signature. I remonstrated with him over it, and he explained that it was his "bad day." That was his explanation of why he had done it. You find that sort of thing to a considerable extent amongst schoolboys, but I cannot say that I have found it so much amongst the students.

3123. Do you think that as education progresses that feeling will die out?—I think that people will see that they can control circumstances to a great extent.

3124. Do you think that a feeling of that kind, as far as it exists, has any reflex action on the conduct and character of a person as regards his sense of responsibility for human life?—Theoretically it should have, but I do not know that practically it has very much. I cannot say that I have come across it much amongst my students. I do not know that it is such a marked characteristic as it was. I do not think that with the growth of education it will persist so much as it does at present. When they fail in examinations "fatalism" comes forward as an excuse.

3125. If that feeling is relaxing, and if it is at all a part of any religion, it will mean that religious sanctions are losing their hold to a certain extent?—I do not find that myself amongst our own students. Our existence here is in order that that may not happen.

3126. Do you attribute that fortunate result to the personal influence of your own class of teachers upon your students?—I think so.

3127. Supposing the departments were manned by men of agnostic view, do you think that the same happy result would follow?—I beg your pardon, I did not understand your last question. I thought you were referring to the loosening of religious beliefs. If you have an agnostic as a professor it certainly does influence the students; it cannot help it.

3128. Going to another subject, as regards competitive examination, it is simply and purely an intellectual test?—It is.

3129. There are a great many things in the development of character that are wholly ignored in a case of that kind. You admit, I presume, that there should be a provision for some means of developing and some method of testing character in appointments to the Public Service. Have you any suggestion to make upon that point?—I am afraid not. As soon as you begin to bring in other things you open the door very much to abuse. If you take certificates from teachers and professors, the question is what those certificates are worth. My experience as a general rule is that men who have come to the top in the college have been men of character as well as men who have shown considerable ability. The man lacking in character has not the strength, generally, to come to the front. As I have said in my evidence, my experience has been that men who have passed in the Madras Civil Service and the Mysore Civil Service from my college were the kind of men that I would have chosen if I had been asked to name any one.

3130. Do I understand you to mean that character is entirely congenital, so to speak, and not developed to any extent by education?—It is developed by education, and consequently I think you find that the well-educated man has his character also well developed.

3131. (*Mr. Macdonald.*) Would you give the Commission an idea of the relative stiffness of your M.A. and B.A. degrees, and the Indian Civil Service examinations?—The Indian Civil Service examination is immensely more difficult. Men from here who go home after taking a good degree do extremely well at Oxford and Cambridge, but it is only after two or three years' reading that they do well. Those men will be able, no doubt, to pass the Indian Civil Service examination, but no man going up straight at present from the ordinary B.A. degree here would dream of getting through, any more than a man could after taking an ordinary Scottish degree.

3132. If simultaneous examinations were held, there would be no appreciable change, would there, in the number of Indian successes?—Probably not; at present I should say not very much.

3133. Has the University, or your College, or any Madras College, passed any opinion about simultaneous examinations?—I do not think so.

3134. Have any students, any organisation, in connection with your College passed any resolution on the subject?—I hope not, not as far as I know.

3135. These opinions are your own?—They are my own entirely.

3136. I suppose there are others of our Free Church Missionaries who hold opposite opinions?—I doubt it. I am not sure. I know that our Acting Principal agrees with me in the matter for I spoke to him about it. My own opinion and feeling in the matter is this, as long as we are having that kind of system at all—the present system—what we want to have is men who have been trained in Europe. If we want western methods here, we must have western-trained men, as we have western-trained men coming out to the Colleges, and western men coming out to business. If you want oriental methods, have appointments here. If we want western methods of Government for a certain period of years it seems to me that is the price India has to pay.

3137. You use the term "western trained"?—It is difficult to put it into words. Any person who has lived out here knows that the whole outlook of life of Western and Indian is different.

3138. I understand the difference, or the alleged difference, between western and eastern ways. I assume you have in your mind the East going to the West to get trained by your expression "western trained." You mean by "western trained" that the training in the West is going to give you the type of man you define in answer to the question?—I do not believe in contrasting East and West. I would rather say north and south. The type of character developed in the north is different from the type of character developed in the south. Consequently the type of character in Britain differs from the Indian character. There is no use blinking the fact that there is a difference. The northern character is more vigorous and persistent and is more able to devote itself steadfastly to carrying its purpose through. That fact also makes him less subject to what I may call sectional public opinion. It is not merely being western-trained but being western-born.

It is the fact that he is born and brought up in the north that makes the European Civil servant what he is at the present time.

3139. That is a little bit away from my question. I understand that you want a western born nucleus—an irreducible minimum?—Yes.

3140. Which, however, may be reduced from time to time?—Yes, it may be.

3141. You really say that?—Yes.

3142. But your opinion at the moment is, am I right in saying, that it should not be reduced now?—That is so.

3143. But as far as this irreducible minimum is concerned, you think we cannot afford in our present Government to reduce that?—That is my opinion.

3144. But that which is reducible at the present moment in the Government of India is partly western-born and western-trained?—Yes.

3145. I want to know what sort of training you would give to an Indian so as to fit him to come back and say to you, "I am western-trained"?—I do not consider that "western-trained" compensates altogether for "western-born."

3146. Ought that boy to go to a public school in England?—I do not think so. I think it takes him far too much away from his people, and that is too much denationalisation.

3147. Ought he to go to England in his teens?—I should like to see him go at about the age of 20.

3148. Ought he to go to a University?—I think so, yes certainly.

3149. Ought he to go to any special University, say a residential University?—There are advantages in that. Personally I am not prejudiced in favour of residential Universities, not having been at one myself.

3150. Would your view be changed in respect of the answers you have given me to these questions if public sentiment changed in England so far as racial prejudices are concerned against cosmopolitanism—supposing people become prejudiced against receiving them at home?—I would not send them home.

3151. I suppose some of your former students are now in England or Scotland?—Yes, quite a number.

3152. Are you in communication with them at all?—Yes.

3153. Have you gathered from their correspondence that they are not treated so well as they used to be treated?—A good deal depends upon the man himself. When I was last at home I was making enquiries about that at Cambridge, and I found that one student had been extremely popular and had a great deal of intercourse with his fellow students. On the other hand I heard of another man, a good man, who shut himself up and went entirely with the Indian students. I have heard this from those who have gone home recently.

3154. When were you home in Cambridge last?—Five years ago.

3155. Did you go into the details of the case? He was popular, you have told us. Was it because he played games?—No.

3156. Was it because he associated himself with the students' clubs?—Yes. He was, I believe, made Secretary of the Cambridge Union.

3157. Have you had any reports from Edinburgh recently?—No.

3158. Suppose we had simultaneous examinations here, have you thought out what the effect of them would be upon your educational institutions?—I think it would be very deleterious.

3159. Will you explain why you think so?—If you had simultaneous examinations here there would be a demand that the colleges should teach for that examination. It is bad enough to have to teach for the University examinations; but to have to teach for the Indian Civil Service examination would be injurious to true education.

3160. Does Oxford take that view?—Oxford does not teach for the Indian Civil Service examination; but the Indian Civil Service examination corresponds to a considerable extent with the work of the Oxford Greats School.

3161. Would not the change therefore be, that the Indian Civil Service would level up the whole of your education?—I do not think that we can afford to level it up until you can bring your whole general education up to a higher level. We have been introducing Honours courses recently in the University here. That has only just recently begun. Even the Honours courses here are nothing like so hard as the Honours courses at home.

3162. Would not this be a stimulus?—No, I think it would throw everything into the melting pot again and prevent development.

3163. Would it not create a school of post-graduate study?—I do not know that it would.

3164. Is not that happening in England?—I do not know.

3165. Is not the evolution of our University work — especially some of the newer Universities — towards post-graduate classes in political science and so on?—We have tried, to a certain extent, to encourage post-graduate study, and quite a number of students have taken their M.A. degree after going up for the B.A. We have substituted Honours courses for that.

3166. You do not think it would be a stimulus for that?—I do not think that it would.

3167. You are in favour of competitive examination for the Provincial Civil Service?—Yes.

3168. Do you know why that was stopped?—No.

3169. You know that had been tried?—Yes, I knew that that had been tried.

(Adjourned to to-morrow at 10-30 A.M.)

At Fort St. George, Madras.

Saturday, 11th January 1913.

FOURTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

The Rev. E. M. MACPHAIL re-called.

3170. (*Chairman*). You wish to amend an answer you gave yesterday with regard to the number of graduates?—Yes. You asked me, you will remember, Sir, about the numbers. I have looked the matter up. I think I said that the number of graduates was about 500 last year. I now find that there were 649 graduates in arts, and that the present number of students in the colleges throughout the Presidency is 6,835.

3171. (*Mr. Sly.*) Out of the large number of students who pass out of your colleges during the year can you give us any idea in regard to the professions or other careers which they adopt, or desire to adopt?—I should say that the majority go to the Law College after they leave us. A number take up teaching and a few take up medicine; whilst a number desire to go into Government service. A number of those who go to the Law College mean to go into the Government service ultimately, and not to the Bar. In my subject, history, the students almost all go to the Law College. With regard to the science students, some go in for medicine. As I have said, quite a number take up teaching.

3172. About what is the proportion of those taking law who aim at a career in Government service?—I am afraid I can hardly answer that question.

3173. Do you think that the best of your students, as a rule at the present time, aim at a Government career under the present conditions, or not?—I think the ablest, as a rule, go to the Bar.

3174. Do they go to the Bar with the object of practising at the Bar, or with the object of getting into Government service?—With the object of practising at the Bar.

3175. Then you think that the Bar is more attractive than the Provincial Civil Service?—Yes, I think so. When the Provincial Civil Service examination was held a good many of the students used to go into it.

3176. You have stated in reply to one question that caste distinctions were still a considerable difficulty in the way of students going to England and entering for the open competitive examination. Is that correct, do you think?—Yes, I believe so, in the case of some students. Perhaps it is less true than it used to be a few years ago. I have come across students who have told me that they would like to go to England, but that their families were opposed to it.

3177. We have had a good deal of evidence given to us to the effect that even if the simultaneous examination were introduced into India it would still be desirable that students who were successful should go to England for a course of training of, say, at least two years; do you consider that the necessity for going to England for two years would still prohibit those students who have caste prejudices from entering the simultaneous examination?—It might in some cases, but if a man had passed and was sure of going home and getting into the service it would tend to break down the opposition on the part of his family.

3178. The attraction, you think, of a career in Government service would be greater than any caste scruples?—I think the tendency at the present day is in that direction.

3179. (*Mr. Gokhale.*) Would you agree, as a general statement, that British rule in India, owing to its inherent necessities, must be a continuously progressive principle?—Yes.

3180. And that it must adjust itself from time to time to the progress made by the people of the country in various directions?—Yes.

3181. Do you also agree that one important test by which the progressive character of British

rule must be judged is the extent to which it employs the people of this country in the higher branches of the Public Service?—Yes.

3182. And do you also agree that this must largely depend upon the spread of higher education in the country, the freedom of the educated classes from caste and class restrictions, and so forth?—Yes, that amongst other things.

3183. Do you agree that things have been improving in this respect so far as your experience goes?—Yes, I think so.

3184. You say in your statement that you strongly sympathise with Indian national aspirations?—Yes.

3185. You would not therefore lag behind the Secretary of State or the Government of India of, say, 35 years ago or the Government of Madras of 20 years ago, in the liberality with which you would treat Indians in the matter of higher appointments?—With regard to liberality, certainly not, but with regard to the particular way in which that liberality would be shown, I might differ.

3186. But in point of liberality, you would not lag behind?—I should like to know what the particular position was.

3187. Are you aware that 35 years ago the Government of India and the Secretary of State contemplated that of the total number of civilians (I use the word "civilian" for those who enter by the door in England) recruited for the higher offices, one-sixth might be recruited in India without their appearing for the English examination: you are aware of that?—Yes.

3188. Are you aware that 20 years ago the Government of Madras thought that one-third might be given for the recruitment of Indians?—No.

3189. You may take it from me that it is so?—Yes.

3190. Things have improved since then; so what proportion would you like to give now?—As a matter of fact, I do not know that I should lay down a general principle in the matter. I look at it rather from a different point of view. What I should like is this. I think it is desirable that the number of Europeans at present in the Civil Service should be reduced. I should be inclined to increase the number of appointments in the service; and, as the exigencies of the public service demand, I would rather recruit from the Provincial Service here, and let the Indians enter in that way than through the Civil Service properly so-called.

3191. I am thinking of the number of Englishmen who enter the service by passing the examination held in London. The Secretary of State and the Government of India in 1879 thought that that number could be reduced by one-sixth; and the Madras Government in 1893 thought that the number could be reduced by one-third, or rather that a one-third recruitment should be given to Indians. Would you be inclined to agree with that to-day after 20 years?—I should be inclined to say that I would agree to one-third.

3192. If you were told that at the present time only one-thirteenth of the total recruitment in the Madras Presidency is given to Indians, would you agree that that is much smaller than what was contemplated by the Madras Government then?—Yes.

3193. To that extent, therefore, you must modify your answer that you cannot reduce the number of Englishmen in the service, if the proportion of Indians is to be raised from one-thirteenth to one-third?—I suppose I should modify it to a certain extent.

3194. I will now go to another point. Assuming one-third of the total recruitment for these higher offices is to be Indian, I want to know what objection you have to throwing that proportion open to simultaneous examination?—I am of opinion that the whole Indian Civil Service system at the present time is an anomaly, and I think it would be a misfortune to perpetuate that anomaly. If we look forward to the time when you have the Indian Civil Service recruited entirely in India, you would not have the kind of service that you have at present. I think that, as Mr. Justice Abdur Rahim yesterday indicated, the whole conditions of the Indian Civil Service contemplate the bringing out of men from home who are going to rise to particular appointments, and who consequently must receive adequate remuneration and the like. If an Indian system were introduced here, it would be an entirely different system; and, consequently, I am in favour of seeing the higher appointments when given to Indians filled by promotion from the Provincial Civil Service.

3195. When the time comes for abolishing the anomaly of recruitment in England, could you not abolish the anomaly of recruitment in India? The anomaly is there. When the time comes for all the places being filled in India you will have abolished that?—Yes.

3196. Then when you abolish that you could abolish the examination in India at the present time. My point is this: you object to the institution of simultaneous examination in India because you say that the present position is anomalous, and that the time will come when it may have to be got rid of. Is that not it?—Partly.

3197. When the time comes for getting rid of the anomaly of recruiting men in England for the Indian Civil Service you could abolish the same method of recruitment in India?—It would be, I think, much better not to introduce it here.

3198. That is your view. I should think that it would be much more difficult to abolish the thing in England?—You do not see my point. My point is this, that at the present time a certain number of Europeans are required. My idea is that it is desirable that they should be recruited by competitive examination in England.

3199. You do not confine that examination to Englishmen?—No, because it is desirable to leave it in its present condition, and allow the Indian who goes home to take it. I think that that should not be put an end to.

3200. That I do not touch. You are prepared to allow one-third recruitment to Indians, which will leave two-thirds to Europeans. I do not touch that. The question is, how the remaining one-third is to be obtained?—From the Provincial Civil Service.

3201. If we had simultaneous examination, what would be the difference? What would be the objection with regard to that one-third if we had simultaneous examination?—I say that you are creating another anomaly. There is a certain amount of dissatisfaction at present because people cannot get into the higher appointments, and I do not see how that dissatisfaction would be removed.

3202. But if it was found possible to have a scheme under which one-third of Indians could be recruited by means of a simultaneous examination held in India, would there be any objection to that in itself?—I think it is perpetuating an anomaly which is not desirable.

3203. But you have no other objection?—It depends upon whether you fix your proportion of Indians to Europeans.

3204. One-third, you mentioned?—If you have a fixed proportion, your proposal would be to have a simultaneous examination to produce that one-third. Why not call it another examination altogether.

3205. Whether you have the same examination or a separate examination of equal severity is another question; but you must have one examination for all India like that if the men recruited in India are to feel themselves on an equality with men recruited in England?—I do not see what that has to do with the position. It is the same with the method of selection.

3206. It would be open to the men entering by the London door to say that they passed a much more stiff examination than these, and that these were not equal to them. Are you aware what happened in the case of the Statutory Service?—I believe it was abolished. I do not know the principle upon which the people were selected.

3207. They were selected by nomination. But the status was the same except that the salary was two-thirds. That did not make them equal with Indian Civil service men?—I suppose it depended very largely upon the men themselves.

3208. Therefore the question is how to get the best men?—Yes.

3209. Therefore you must have as difficult an examination here as in England to get men of equal calibre, other things being equal?—Yes, other things being equal.

3210. I will now ask you about the character of the examination. You know the number of subjects that have to be studied?—I am afraid I do not. I am not familiar with the details.

3211. But you have heard that it is a much more difficult examination than the M.A. of your University?—Yes.

3212. You are a Professor of History?—Yes.

3213. The curriculum of history at your University compared with that of the Indian Civil Service examination is much less difficult?—Yes, I know that it is, as a matter of fact. One of the best students went home, and he only took a Third at Oxford after a course of two years' study. He is now going up for the Indian Civil Service and I have no doubt that he will pass into it. Although he was a very distinguished student here he would have had to work very hard at home in order to get a First at Oxford.

3214. Therefore, even if simultaneous examinations were instituted here, the possibility of Indian students passing at the age prescribed for Civil servants in large numbers is very remote?—Yes, at present.

3215. Do you think that educational facilities exist anywhere in the country for training men for the Civil Service examination here?—Not at present.

3216. You gave certain figures yesterday which you have corrected to-day. Those figures were for the B.A.?—Yes.

3217. I see that in 1911 the number of B.A.'s was between 600 and 700?—Yes; but it will be fewer next year.

3218. How many took a First Class?—In the history, last year we had a large number in the First Class—we had nine; but the usual number is half a dozen.

3219. Others are Second and Third Class men. A very small proportion is First Class?—Yes.

3220. Do you think that any except First Class men will have a fair chance in this examination?—Yes. Examinations are always to a certain extent a toss-up.

3221. You stated in reply to a question from the Chairman that many of the men would have a fair chance: you meant many of the best men?—"Many" is comparatively speaking.

3222. How many out of the 600?—I say "many of the best men."

3223. What proportion would you roughly say of the best men?—I should say about twenty.

3224. You know that only 27 men passed the M.A. last year?—Yes.

3225. And that only one man took a First Class?—That is so.

3226. Have you heard of a student named Mr. Rajan?—Yes.

3227. He took a First Class at the M.A. in Mathematics?—Yes.

3228. Since your University was established in 1867, I understand that there have been only three M.A.'s in Mathematics?—I cannot say.

3229. It is a fact; he was one of the three. He then went to Cambridge, and came out Senior Wrangler, and he then appeared for the Indian Civil Service the next year?—Yes.

3230. And he was comparatively low in the Indian Civil Service list?—Yes.

3231. That shews that our M.A.'s, even after two or three years' training, have not much of a chance unless they are specially coached: in other words, it is only men of very extraordinary abilities who will get in?—Yes, probably, at present.

3232. You said yesterday that if simultaneous examinations were instituted that would have a very injurious effect upon college teaching?—Yes, I think so.

3233. That is because you think there would be a demand for the teaching of those subjects?—Yes.

3234. Are the colleges not strong enough to resist such a demand?—You know that there is such a thing as pressure.

3235. But are the colleges at liberty to make alterations in the syllabus; who determines the college curriculum?—The University.

3236. The Senate?—The Senate.

3237. You know that under Lord Curzon's Act the Government appoints four-fifths of the members every five years?—Yes.

3238. And that the majority of the members are Englishmen in all the Universities?—Yes.

3239. Do you think that the colleges so controlled will change their curriculum because a few Indians want to appear for the Indian Civil Service examination?—I am afraid that there will be a tendency in that way. Englishmen are influenced by pressure as well as Indians.

3240. Do you think that the tendency would be a strong one?—There would be, I think, a strong demand.

3241. Do you think there would be an effect produced by the demand?—Perhaps so.

3242. Do you think that there would be any difference between an Indian student who goes to England, say, at the age of 19, and after a two years' study enters the Civil Service, and an Indian who passes in India—assuming a simultaneous examination is instituted—and goes for two years to England afterwards?—I should like him to be longer in England than two years.

3243. Asuming that he was there two or three years?—Two years in either case does not make a very great difference.

3244. You think it will not be different whether a man goes before, or after?—If he goes before the examination, he will have to go for a couple of years to study afterwards, and he will have a probationary period.

3245. Assuming he goes three years after the examination, it will be the same thing?—Probably.

3246 He would understand the people and the institutions better if he went at a little later age after completing his study: is not that so?—I think he would be moulded more if he went at about the age of 20. It would be a different thing if he went as a student and mixed with students there, and then went up for his examination.

3247. Do you think there would be a substantial difference?—Yes; I think I should prefer it.

3248. If he went to a college?—Yes, if he went to a college.

3249. Not all those who go in for the Indian Civil Service go to a college, do they?—Not always.

3250. (*Mr. Chaubal.*) Looking at the curriculum set out in the questions, you see there, on the right hand side, page xiv, the present curriculum is set out. The note at the foot of the curriculum says that it is open to candidates to take up any of these subjects as long as they do not total more than 6,000 marks?—Yes.

3251. The question I wish to put to you is this. You see that the group 5 to 9 under "B" totals 1,600 and that from 10 to 15 totals 2,100; so that 2,100 and 1,600 makes 3,700?—Yes.

3252. Supposing a candidate takes No. 23, lower mathematics, both 23 and 24 together. Supposing only those four groups are taken, that is to say, practically, the subjects coming under the heading of Greek, and the subjects coming under the heading of Latin and Mathematics: do you think, taking the case of a person who has had no University career in the colleges, that if he took these four subjects and passes the Indian Civil Service, his general culture would be higher than that of a man who has passed his M.A. either with or without Honours? I am referring to the candidate who has passed through all the earlier course of the Universities and then takes his M.A. I am assuming that he has passed his B.A. and studied all the subjects required up to the B.A. standard, and then appears for the M.A. As far as general culture is concerned, and so far as an all-round liberal education is concerned, would you consider that an M.A. of that kind would have secured a higher general culture than the man who has only passed his matriculation and studied only the four subjects?—He would have an extremely good education if he were well up in all that is implied by a study of Latin and Greek, and adding to that a knowledge of Mathematics he would have an extremely wide culture.

3253. Even if he does not know anything of the subjects referred to in 26 to 29, or is not well up in the first four subjects?—The ordinary man would have a certain amount of knowledge of those first four subjects, and certainly I think it would be extremely desirable that he should possess a knowledge of those subjects also.

3254. My point is this. There is a question here amongst these questions, I think it is question (20), which says "On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined"?—You are raising the question of the value of classical education.

3255. If it had been necessary for each candidate to take a certain number of subjects, then you could have said that he gets an all-round education in certain subjects; but where there is an option of 32 subjects, and where a matriculated student from India can pass, studying only those four subjects well, would you think that a man had acquired the culture which Lord Macaulay's Committee contemplated if he took only three or four of those subjects?—I should say so, certainly.

3256. With respect to the question put to you by Mr. Gokhale, you said that even if the colleges prescribe to themselves the Indian Civil Service course as the ideal course for a University to follow, the effect of the education would be deleterious?—Yes, because of the conditions of the country. Although I said to Mr. Gokhale that only about twenty in my opinion would be fit to pass, my experience is that the Indian student is extremely optimistic, and inclined to fancy that he can do a great deal more than he can do; and consequently there would be a large number of Indians who would go up.

3257. I am putting the question from a different point of view. Do you not think that the higher the ideal and standard of education which a college or University places before the student, the trend of general education is likely to be improved?—I think you must work up to it gradually.

3258. I admit you will have to work up to it gradually?—Examinations are necessary evils connected with education. If you have this examination, you will have a large number anxious to prepare for it, and pressure will be brought to bear upon the colleges in order to try and have the means of coaching the students for the examination.

3259. When you said it would be deleterious to the other branches of education, you meant that the colleges would not be sufficiently manned to prepare the boys in their course?—The colleges may be quite sufficiently manned, but there will be a danger of the colleges setting before themselves as their ideal the getting of as many people through the examination as possible. At present there is far too much of that in India. Far too much of college work at present is preparing for examinations instead of simply educating. That evil, it seems to me, will be intensified if you have such an examination as this established in India.

3260. Passing on to the next subject in your written evidence, when you say that the different communities should be represented in the public service, do you say that in the interests of the efficiency of the service, or in the interests of the special communities you are referring to?—In the interests of the efficiency of the service.

3261. At the same time, you say that in order to have these particular sections of the community represented you would have to lessen the qualifying test?—Efficiency may be due to different causes, and the service may be more efficient if you have men of different communities and races in it, even although some of them may not be so intellectually equipped as the others.

3262. Supposing that there is no representation of the different communities: what are the present evils which you can point to which come in because all the communities are not, as you say, "sufficiently represented in the service": have you found class bias?—Yes, I should say so.

3263. Assuming that a department of Government service is entirely manned from one community, do you think it would be more desirable to have it manned from three or four different communities?—Yes, I do.

3264. Does not that really mean that you want class bias in four different directions instead of in one?—No, I do not think so. In a representative assembly, where you have different parties, you do not think that the representation of different sections of the community is an evil. It is usually regarded as a good thing.

3265. If there are more Brahmans in a department, the Brahmans are supposed to show class bias towards their own community?—We will assume that is so.

3266. If Muhammadans are employed in that department, and there are a less number of Brahmans, would you expect the Muhammadans to be free from bias, or would they show class bias towards their own community in the same way as you think the Brahmans do? It has been said that Brahmans show more favouritism to their own class: would not the Muhammadans be expected to do the same?—Probably they might.

3267. That is what I mean by saying that instead of one community showing class bias you would have several communities similarly showing class bias?—And in that way counteract one another to that extent!

3268. No doubt; but the best ideal would be to have a public service which has no class bias whatever, and that is why Englishmen make the best public servants?—Yes.

3269. Therefore in having an administrative policy you think it is better to try and get the class of people who have no class bias, or divide the class bias and so let each counteract the other?—That is why I oppose simultaneous examination, because I think the European is destitute of class bias.

3270. Then your answer to my question would be that you would like to have an ideal set up which will have servants without any class bias?—Yes, people who will recognise themselves as servants of the community, and not the masters of it.

3271. Can you tell me if any of your students latterly have shown a tendency to take up industries and so forth?—We have a large number of non-Brahmans in the colleges and schools. Some go in for trade; but there has been no special development so far. A few, however, have shown a desire in that way.

3272. (*Sir Theodore Morison.*) What is the youngest age at which students are admitted now to the University here?—Fifteen.

3273. Tell me the stages of their educational career?—After two years they have their intermediate examination; then they go in for Honours. There is the ordinary course of two years, and Honours three years more.

3274. To take a B.A. Honours they would have to study for five years after matriculating, and then they would be 20?—Yes.

3275. Can you say from experience how much above 20 would be the average age at which students take their degree? The numbers who go up at 15 are a very small proportion, are they not?—Yes, comparatively small. I have here a tabular statement showing the ages of the candidates registered for Matriculation, First Arts, B.A. degree examination. It is at page 296. In 1901 the minimum age for Matriculation was 12.

3276. Is that what is called a University age, or an actual age?—I think that was probably an actual age. There are some very bright boys who occasionally come up, boys who have been forced, so to speak, and you occasionally find them come up at 12 or 13.

3277. You think that in this case the University age represented the actual age, even when it was 11?—I see that the average age for the B.A. in 1911 was 24 and the minimum 17. The maximum was 48. I should say that 23 is about the average age. The First Arts intermediate average age in 1911 was 21, and for the Matriculation the average age was 18.

3278. You think that this very great discrepancy which occurred in 1907-08 as compared with the previous year represented a real change?—Yes, quite a number were kept out.

3279. This minimum age of 17 for the B.A. is no longer possible?—No.

3280. How does your M.A. stand: is it suspended or abolished?—A student could get his B.A. in two years and then go up for his M.A. after that. There was no teaching for the M.A., except that students who entered at the college received a certain amount of supervision from the professor. There was no teaching for it.

3281. There was nothing taught for the M.A.?—No. The students came and read in our college. We had a separate reading room for them. They came and read, and talked with, and reported about their work to the men who had charge of the particular subject; but there was no lecturing.

3282. How does the M.A. stand now?—It is simply an Honours B.A. A man gets his M.A. two years after he has taken his B.A. in Honours.

3283. Without any further examination?—Yes, without any further examination, just as in England.

3284. Is there any suggestion here to follow the practice of some of the other Universities of lecturing for the M.A.?—The M.A. is simply a B.A. in Honours.

3285. I was contemplating the time when your B.A. Honours established itself and persons required some further course of reading. Beyond that you are not prepared to give further teaching?—We have not had our first examination in Honours yet. We are only in the second year's Honours. Next year will be the first year when an examination in Honours will be held. There were two parties in the Senate at the time when there was the change. Some wished to keep the old B.A. and have teaching for the M.A., whilst others desired to have a three years' Honours course, and that was carried. Personally I was in favour of keeping the old B.A. and of teaching for two years and for the M.A. after the B.A. What was introduced was three years' Honours.

3286. You would have had a year's more teaching?—Yes, but a year's reading less. Formerly it took four years to get M.A., now it takes three.

3287. So far as you are concerned here, and so far as you can say, it is not possible to impose any other teaching on the top of what you have?—Not at present.

3288. If the M.A. teaching which exists in some Universities were continued here beyond the B.A., with Honours, I suppose it would bring students within some sort of distance of the standard here?—Yes, I think so.

3289. It would depend upon the subject; but supposing mathematics or some scientific subject were added, it would be conceivable?—Yes, it would be quite conceivable. What I meant to say yesterday was that you would have to reorganise things. If you were going to make that your regular University course, it would mean raising the University course by three years.

3290. I did not know that your M.A. had so entirely passed away?—We flattered ourselves here that our B.A. was equivalent to some M.A.'s in India.

3291. The M.A. has been given sometimes very freely, and sometimes very charily, has it not?—Yes.

3292. You would like a student to go to England after he has taken his B.A.?—Yes.

3293. If he went later than that, he would, perhaps, not acquire these English characteristics which you hope he would acquire?—Not to the same extent.

3294. Because he would not mix with his class fellows?—He would be rather older than the others, and would fall out of it to a certain extent, as the others would be younger men.

3295. At what sort of age do students now generally finish their education at a Scotch University?—All averages are very deceptive as they are here. You have a great many old stagers.

3296. The maximum age of those who took the B.A. is 48. In 1907 it was 55, then 46, then 46, and then 48; that is so, is it not?—When I was in Edinburgh the ordinary age for fellows coming up from school, and going straight on, was 20 to 21 when they took their degree. They entered the University at about the age of 16 or 17, and then took their degree is four years, or three years, as the case might be. From 20 to 21 was the average.

3297. That is not unlike the conditions prevailing among the students here?—That is so.

3298. And do you think their attainments are about the same? I notice that you said yesterday it is necessary for Scotch students to get some further teaching?—It has been, occasionally, but I have known very few cases of that. Very often students in my time at Edinburgh—the best students—got scholarships on graduating, and went up to Oxford and Cambridge.

3299. Professor Sorley would be a case in point: he was a contemporary of mine?—Yes.

3300. Therefore the conditions of students coming from Scotch or Provincial Universities are comparable with those of the best students from the Indian Universities?—Yes, I should say so.

3301. And they would probably require a year or two to bring them up to the necessary educational standard?—They would probably require two or three years to bring them up to the intellectual or educational standard that is required for the Indian Civil Service.

3302. With regard to British characteristics, that attainment is only possible, I understand you to say, when a man goes up when he is somewhat advanced in years and mixes with his fellows?—Yes.

3303. Do you think it is possibly the case that a student who has taken his degree here and goes through the English University is not too old or stiff in the joints?—I do not think so.

3304. If he went to an English school he would have more chance, but you would not like it?—No.

3305. But as far as merely these British characteristics are concerned?—I quite admit he probably would.

3306. If you were to take him as a child he might be, except in complexion, indistinguishable so far as his British characteristics are concerned?—To a great extent.

3307. Therefore the acquiring of British characteristics goes with denationalisation?—Yes, to a considerable extent.

3308. Do you consider that the possession of those British characteristics is necessary or desirable in the administration?—I do certainly; I think they are.

3309. I myself recognise the difficulty: I do not know whether you feel it; if so, it comes to this that you can only acquire British characteristics, which are so desirable in the administrator, at the cost of being denationalised?—To the fullest extent.

3310. It is perhaps a disagreeable way of putting the thing, but that is what it comes to, is it not?—Yes.

3311. I think you expressed some distrust as to the results of competitive examination?—Yes, I think it is a crude method.

3312. Would you feel the same distrust if you had a competition which would limit, we will say, the boys taken from Eton, Winchester and Harrow, or would you trust the competition there as giving you a very fair order of merit?—I should strongly object to any such proposal.

3313. I am not thinking of it for the public service at all. Do you suppose, if we were to confine competition, not necessarily with regard to this service, but, we will say, with regard to any Government service, so far as a literary competition is concerned you would get a fairly reliable order of merit; I am speaking of students from a Scotch University?—I think, as a whole, you would. There would occasionally be people who should not be there, but I think, on the whole, you would get it.

3314. Do you think it would be equally trustworthy if you were to add to the competition the boys I have mentioned from the three schools—would it then be equally trustworthy?—Probably they would not do as well as many of the Scottish students.

3315. I think they would not?—They probably are not so well educated.

3316. If you were to add representatives of American Universities, would you have a diminishing confidence in the result?—I do not know enough about the American Universities to say.

3317. And when you add to them representatives of the Indian Universities, who are not educationally unlike those of the Scotch Universities, would you trust as to the results increase?—I really cannot say. I do not know any better method, that is all.

3318. I am only trying to find out how far you would trust the results in a competitive examination?—As I have said already, I think it is simply a choice of evils. It seems to me that if you adopted other methods greater evils would creep in.

3319. My idea was that a competitive examination could be trusted only so far as we can assume identity in the education?—I see your point.

3320. You are not prepared to admit that?—I think there is something in that.

3321. (*Lord Ronaldshay.*) The number of different careers which are open to educated men in this country is very small, is it not, compared with the number of careers open to educated men in England?—Yes, that is so.

3322. There is no Army or Navy career here?—That is so.

3323. And there is a very small business opening?—Yes.

3324. The result of that is that the educated classes of this country concentrate upon a very limited number of careers?—By far the larger proportion of educated men in this country are Brahmans, and they naturally have not been going in for trade in the past. Trade is only in the hands of Brahmans to a very limited extent, and consequently they naturally turn to literary careers.

3325. The educated classes in this country concentrate themselves upon the legal and teaching professions, journalistic work and Government service. Is not that so?—Those are the main careers open to the educated classes.

3326. Which of those careers do you think is the most popular?—I think, on the whole, the legal.

3327. I suppose you would say that Government service is extremely popular among the people as well?—It is popular, but it has not the same prizes.

3328. At the same time there are obstacles in the way of the most highly educated classes going in for Government service, because the competition is in England: that is to say, there are caste difficulties in the way. If, on the other hand, the examination was instituted in this country, those difficulties would be swept aside?—It would affect only a very small number of people.

3329. You mean, I suppose a small number of educated people?—Yes, a small number of educated people.

3330. Are you not of opinion that if simultaneous examinations were instituted in this country a very large number of the educated classes would go up for the examination?—A considerable number would go up, certainly.

3331. You say a large number would go up?—"Large" is rather a vague word. When you have 600 candidates in a year the proportion of those who would appear would be—I do not know how many, say 50.

3332. Supposing 50 or so tried?—I do not know that it would have a very great influence except in the way that I have already indicated, that there would be a tendency to make the universities and the colleges teach for that examination.

3333. But surely that tendency would not arise unless a large number of people desire to go up for examination: that is my point. I assume, from what you say upon that point, that you are of opinion that a large number of people would desire to go up for examination if it were instituted in this country. Is that your opinion?—Yes, if you can define the term "large," it would possibly be 50.

3334. A very much larger number of candidates would go up for examination in this country than at present go up for the combined Home Service and Indian Service in England?—Yes, I should certainly say so.

3335. Are you of opinion that a considerable number would soon find their way into the service through this simultaneous examination?—It seems to me that the whole object of changing the thing is in order that that may happen. That is what I object to.

3336. What I want to know is whether, as a matter of fact, you are not afraid of that; and because you are afraid of that I presume you are of opinion that a large number of Indians would pass into the service through the simultaneous examination?—Ultimately, in course of time, as soon as things had become adjusted, we might import crammers from England to cram people for the Civil Service; and, as far as memory work is concerned, the ordinary Indian beats the ordinary Englishman, and consequently, in so far as memory work will take men through that examination, I certainly think that large numbers would pass.

3337. Have you in your mind any rough idea as to approximately how soon we might expect to find a considerable number of Indians passing into the service?—No, I have no idea.

3338. But you think that within, say, 10 or 15 years, or something like that, the system of teaching in the universities out here might be so altered as to enable a considerable number of Indians to pass into the service if there is an examination in this country. Is that what you are afraid of?—I am not afraid of them passing into the service. I deprecate the idea of perpetuating out here the anomaly of a service such

as we have at present in the case of the Indian Civil Service. I think it would be very much better that Indians should pass into the higher grades through the Provincial Civil Service than by anything of this nature; and I also think that there is an irreducible minimum of Europeans required at the present time for the proper training of the people in self-government and for the proper administration of the country. I think it would be a misfortune if these men were withdrawn.

3339. You are afraid that that necessary number of Europeans might disappear if a system of simultaneous examination were set up?—Yes, without restriction; and if restriction were imposed, it would cause a grievance again.

3340. I understand that you are of opinion that it is very probable that if simultaneous examinations were introduced into this country the class of educational instructors whom we describe as coaches, or perhaps, as crammers, would spring up in considerable numbers?—Yes, I think that it is very probable.

3341. And is not that all the more likely by reason of the fact that Indians, as you say, have a great facility for acquiring a smattering of superficial knowledge by means of mechanical memory?—Yes.

3342. That, I suppose, would have a very bad effect on the cause of real education in this country, would it not?—Yes, I think so.

3343. Therefore your second main objection to setting up a system of a simultaneous examination in this country is that, in your opinion, it would have a very bad effect on the cause of true education in this country?—Yes, that is my feeling in the matter.

3344. Those, of course, are two very strong arguments against instituting such a system. There is only one other small point I should like to ask you about, and that is on the subject of the value of Indian vernaculars as a subject for examination in an open competition. What is your view with regard to that?—My view is that it would be a very difficult thing to bring in one Indian vernacular without bringing them all in; and I do not know where you are going to stop. For example, we have here five vernaculars of the Presidency taught in our college. That is only in the Madras Presidency. If you introduce Tamil you would have to introduce Canarese, Telugu, and Malayalam, and you would have to introduce all the Northern vernaculars. Some of those vernaculars are much more in the nature of literary languages than others, and it would be unfair in some cases, and give a considerable advantage to one man over another.

3345. Of course, while in this Presidency you have five or six vernaculars, or whatever the number may be, the same sort of thing would be found in other parts of India, and you would have to introduce 50 or 60, or even, probably, 100 vernaculars?—Yes. In fairness it would be necessary to do so.

3346. And that would be, of course, impracticable and of very little value?—I do not think that the value would equal the difficulty.

3347. (*Mr. Madge.*) While lowering the standard of education in this country, would not simultaneous examinations lower the tone of the service?—I can hardly answer that question. It seemed to me that if the examinations were identical as far as intellectual capacity was concerned, the people who passed would remain very much the same.

3348. It is admitted that the present standard is inferior to that of the Indian Civil Service at Home?—The assumption is that the standard here would have to be raised.

3349. I am not speaking with regard to the present.—I do not think that under present conditions students would pass at the present time.

3350. (*Mr. Oldfield.*) Can you tell us whether the Dravidian languages are harder than the group of languages which cluster round Hindustani and Urdu?—I am not an authority upon that subject, but my impression is, from what I hear from others, that it is very much harder to learn Tamil than Hindustani.

3351. It would be harder for a student to take up two of our Dravidian languages than two of the Northern languages?—Yes, certainly from what I have heard.

3352. What would you say as to the value of Indian classical languages as compared with Greek and Latin, so far as a liberal education is concerned?—The only classical language here that I know anything about is Sanskrit. It is an extremely interesting study, but from the view of a liberal education the value of Greek and Latin, I should say, is very much greater, because those languages are the foundation of our western civilisation. A man cannot understand our western civilisation without knowing something about the history of Greece and Rome.

3353. The same would apply with regard to a comparison between Indian vernaculars and European languages?—It is the value of the literature. There is no modern literature in Tamil or Telugu, whereas there is the literature in the European languages.

3354. You regard the literature of languages as of primary importance, and not the mere ability to speak the language?—It is the literature.

3355. Some witnesses have raised questions with regard to the practice of including quotations in Latin and Greek in the history papers in the Indian Civil Service examination. Is that usual in examinations conducted in England?—In some cases books are studied in connection with history which are in foreign languages. A piece would be given in French or Latin.

3356. Then you would say it is not exceptional in the Indian Civil Service examination?—No.

3357. It is advisable to study the history of any country, as far as possible, from a contemporary historian, is it not?—Yes.

3358. That would not be possible with history candidates so far as this country is concerned, would it?—That is so, and I think it is a great misfortune.

3359. Has any proposal ever been made to hold the B.A. examination in this country in the vernacular?—I have never heard of it.

3360. Would it be possible to hold an examination in the subjects dealt with in the B.A., or in the present Civil Service examination, in the vernacular?—I do not think so.

3361. (*Mr. Ramachandra Rao.*) You think the people ought to rise to appointments from the ranks of the Provincial Civil Service.—Yes.

3362. Have you any idea how long it takes for a person to get into the listed appointments? Do you think that unless they get in there at an early age they will be able to do their work with justice?—I am not quite sure.

3363. I suppose a Provincial Civil officer, when he gets into a Collector's grade, unless he is 51 or younger will scarcely be able to do justice to the work of a Collector?—Not if he is too old. I am not an authority upon the details of the service.

3364. Do you also think that the present training officers in the Provincial Civil Service already get when they start is the sort of work which would suit them for the posts in the Indian Civil Service?—I am afraid I cannot say.

3365. (*Mr. Subrahmanyam Pantulu.*) Do you know how candidates are recruited for the judicial branch of the Civil Service now, so far as Munsifs are concerned?—Yes.

3366. You say in paragraph 2 of your memorandum: "As regards the Provincial Civil Service I think that there is no reason why a competitive examination for it should not be held"?—I was thinking more of the administrative side than the judicial side.

(The witness withdrew.)

M.R.Ry. P. R. Sundara Aiyar, Judge of the High Court of Judicature, Madras.

Prefatory Memorandum.

Before answering the questions put by the Commission, I should like to explain in broad and succinct terms the reasons which have moulded the answers I give to the questions. These remarks practically furnish my answers to several of the Commission's questions of a general character and particularly to questions (136) and (137) in Division A. I am firmly convinced that, for as long a time as it is necessary to take account of, India must form a part of the British Empire, and that it is for the advantage both of India and of England that this should be the case. It follows that the Government of the country must be conducted in accordance with the principles of British administration. I take it that it will be conceded at the same time, that the administration must be carried on in such a manner as to conduce to the best advantage of the people, and that their interests should not be sacrificed to the interests of England or of His Britannic Majesty's subjects in any other part of his dominions. The question then arises, how far the Government of the country should be conducted by British officers? No one will now contend that a large portion of the task of administration can be carried on otherwise than through the instrumentality of Indians themselves. The British Government has for a long time been irrevocably pledged to a great deal more than just and progressive administration. It has solemnly undertaken to associate the people in the work of administration as largely as their own merits and the interests of the country will permit. Any other course is now impossible. It cannot be denied that the number of British officers compared to the actual population or to the quantity of administrative work that has to be carried out is already very small. The control of the British Government cannot be maintained except by means of the undoubted loyalty and support of the Indian officers. What is the proper policy to be pursued with respect to the question whether the small modicum of European element can be further reduced or not? The chief executive power is now maintained in the hands of Europeans and they are employed in all but a very small proportion of the more important offices in the State. Indians do not feel that the responsibility of upholding the British power and the prestige of the Government is to any considerable extent laid on them. They regard themselves as relegated to a dependent position, and as concerned only to make use of that position, to derive as much advantage out of it as possible. It is unnecessary to dwell on the serious disadvantages of entrusting a man with actual power without making him feel that full confidence is reposed in him to uphold the position and prestige of his employer. Serious unrest or disloyalty on the part of the body of Indian officers, if combined with want of confidence on the part of people generally, would make it practically impossible to maintain the continuance of the British Government. I am firmly convinced that neither the military power of the Government nor an increase in the number of European officers will make it possible to do so. From the commencement the British Government magnanimously resolved to rest its own permanence on the loyalty, good-will, enlightenment, and gratitude of the people of the country, and to give them the advantage of the best education possible. It is impossible now to adopt a different policy. It seems to me therefore that the best, if not the only, course for the maintenance of British control is to make the people of India true citizens of England, imbued and permeated with the spirit of Englishmen to such an extent as to make them feel that they are in the truest sense brethren of the British subjects of His Majesty. This is indeed the method which the wise statesmen of England have themselves resolved to adopt and adhere to. The latest declarations of the Government both in England and in this country establish this beyond a doubt. It is clear to my mind that nothing would be a greater protection against sedition and unrest than to make Indians true partners with the Europeans placed in the highest offices in the work of administration.

General policy.

The reason stated in paragraph 77, page 75 of the Report of the last Public Service Commission, for not employing Indians in district charges and in offices superior to district charges, apart from the fact that in my opinion they were not sound in 1887 when they were enunciated, have lost much of their force subsequently. The appointment of Indians as Collectors of districts has proved successful, and their success has largely disproved the correctness of those arguments. It has now been decided that Indians should not be excluded from the very highest offices with almost no exception on the ground of race disqualification, and it has been resolved that one Member of the Councils of each of the Governors of provinces may be an Indian. It follows, not only that they should not be excluded from the

Fitness of Indians for high offices.

offices of Secretaries to Government and Members of the Board of Revenue, but also that they *should be* advanced to those offices in order that Indians may not be handicapped in duly qualifying themselves to be appointed as Members of Councils. Experience has shown that there should be no difficulty arising from Europeans in the Covenanted Service being placed under Indians if European prejudice on this ground is not encouraged by Government, a fact which is in reality conclusively established by the willingness of Europeans to serve under Indian officers in Native States. Indians employed in the superior offices have not been unable to deal with an emergency connected with the peace of a district, and any apprehended defect on this score could result only from want of proper training. Both Hindus and Muhammadans are not wanting either in intelligence or in physical or moral courage and they would be equal to anything for which they are trained. I need hardly add that every kind of administrative work is being performed by them in the Native States constituting a third of the whole country. I deny that there are any inherited or natural shortcomings in the members of any community that disqualify them for high executive work. The European members of the Covenanted Civil Service are also gradually showing themselves capable of dealing with Indians as their equals and brethren, and I have no doubt that they will realise that to do so is a greater title to glory than to regard their Indian fellow-subjects with contempt as members of an inferior race. I have no doubt that they will also feel convinced that this is also the best way to strengthen and protect the interests of their own country. To afford a sufficiently wide choice for the selection of an Indian as a Member of the Executive Council, one of the three Secretaryships to Government and two of the Memberships of the Board of Revenue should, in my opinion, be thrown open to them. I am fully convinced that both at present and in the future a fair proportion of the superior offices should be filled by Europeans to ensure the continuous leavening of the administration with the British spirit and British methods. (I use the expression "superior offices" in the sense of all offices from the District Collector and District Judge upwards.) But the proposals I make are, in my opinion, fully consistent with this principle and indeed required in the interests of the Government itself. In 1893, soon after a resolution was passed by the House of Commons in favour of holding simultaneous examinations in England and in India for the recruitment of the Covenanted Service, the Madras Government expressed the opinion that they would regard with equanimity the recruitment of one-third of the whole of the Civil Service with Indians. I feel no hesitation in stating that the time has come when at least one-third of the Collectorships of districts may be filled by Indians. The previous Public Service Commission suggested that one-third of the District and Civil and Sessions Judges should be removed from the schedule of the appointments to be reserved for the Covenanted Service. I strongly hold that, considered from the point of view of the Judicial service alone, selection from the bar would be by far the best method of recruiting it, but I recognise that some proportion of the District Judgeships should be held by Europeans and I do not think it would be easy to secure European barristers of proper qualifications for the office. I would therefore appoint European members of the Covenanted Service to some of the Judgeships. I think that there should be no objection now to its being provided that one-third only of the District and Sessions Judgeships of this province need be Europeans. The remainder of the Judgeships I would give to the members of the bar and to Subordinate Judges. I do not think that any Judgeships should be reserved for Indian members of the Covenanted Service. I am also of opinion that one-half of the Joint Magistrate's and of Assistant Collector's places may also be filled by Indians. My statements are subject to the requirement that there should be a sufficient number of places in the offices filled by Europeans for recruiting the number of Europeans required in the district charges, District and Sessions Judgeships and in places superior to those offices. The number of European officers required would be considerably affected by the consideration of the question, what proportion of the superior offices in the various special departments should be filled by Europeans. With that question I do not at present deal.

Opportunity for Indians to rise to the highest offices.

I do not forget that all the offices mentioned above are in theory open even now to Indians as freely as they are to Europeans, but it will not be denied that this is hardly the case in actual practice. What is required is that steps should be taken to give Indians reasonably good opportunities of being able to fill them in the proportions I have mentioned. At the same time I disclaim any intention to reserve these proportions to Indians at the cost of absolutely thorough efficiency. I must make it quite clear that my desire is only to give Natives equally good chances with non-Natives and to have a *corps d'élite* of native and non-Native officers with equal rank, equal privileges and equal opportunities.

Principle deciding mode of recruitment.

I now proceed to the question of the recruitment of the Indian Civil Service so as to achieve this object. The first and main point to be borne in mind is that Indians should be able to rise to district charges sufficiently early to be able to be appointed as Members of the Board of Revenue and other higher offices and that their appointment to district charges should not be deferred to so late an age as to make it practically impossible for them to rise to the highest offices. The right and opportunity to rise to the highest places in the service of Government will effectually remove the taint of inferiority generally attached to Indian officers by their European colleagues. It is the only way to successfully foster the feeling of social equality between Europeans and Indians. In my opinion, no increase in the number of subordinate positions secured or even reserved to the people of the country will make them contented citizens or satisfy their legitimate aspirations. The essential point is that they should feel that they have reasonable opportunities of rising to the most responsible offices in the service of their sovereign. It follows that there should be a *corps d'élite* of Indian officers of which the number would be limited. The number of subordinate offices in it should not be much larger than is necessary to recruit the superior offices to which Indians may rise, though the fact should be taken into account that some members of the corps may turn out unfit to be raised to those offices. There are three possible methods of recruitment which have to be examined as fitted to achieve the object in view :—

Methods of recruitment.

(i) By an examination to be held in England alone, such modifications being made in the conditions and conduct of the examinations as may be necessary to remove the handicap which in my opinion undoubtedly exists at present in Indians being able to enter the competitive service.

(ii) By holding a simultaneous examination in India along with the examination in England so as to allow more Indians than is now possible to enter the Covenanted Service.

(iii) By an independent examination in India quite as difficult as that in England, but more suited to Indian candidates and at the same time entitling those who pass it to be regarded as in every way equal to those who pass the examination in England.

Single examination in England.

The first method will certainly not do, because it will not give a fair opportunity to many of the best youth of India to enter the service. A large proportion of the most brilliant young men are too poor to undertake the expenses of a stay in England for a period sufficiently long to qualify them for appearing for the examination. The number of people who can do so on the uncertain chance of being successful are indeed very few. (ii) I am unwilling to subject the youth of this country to the risks of staying in England during the most susceptible period of their life without adequate arrangements for safeguarding their training. I seriously doubt whether it would be possible to make any arrangements which could be satisfactory for the purpose. (iii) Only a small proportion of those who are sent up to England to compete for the Covenanted Service are able to come out successful and the rest become stranded men, and many are more or less practically ruined. It may be urged that a stay in England is likely to enlarge the mental and moral outlook of a youth and to inspire him with the English spirit in a manner that would be impossible without such a stay. To speak unreservedly, I am not satisfied that this statement is correct. I by no means deny or discount the advantages of travel generally and of foreign travel in particular. But real culture and the liberalisation of the head and heart depend after all upon the training which a youth receives, and only to a small extent on the surroundings amidst which he lives for a brief period. I maintain that the best of the educated men of India who have never gone to England or visited European countries are as liberal in spirit and as fair to all the communities of the country, and as prepared to appreciate and to undertake progressive measures of administration, as those who have had an English training. Those who go to England when young may be more prepared for reforms in social matters than those who do not do so. Indeed they are likely to be unable to realise fully the necessity for thoroughly grasping the complexities of the problems of social reform. Candidly I do not think that social reforms either need, or are likely to materially benefit by, young men being sent away to a foreign country during the time and under the circumstances in which they would require to be sent for passing the Indian Civil Service examination in England. The advantages of travel may be secured and even insisted on in those who fill the highest offices in the service of the State. But the time when and the manner in which such training should be given require fuller and more serious consideration than is often given to them.

Simultaneous examinations.

Simultaneous examinations in England and India will no doubt go a long way to satisfy the legitimate aspirations of the people of this country. I am certainly of opinion that this must be granted if the alternative I suggest be not accepted. But I doubt whether it would not be better to have an examination which is more suited to Indian circumstances while being an equally good test of the best, the soundest, and the most liberal culture available, that should undoubtedly be taken to be a necessary test of efficiency to serve in the highest offices of Government. I am inclined to think that an independent examination would in practice be more easy to conduct satisfactorily than simultaneous examinations in the two countries. No one is more convinced than myself that the desire and determination to be just to all are essential features of British character. But, to speak unreservedly again, I would abstain from putting an undue strain on the feeling of justice of examiners who have probably never seen India, and are unacquainted with the Indian character and the Indian mind. I would prefer that the majority of examiners to test the capacity of the Indian youth should be people who by residence in India would be better able and better disposed to appreciate the acquirements of Indians. Besides, my experience makes me think that the mere fact that candidates examined in India would be entirely unacquainted with the ways and modes of thought of examiners in England would itself place them at a serious disadvantage. It would take a very considerable time for Indians to be able to acquire a fair share in the Covenanted Service by means of a simultaneous examination in this country; a much longer time, I think, than is either necessary or justifiable. It may be urged that an independent examination held in India is likely to be regarded as inferior to the examination in England. I do not agree. There is no reason why it should be, if, in fact, it is not inferior. I do not think that there would be any bias in favour of those who enter by the examination in England if those who enter by the Indian examination are made equally entitled to promotion to the highest offices with those who pass the English examination. The Government of Madras in its answers to the Public Service Commission of 1886 was of opinion that there would be no badge of inferiority affixed to candidates at a separate examination. It has been objected that the formation of a separate corps in India by a competitive examination would be unjust to the Provincial Service and would not be popular. I do not think so. The members of the Provincial Civil Service would certainly recognise the obvious advantages of the scheme. I have reason to think that its most distinguished members are in favour of it. I also feel certain

Separate examination in India.

that the educated public generally would support it. If the method of simultaneous examinations be adopted there can be no question of a number or proportion of the places in each year being reserved for the candidates examined in each of the two countries. For it would obviously be unjust and improper to give preference to a person who has obtained less marks at the examination than another. It would be possible to make the reservation if the examinations in the two countries are independent of each other, though equally good tests. It would of course be necessary to provide that a candidate at either of the examinations securing less than a prescribed minimum should not be selected for the service, and if the number securing the minimum is less than the reserve for either of the examinations; the deficit may be given to the candidates at the other examination provided they secure the minimum.

Another question has to be considered, whether non-Natives of India should be allowed to appear at the Indian examinations, and *vice versa*, whether Indians should be allowed to appear at the English examination in case either of the two methods is adopted. I consider that it is desirable that non-Natives should not be allowed to appear at the Indian examination. Probably they will not desire to do so. But even if they do, I think it is preferable that Europeans wishing to enter the service should pass an examination more suited to the conditions of English young men. Moreover, one object of the proposed change is to enable the youth of India to attain to a fair share of the superior offices in the service, and it would not be unreasonable to exclude non-Natives from the Indian examination. With regard to Indians being allowed to pass the English examination, I think the considerations are rather different. Notwithstanding the disadvantages attached to sending Indians to England while they are very young, I think it would be proper and desirable to allow youths who, overcoming the disadvantages, pass the examination successfully, to enter the service by the English examination. It might also be an advantage to have amongst the Indian Covenanted Servants a mixture of those who have received their culture in India and those who have received the best education that England affords. In deciding what offices should be reserved for the Indian examination, the fact that a certain proportion of those who successfully compete at the English examination would be Indians, say about one-tenth, should be taken into account.

Salaries.

Another question of importance is whether there should be any difference in salaries between those who pass the examination in India and in England. Having regard to the fact that the *corps d'élite* recruited both in England and in India will not be appreciably larger than the present Covenanted Service, I think there is no necessity for a difference in the pay. I do not think, however, that the question is one of essential importance, provided equality of rank and of opportunities for preferment is secured to both classes. At any rate I do not think there should be any difference of pay amongst officers who fill the superior posts in the service, including those who fill the offices of Collectors of districts and District and Sessions Judges. My experience and, I believe, that of my countrymen generally, is that Indians who fill such superior offices have in reality as heavy expenses to incur as Europeans. The dignity of the office also justifies the rules with regard to pay being the same. There may be more reason for a difference in the case of those who have not risen to the superior offices. I do not, however, regard the question as one of very essential importance, as already stated.

Training in England.

Another point to be noticed is whether those who pass the simultaneous or separate examination in India should be required to make a stay in England before entering the service. I should say not. As I have observed already, I do not think that a stay in England at any time is essential for the most efficient and satisfactory discharge of any office in the Executive and Judicial departments of the State. But I would have no objection to it if it be considered desirable to insist on such a stay. I personally think it would be preferable not to insist on it before a person is appointed to the office of a Collector or a District and Sessions Judge. Experience in England would be more valuable at a later period of life and less attended with risks than it could be during youth. I must state that I take no account of social difficulties in the way of the members of some castes going to European countries. Such difficulties are fast vanishing, if, in fact, they have not altogether disappeared except possibly amongst a section of Tamil Brahmans. At any rate I do not think any consideration is due to such difficulties in the case of those who wish to be appointed to the superior offices.

Irreducible minimum of Europeans.

I have not in the above paragraphs considered the question whether there should be an irreducible minimum of Europeans in the service of the State. But it is clear from my observations that in my opinion there should be a fair proportion of Europeans in the superior offices in the interests of the people of this country themselves. What that proportion should be, I do not consider it either desirable or advisable to decide for all time. Much must depend largely on the future history of the people. It is possible that the educated section may become thoroughly Europeanised in spirit to such an extent that the Government will not consider it necessary to have more than a sprinkling of Europeans in the service. The existence of different communities in the country may become an immaterial element in the problem by the best of every community becoming thoroughly saturated with the English spirit and with affection for the British Government. If, on the other hand, it should unfortunately happen that internal differences between the different communities in the country should increase or that the feelings of loyalty and affection for the Government on the part of the communities should become weakened, there will be every justification for tightening the control to be exercised by means of European officers. For myself I do not apprehend that any such contingency could arise except through the mistaken policy of the Government itself or through its failure to understand the people. At any rate I would not try to solve this question for all future time. It is enough to consider what is right and proper to be done for a considerable time to come.

Representation of communities.

One other question remains to be considered, viz., whether any modification of the scheme of entrance to the higher offices through the single entrance of a competitive test is necessitated by the fact that there are in this country several communities whose interests, it is stated, mutually conflict. My answer is in the negative. In the first place I deny emphatically there is really any conflict of interest between the different communities. In the next place nothing is more calculated to retard the progress of the country as a whole, and in the long run of the different communities themselves, than to encourage or reorganise the desire for special treatment on the ground of race, caste, creed or class. I am entirely in favour of giving special facilities to any community for qualifying its members for high preferments in the public service, if its present backwardness requires such facilities being afforded, but efficiency and character should be the sole immediate passport to office. The rigidity of this principle might possibly be slightly relaxed in the case of inferior offices without danger to the country or other mischief to any serious extent, but I would unhesitatingly reject any principle of representation of communities in the case of high offices.

In some parts of India the Muhammadan community is more than able to hold its own against the Hindus. I think it would be quite possible to recruit the necessary number of Muhammadans for the *corps d'élite* from the country as a whole, but even if this be not the case, the fact would not induce me to make any room for differential treatment of the different communities.

The Provincial services.

If the scheme of a separate examination in India for Indian candidates should be adopted, my opinion is, I need hardly say, that it should be a single examination for the whole country, but the number to be recruited for each province every year would of course be fixed as it is now.

It is clear that according to this scheme the Provincial Service will continue to be separate from the Imperial Service as now. It will be necessary, of course, to protect the just claims of those who have been already admitted direct to the Provincial Service to all offices now open to them. If neither a simultaneous nor a separate examination for the Indian Civil Service be granted, the posts I have mentioned should be annexed to the Provincial Civil Service.

Recruitment for Provincial Service competition and nomination.

With regard to the Provincial Service my opinion is that it should be recruited by competition, but I would allow a small number of posts to be filled up by nomination in order to secure some representation of different communities. It must be a rigid rule, however, that promotion to any place in the superior grades of the Provincial Service should depend solely on merit and character. I deprecate the allocation of any definite proportion of the offices to nomination. The head of each province may be authorised to fill up a few posts by nomination whenever he considers that the representation of any community requires it, provided he obtains the previous sanction of the Government of India. The object of the proviso is to enable the Supreme Government to consider whether persons of another province passing a competitive test may not be available to represent the community in question.

The Judicial service.

Finally I think that the Judicial service should be entirely separated from the Executive department and placed under the High Courts. The Covenanted Service should from the beginning be divided into two branches, and the final examination for the candidates should be different according as they are drafted into the Judicial or Executive branch; the former should be required to be called to the Bar or obtain a University Degree, or to pass a proper examination in both Civil and Criminal Law, before final admission into the service. They may serve for about two years in the Executive department and should then join the Judicial department as Magistrates and Munsifs. Some posts of Munsifs and Sub-Judges may be reserved for the purpose.

Written answers relating to the Indian Civil Service.

3367 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think that on the whole the system of recruitment by competitive examination secures to the Civil Service men of fairly good intelligence and capacity and generally high character. I cannot say that many of the Civilians are persons of very bright parts, but they are generally persons of plodding and systematic habits. I cannot think of any system which would be more satisfactory, generally.

3368 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I believe that, under the present age limits, a fair proportion of those recruited for the service consists of University men. I should like it to be laid down, if possible, that all candidates should be persons who have taken a University Degree, or passed a recognised examination as good as a University Degree examination, or it should be laid down that no candidate who obtains less than a prescribed minimum at the Civil Service examination should be selected.

3369 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I am of opinion that the system of open competition is equally suitable for the Natives of India as the best practicable test of qualifications for high appointments in the State.

3370 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—Seeing that the Colonies do not admit Indians into the service of their States, and that some of them do not even treat Indian residents with common humanity, I see no reason why His Majesty's subjects in the Colonies should be allowed to enter the competitive service for India. I do not think that their exclusion would be unjust, even otherwise.

3371 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose? Do you recommend a system based on any of the

following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—I do not think that any of the alternative systems referred to in this question would be satisfactory in practice. Headmasters of schools and authorities in Universities are not likely, I believe, to be intimately acquainted with the capacity and character of many of their pupils. Selection by the Secretary of State, even if assisted by headmasters and University authorities, is likely to be very unsatisfactory and calculated to lead to nepotism, and even if satisfactory will not command the confidence of the public. I would not have a system of nomination to any extent for the Covenanted Service, whose members are expected to rise to the highest offices in the State. The power vested in the Government by the Statute of 1870 might be occasionally used, if necessary.

3372 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examinations in India and in England would certainly improve the position and prospects of Indians. A simultaneous examination must be granted if the alternative scheme, I suggest, be not accepted. A simultaneous examination would remove the obstacles that now exist to many of the brilliant youths of India appearing for the Indian Civil Service examination and give a larger number of Indians the opportunity to serve the country on equal terms with non-Natives. I see no reason, however, for considering it necessary to admit non-Natives to the examination in India.

3373 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am in favour of filling up a proportion of the offices in the Indian Civil Service cadre by Natives of India by recruitment by a separate examination in India. But I do not think there should be a separate examination in each province or group of provinces. I have dealt with this question at some length in the memorandum submitted herewith. My reasons for preferring a separate examination briefly are—(i) That such an examination would be better suited to Indian candidates: (ii) That it will give them a fairer opportunity of attaining success in the examination and will therefore be a juster test: (iii) It appears to me to be the best method of satisfying the reasonable aspirations of the people within a reasonable time.

The examination should be placed on a par with the examination in England and should be equally stiff, and the persons selected at the examination should be treated as equals of those entering by the English examination in point of status and prospects. I would recommend that one Membership of Council, one Secretaryship to Government, two Memberships of the Board of Revenue, one-third of the Collectorships, and half of the Joint Magistracies and Assistant Collectorships should, if possible, be filled up by the candidates at the Indian examination. But I would not necessarily give all the places reserved for Indians, each year, to the candidates examined in India, but would reject any candidate not getting a certain prescribed minimum and give over the places not filled up by Indian candidates to the examinees in England, provided they secure the minimum.

I would add that it should be understood that any Indian outside the Civil Service cadre may be appointed, if Government thinks fit, to the offices above those of Collector and District and Sessions Judge.

3374 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—The first part of the question requires no answer, having regard to my answers to questions (7) and (9). I am altogether against the enunciation of a principle that all classes and communities should be represented in the Covenanted Service. Educational facilities may be given to any particular community, where necessary, but merit and character should be the sole passport to high office. In the interests of the country and of the various communities themselves, I consider it a dangerous principle to lay down that there should be any representation of classes and communities in the highest service of the State. I have no objection to the suggestion that a candidate belonging to a particular Province should be appointed to that Province as far as possible, but I do not consider this necessary. I think that it would be possible, at least in the near future, to secure a sufficient number of Muhammadans for service in all the Provinces from those who pass the examination.

3375 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Yes, in the manner I have already mentioned; but I would take into account the fact that a certain proportion of the successful candidates at the English examination might be Natives of India. I think it will be sufficient to deduct on this ground one-tenth of the number to be reserved according to my suggestions in answer to question (9).

3376 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—If neither a simultaneous examination nor the separate examination referred to above be granted, in the interests of Indians I think the

proportions of places mentioned by me in answer to question (9) should be removed from the list of posts scheduled to the Indian Civil Service and annexed to the Provincial Service. In that case, a very small number of places in the Provincial Service may be filled up by nomination to satisfy the exigencies of representing different communities, and even then it would be necessary to maintain a rigid rule that promotion beyond a certain rank in the Provincial Service should be by merit alone. I think it would be desirable, instead of reserving any definite proportion in each Province, that the Head of each Province should every year report to the Government of India, how many places should be filled each year by nomination. The object of this suggestion is to enable the Government of India to consider whether members of the particular community belonging to another Province and passing the competitive test might not suitably be appointed to any Province for which the suggestion is made.

3377 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—In my opinion the best method of recruitment for the Judicial branch would be by means of selection from the Bar, if this were possible. But I recognise the fact that a proportion of District and Sessions Judges should be Europeans; I would say, not more than one-third of the total number. I consider it very unlikely that European Barristers of high attainments would be available for the office. The best practicable method of recruiting Europeans for Judgeships would be to select them from the Covenanted Service. It must be recognised, however, that according to the present system, Civilian District Judges have, on the whole, proved a failure, mainly owing to want of proper training for the responsible work they have to do. I think it is very essential that effective measures should be provided for giving proper legal and judicial training to those who are appointed as District Judges. No half measures would be of any use. My suggestion is that candidates who have obtained entrance in any year to the Covenanted Service should at once be divided into two classes, the Executive and Judicial branches. The final Examination for each of these branches should be different; those who are drafted into the Judicial branch should be required either to be called to the Bar, or to pass a fairly high examination in Law, or to take a Degree in Law in one of the Universities. They may, if considered necessary, be required to serve in the Executive branch for a period of two or three years, after which their service should be entirely in the Judicial branch. This interval will not be so long as to make them forget their Law, and may enable them to acquire a good knowledge of Indian life and Indian customs. I must say that, in my opinion, the necessary experience of the country may be equally well obtained by serving as Munsifs. A certain number of places in the cadre of Munsifs and Subordinate Judges will have to be reserved for the Covenanted Service for this purpose. The pay and emoluments of Covenanted officers in the subordinate ranks of the Judicial service may be regulated by special rules applicable to them alone. The rest of the District and Sessions Judgeships should be given to the Bar and to Subordinate Judges. It is impossible any longer not to concede the claim of the members of the legal profession whose attainments and character are of a particularly high order in this country to high judicial offices. The judicial service should be recognised to be what it really is, an expert service. I am also of opinion that all judicial officers, including Magistrates, should be placed under the High Courts. This involves, of course, a separation of the Executive and Judicial functions, a question which I cannot fully deal with here. I can only state that I am fully convinced of the desirability and practicability of the separation being made. The Civilians selecting the Judicial branch will serve both as Magistrates and as Subordinate Civil Judicial officers. The District Collector should be altogether relieved of judicial functions but should be invested with the powers conferred by the Criminal Procedure Code on Magistrates, relating to the prevention of crime and the preservation of peace. I do not think that this scheme involves any alteration in the conditions governing the Provincial Service except that the service will lose some of the Munsifships and Subordinate Judgeships open to it.

3378 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident "in India, and not established there for tempo-"rary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of the term "Native of India," in section 6 of the Government of India Act, 1870.

3379 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I think the present age limits are suitable. The age limits should be fixed so as to attract, if possible, those who have completed a University course of studies.

3380 (18). What is the most suitable age at which junior civilians should arrive in India?—I consider 23 to 25 the most suitable age at which Junior Civilians should arrive in India.

3381 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—These age limits are suitable to candidates who are Natives of India. It would enable them to take a Degree in India or to have sufficient time to take a Degree in England and for preparing themselves for the Covenanted Service examination. I recommend no differentiation between the age limits for Natives of

India and for other natural-born subjects of His Majesty.

3382 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of "such a nature that no candidate who may fail "shall, to whatever calling he may devote himself, "have any reason to regret the time and labour "which he had spent in preparing himself to be "examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854 with regard to the subjects for the open competitive examination.

3383 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—The only modifications I have to suggest are—(i) That the marks allotted to the Indian classical languages should be made equal to those for the European classical languages, (ii) That a knowledge of original authorities in Latin, Greek or of modern European languages should not be made necessary for examinations in English, Roman and Greek Histories and Roman Law Latin. and Greek do not now require or deserve as much attention as they once did. I would not differentiate between candidates of school-leaving age and of University-leaving age.

3384 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

3385 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule or the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—If the suggestion of a separate examination in India with a reservation of the following places for candidates passing that examination, subject to their securing a prescribed minimum, be adopted, I do not think that any change is required in the posts listed. I reserve the following for those who pass the examination in India; Member of Council, one; Secretary to Government, one; Members of the Board of Revenue, two; Secretary to the Board of Revenue, one; Collectors, one-third of the total number; Joint Magistrates and Assistant Collectors, one-half of the total number, if this be consistent with leaving a sufficient number for the recruitment of Europeans for a proportion of the superior posts in the Covenanted Service. If a simultaneous examination in India be granted, I do not think it would be possible to make the reservation of any proportion, either for the Indian section or for the English section of the Covenanted Service. If neither a simultaneous examination nor a separate examination be granted, then I would remove the offices mentioned above to the Provincial Service. My scheme is explained in more detail in my memorandum.

3386 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I certainly consider that a certain minimum of European subjects of His Majesty should be employed in the higher posts of the Civil Administration. But I would not fix the minimum permanently, as it must depend on the varying circumstances of the country from time to time. Now, and for a considerable time to come, I think it would be sufficient to devise a system which would secure to Natives of India a fair opportunity of rising to the higher offices in the proportions I have mentioned above. They may, in my opinion, be permitted, at the same time, to appear for the examination held in England. My reasons which are explained in my memorandum are—"(i) That a Native who overcomes the difficulties in going to England and passing the examination successfully ought not to be denied access to the Service on the ground that he is entitled to pass an examination held in India. "(ii) I consider it desirable, if possible, to have a mixture amongst the Indian members of the Covenanted Service of those who have received the best English training and those who have received an equally good and severe Indian training."

3387 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I do not accept the present mixed system of recruitment of Indians to the Imperial Service, partly by the competitive examination in England, and partly under the rules framed under section 6 of the Government of India Act, 1870, or under the provisions of the Indian Civil Service Act, 1861. My scheme is explained in my memorandum. I prefer a separate examination in India and the reservation to the candidates of that examination of the offices that I have already mentioned.

In case a simultaneous examination, and not a separate examination, is granted, the posts in the Imperial Service now listed for appointment under the Act of 1870 must continue to be so listed. In case a separate examination is granted with the reservation of certain posts for the Indian examination as suggested by me, this would not be necessary.

3388 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I believe that the Natives of India, recruited by competition in England, have proved on the average as efficient as the European members of the Indian Civil Service of the same standing. Till now, I believe that they have been promoted to the superior offices in the same manner as their European brethren, though none of them has yet been appointed as a Collector and no District Judge amongst them has been appointed a Judge of the High Court.

3389 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not think that the old system of appointing Statutory Civilians under the Statute of 1870 should be revived. I have explained in my memorandum the method of recruitment. I do not consider it necessary to state my reasons for not reviving the statutory system which was condemned by the previous Public Service Commission, as I agree with the reasons given in its report.

3390 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—Only two persons, I believe, have been appointed to fill the listed posts outside the Provincial Civil Service, both of them as District Judges. It appears to be considered that others would not be qualified to discharge the duties of the offices in the Executive department properly, for want of the necessary preliminary training, and it seems also to be considered unfair to the members of the Provincial Service to exercise the power. There is, or was, also an impression that the one-fourth of the listed posts to which outsiders may be appointed must be interpreted to mean one-fourth number of the listed posts of each class, and not one-fourth of the total number of the listed posts. I think that outsiders, chiefly members of the Bar, would often be well qualified to be appointed to executive offices provided they have passed the necessary departmental examinations. I can see absolutely no reason for not appointing members of the Bar to judicial offices up to the full extent of one-fourth of the listed posts. I would certainly suggest that it would be very desirable to make some appointments to the office of District Judge straight from the Bar.

3391 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The system does not give satisfaction either to the members of the Provincial Service or to the public interested in the question. The members of the Provincial Service are not able to reach the superior listed appointments before they are considerably advanced in age, and they very seldom have an opportunity to attain distinction in those posts by Service for any time or to entertain hopes of further preferment. They, moreover, feel that they are regarded as inferior to the members of the Civil Service holding the same office, and they are generally not promoted to higher offices; and they are regarded as having obtained their admission to Service through an inferior entrance. Moreover, promotion to the superior listed posts is in practice, though not in theory, governed by the rule of seniority, and it is not seldom the case that oldish persons, whose career in the Public Service is about to end and who are no longer inspired by any ambition, are appointed to the posts. I am not aware that this system possesses any appreciable advantages, though, no doubt, it is possible to work it better than is now the case.

3392 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—If a better scheme to enable Indians to hold a fair proportion of the superior offices is not devised, I would suggest the annexure to the lists of the posts I have already mentioned

3393 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—Yes, I believe they have proved, on the average, as efficient as members of the Indian Civil Service filling posts of similar responsibility. They have been employed both in the executive and judicial branches of the administration.

3394 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I have no remarks to offer, except the suggestion I have already made with regard to those who are to serve in the judicial branch.

3395 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The present rules are all right, I think.

3396 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—It would be desirable to do so, if they have not already taken a University Degree. In the case of Indian candidates they would be less exposed to the risks of a stay in a foreign country without adequate supervision.

3397 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I do not think a separate institution in England is necessary or desirable.

3398 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply

equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I answer all the questions included in this in the affirmative.

3399 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—Except the suggestion which I have already made with regard to those who are to serve in the Judicial branch, I have no remarks to offer.

3400 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, Political Economy, (*c*) Accounts?—A scheme of instruction in Law should be provided for those who are to serve in the Judicial branch unless they are required to obtain a University Degree in Law or to be called to the Bar. Indian languages are best studied in India. Indian Geography, Political Economy and Accounts may be taught.

3401 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England, if the examination be held only in England.

3402 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not think it is necessary.

3403 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I think the present system is sufficient.

3404 (56). In the report on the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I do not think any of the reasons given is sound. There would be no difficulty in getting suitable teachers in district headquarters. For what a civilian requires, I do not think there is any question of the teacher appreciating the European student's point of view. The civilian should certainly be able to undertake arduous study in a tropical climate.

3405 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers? (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—(57 and 58). A system similar to what is now adopted in England for candidates who pass the examination there, may be adopted. I do not think that the period of probation need be required to be passed in England, but I have no objection to it if it is considered necessary or desirable. I have explained my reasons in my memorandum.

3406 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is necessary.

3407 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I think the present arrangements are satisfactory, but care should be taken to insist on proper knowledge of the vernaculars and on the candidates undergoing the prescribed training properly.

3408 (61). Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?—I think the system is suitable.

3409 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—Some few members do attain to adequate proficiency in the Indian languages, but most, I believe, do not.

3410 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I have answered this question already: see answer to question (13). I may say that I do not think that any *study leave* for acquiring proficiency in Law would be sufficient or materially useful. If a recruit who is to serve in the Judicial branch is not required either to be called to the Bar or to take a Degree in Law, I would approve of study leave being granted, in order to enable an officer to be called to the Bar which must be insisted on before he is appointed a District Judge.

3411 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—If the officer has been called to the Bar in England or has taken a University Degree in Law it is not necessary to prescribe a special course of study. Otherwise he must be required to pass an examination in Hindu and Muhammadan Law, Contracts, Criminal Law and Torts, Revenue Law, and the Principles of Construction of Statutes. It would be sufficient if the examination tests the candidate's knowledge of the general principles in each of the subjects.

3412 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Such officers should serve as District Munsifs for a period of at least three years, preferably five years. They should not be appointed as Subordinate Judges without having served as Munsifs.

3413 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

3414 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.—No.

3415 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—The same system as for European officers.

3416 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

3417 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that more care should be taken in excluding persons from offices above the rank of Sub-Collector and Joint Magistrate if they are not thoroughly fit for them. Persons who are incompetent or otherwise unfit, should be retired compulsorily with rigidity, at any stage of their service, on appropriate compassionate allowances if necessary.

3418 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—There is no differentiation of the functions of the officers of the Executive and Judicial branches of the Indian Civil Service at present. I would make a complete separation. Those who discharge judicial functions, civil or criminal should be placed under the control of the High Court.

3419 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I approve of the present system with the exception that in the case of the officers of the Provincial service who fill the post of Collector and District and Sessions Judge and other superior posts the salary should be the same as those of the members in the Indian Civil Service filling similar posts. Indians filling high offices have in reality, as far as I am aware, as heavy expenses as Europeans, and the maintenance of the dignity of the office also requires that all should have the same pay. I would not, however, press the exception.

3420 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the system suggested but I am not able to make any definite detailed remarks.

Written answers relating to the Provincial Civil Service.

3421 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—In the rules framed for the recruitment for the Provincial Civil Service, the predominant principle should, in my opinion, be thorough efficiency and character; and the principle of representation of communities should have only a subordinate place. I would go further and say that no community should be made to believe that it has a right to any proportion of the posts in the service without being as efficient as other communities. It may be that in practice it may not be wrong to appoint a man possessing a modicum of efficiency on the ground of his belonging to a particular community; but this should not be done except in the case of inferior posts. I would suggest that there should be no enunciation of a principle of the representation of communities, though in practice it may be borne in mind in making appointments consistently with efficiency. This will enable the Government, as education advances among the communities, to make efficiency and character the sole test of fitness for appointments. It will also avoid misunderstanding on the part of more advanced communities.

The large majority of posts in the executive service should be filled up by competition. Some few places may be reserved for the promotion of officers who render particularly good service in the subordinate service and the remainder may be filled up by nomination.

The appointment of non-Natives to the service should not be made except for special reasons. Claim to promotion on the ground of seniority may be recognised up to posts carrying Rs. 500 a month. I have no other modifications to suggest in the Government of India Resolution of 1910.

3422 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*)

open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—As far as I am aware, the officers recruited by competition have been the most efficient. Some of those selected by nomination have been fairly successful, but not all. Those recruited by promotion from the subordinate service have generally been successful. I have already stated that I recommend competition as the main principle to be adopted for recruitment. I would have a separate examination for each province. Certificates of character should, of course, be insisted on and any undesirable candidate may be rejected. Subject to this the competition should be an open one. I do not approve of combined nomination and examination. It will not command the confidence of the public and is not likely to operate fairly towards all in practice. Too much importance is sure to be attached to family considerations. In this country there is even now not much difference between the training in life of the rich and the poor; and only a few years ago, the position of a person in the matter of wealth meant no difference at all, at any rate amongst the higher classes. Differences in training would depend mainly on the caste to which the person belonged. This is still very much the case. In more recent days, however, the children of official families have generally been brought up more carefully than those of others. I have on the whole, however, no hesitation in saying that competition would generally be the best method of recruitment.

3423 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—I think that ordinarily only residents of the Province should be recruited.

3424 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I think that all the classes are on the whole fairly represented in the Provincial Service. Native Christians, if they be regarded as belonging to a distinct community, have a slightly smaller proportion. The representation of different communities should have only a subordinate place in deciding the principle on which the appointments should be made.

3425 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—I consider the system of training and probation now adopted to be satisfactory.

3426 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—The departmental examinations are also, I think, satisfactory.

3427 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—If the system I have recommended in my answers to the questions relating to the Imperial service be accepted, I would enlarge the Provincial service at the bottom by including the posts of Tahsildars and Deputy Tahsildars in the executive branch and all second and third class Magistrates in the judicial branch.

If a simultaneous examination for the Imperial service be held in India, I consider it desirable to reserve for the Provincial service the posts in the Imperial service now listed for them, but the Provincial Civil Service need not be enlarged.

If neither a simultaneous examination nor a separate examination be granted, all the posts I have recommended in my answers to the questions relating to Imperial service to be reserved as far as possible for the Indian examination for the Indian Civil Service, should be annexed to the Provincial service. In that case I would not increase the cadre of the Provincial service at the bottom.

3428 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—In the Executive Service the theory is that appointments of Rs. 500 and upwards are filled up by selection without regard to seniority. As far as I am aware, many persons are not excluded, unless they are found to be distinctly incompetent or have been guilty of misconduct. In my opinion, it is not easy to make promotions by merit alone, particularly as the authorities in whom the right to make promotions is vested are often not well-informed about the qualifications, capacity and character of the officers.

In the Judicial service, promotion among Munsifs up to and including the second grade is ordinarily by seniority. Promotion to the first grade and to Subordinate Judgeships is in theory based on merit. But, although officers are sometimes advanced on the ground of merit, seniority generally prevails except in case of misconduct or gross inefficiency. It is not easy to apply the rule of merit; but I believe it can be enforced more strictly than is now the case.

3429 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I understand that in the Executive service it takes an unduly long time for even very good officers to rise to the superior grades, and many are not able to reach the highest posts. In my opinion, the posts should be so regraded as to enable an officer of fair capacity to rise to a salary of Rs. 500 at the end of fourteen years of service. The number of posts in the highest grades should be increased so as to enable a larger number of good officers to reach them than appears possible at present.

With regard to the Judicial service the number of posts in the higher grades should be increased. The pay of the lowest grade of Munsifs should, in my opinion, be raised to Rs. 250. I would also constitute a grade on Rs. 500, so as to make it more easy to apply the rule of merit in the matter of promotion to Subordinate Judgeships. I would also have the salaries of Subordinate Judgeships altered and have three grades of Rs. 600, Rs. 800 and Rs. 1,000, and make the number of posts in each grade equal. In Bengal, I believe, there is a grade of Subordinate Judges at present on a salary of Rs. 1,000. I would very strictly apply the rule of merit in promoting Subordinate

Judges to the office of District and Sessions Judge. I think that inefficient officers are seldom retired now before they complete their service. They should be retired on payment of compassionate allowances.

3430 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The functions of the executive and judicial branches are not at present differentiated in the case of the Provincial Civil Service officers. I would completely separate the executive and judicial branches of the service and place all Judicial officers under the High Courts. I would also separate the two branches amongst officers inferior to Deputy Collectors, that is, amongst Tahsildars and Deputy Tahsildars and second and third class Magistrates.

3431 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?—I have already answered this question. If there be no simultaneous examination nor a separate examination, as suggested by me, the number of posts listed for the Provincial Service should be considerably increased as already observed by me. The system followed in making appointments to these listed posts is probably correct in theory, but less attention should be paid than is now done to the rule of representation of communities and to seniority, and more to efficiency and character.

3432 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I am not satisfied with the system. Persons in the Provincial Service holding the listed appointments are treated as inferior to persons holding similar listed offices in the Imperial Service, in status and rank. Their travelling and tentage allowances and batta, and their official privileges, are inferior to those of persons holding similar posts in the Imperial Service. A badge of inferiority seems also to be affixed to them on the ground that they belong to a service characterised as inferior and known by a different designation. I would abolish all distinctions in the matter of rank, allowances and official privileges. I do not consider it necessary to avoid the use of the name now given to the service. My remarks are equally applicable to other Deputy Collectors also, who are not holding Imperial listed posts.

3433 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The designation may not be satisfactory, but I cannot think of a better.

3434 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle is generally suitable, but when members of the Provincial Civil Service hold the office of Collector or District and Sessions Judge or any higher office, I think, they should have the same salary as the members of the Indian Civil Service holding similar offices. My reasons are:—(i) That in the case of Indian incumbents of the higher offices their expenses are in reality now as heavy as those of Europeans. (ii) The dignity of the offices also requires that there should be equality of treatment amongst all holding them.

3435 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I have no remarks to offer except what I have already stated in my answer to question (17).

3436 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service?—If not, what alteration do you recommend? I can see no good reasons for not giving acting promotions. It is given in the case of Munsifs alone.

3437 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I do not recommend a time-scale of salary.

3438 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I approve of the arrangement except with regard to those holding the offices I have already referred to.

3439 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—I would refer to two reasons for officers of the Provincial Service not taking all the leave available to them:—(i) Many of them are not able to live comfortably on their leave allowances having regard to their scales of pay. (ii) Many of them do not know how to take rest and do not employ travel as a means of doing so.

I think, however, they are taking more leave now than before.

3440 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I think the furlough now allowed should not be curtailed. If the officers do not avail themselves of the furlough available, that is no reason for curtailing the period allowed; possibly this is a reason for not doing so. I do not think the total period of furlough allowed need be increased, but it is desired by the service, and I consider the desire reasonable, that with regard to the time at which the furlough may first be taken and the intervals at which it may afterwards be taken, the rules should be the same as with regard to officers in the Imperial Service and European officers in every service. With respect to the judicial service, they are not now entitled to privilege leave on full pay. They desire that they may be

allowed to take, if they prefer it, one month's leave every two years on full pay, instead of one month every year on half pay. I think that this may be allowed.

3441 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The system is suitable, but I understand that there is a general desire in the service, which I consider reasonable, that half pay should be allowed for the whole of the period of three years of sick leave available to the officers.

3442 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—With regard to the executive service, I think officers may be enabled to retire after twenty-five years of service without the production of a medical certificate. In the judicial service, where the strain of work is particularly heavy, they should be allowed to do so after twenty years of service. It is to be remembered that officers are appointed to the judicial branch at a considerably later age than those in the executive service, the time of appointment being sometimes so late as the age of thirty-five or near it.

3443 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the principle, but I am not prepared to make any detailed suggestions.

3444 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I would make the maximum ordinary pension Rs. 6,000 instead of Rs. 5,000.

3445 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I have already partly answered this question. I would compulsorily retire any officer of the service in case of inefficiency or physical or mental disability, appropriate compassionate allowance being granted to him. I would postpone the age of compulsory retirement to the age of 56 or 57 and say that there should be no extension at all. The present practice of extension, dependent on the favour of superior officers, is demoralising in its effects.

3446 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—I am not able to say how far members of the Provincial Service now subscribe to the Government General Provident Fund or to any other fund. I am of opinion that every officer should be compelled to subscribe to the Provident Fund and the Family Insurance Fund. This is required both in the interests of the State and in the interests of the officers themselves.

3447 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—(i) I would add to the Provincial Civil Service the officers of the City Civil Court Judge and the Judges of the Presidency Small Cause Court. Their present position is anomalous. (ii) I have not made any suggestion about the mode of recruitment for the judicial branch. If the whole judicial branch is placed under the High Court, the recruitment may be made from the bar by a standing committee of the Judges. It may be possible also to consolidate the civil and criminal branches of the judicial service. I have not arrived at a definite conclusion of the subject. Consolidation will facilitate the training of the judicial section of the Indian Civil Service also.

Mr. P. R. SUNDARA AIYAR, called and examined.

3448. (*Chairman.*) I think you are a Puisne Judge of the Madras High Court?—Yes.

3449. Will you tell the Commission how you got into the Service?—I was a practising Vakil for a period of 24 years.

3450. What posts have you held other than the one which you hold now?—I was a tutor in the Christian College in Philosophy for a period of three years.

3451. Of what caste are you?—I am a Brahman.

3452. I presume that your scheme is embodied in the memorandum which you have put in?—Yes.

3453. And the subsequent answers you give are more or less an elaboration of your memorandum?—Yes.

3454. Are you in favour of introducing a Civil Service examination into India for Indians?—Yes, I consider that the best.

3455. I gather from your remarks that you do not favour a simultaneous examination in both countries?—I consider that the second best.

3456. You see objections to it?—It will not be enough to do justice to Indian aspirations and Indian claims.

3457. Do you say that from the point of view of getting results earlier?—For a long time, and when the ultimate results are reached, there will be counterpoises brought in which make it impossible to have any further results.

3458. Will you explain what you mean by counterpoises?—To explain myself, what I mean is that it will take a very long time for Indians to get a reasonable share of offices by means of a simultaneous examination; and when in course of time they have got a certain proportion it will probably be considered necessary to limit the number of Indians so that the result will only be that the time in which they can get the proportion will be very indefinitely increased, without their being ultimately able to get a larger proportion.

3459. So that you would suggest, as the first and best means, an independent separate examination with a fixed proportion laid down?—Yes.

3460. The fixed proportion being one-third?—Yes, the object is to enable them to get that if possible.

3461. But in some cases you would go so far as one-half?—I deal only with Collectorships. Sub-Collectorships might go to one-half.

3462. It would be one-half in some instances, and one-third in others?—Yes.

3463. Do you suggest that the subjects for this separate examination which you propose should be different from the subjects now in force in England?—Not very much, but there might be some differences.

3464. Differences so far as the characteristics of the Indian is concerned?—I would make the examination more Indian, while at the same time being equally stiff.

3465. Have you thought out any idea as to who the Board of Governors should be if that examination were held?—Yes. My idea is that the majority of them would be gentlemen in India probably connected with the colleges. There might be some examiners from England; but I consider the majority should be gentlemen who are in India.

3466. Representing the Senates of the Universities?—Not necessarily only the Senates. I consider the examiners should be generally gentlemen who are connected with the universities.

3467. You would recruit the Judicial Branch partly by means of open competition in England, and partly by nomination from the Indian Bar?—And the Indian Judicial Service. But with regard to recruitment from England I would give it only to English members of the Civil Service.

3468. You would leave that entirely to European members?—Yes. It is in order to have a fair number of European Judges that I would have a proportion of European members. I would not give them to Indian members.

3469. Do you suggest that directly the examination has been passed the candidate should decide which branch he should take up?—Yes, that is my opinion.

3470. With regard to your scheme for a separate examination in India, for a certain proportion of posts in the executive branch, you say that English candidates should be debarred from competing in India, but that Indian candidates should be allowed to compete in England?—That is what I have said.

3471. On what grounds do you make that suggestion?—With regard to not allowing European candidates to compete in India my reason is this: Englishmen are best had by means of an English examination which is suited to English lads. With regard to Indian candidates, while I have serious objections to Indian young men being sent to England at an early age, I think if they do go you should not reject them. Secondly, it would be a good thing to have a mixture of those who have received the best Indian and the best English education. I do not think there is any injustice to Europeans, because we are only asking them to get the best education that is available to them in their own country.

3472. You lay great stress in your memorandum on the maintenance of the British characteristics in the administration?—Yes.

3473. But you think that the maintenance of those characteristics can be better secured by Indians remaining in India than by their going to England?—I do not think it is necessary for people to be sent to England at an early age, though it might be a great advantage to send them at a later age.

3474. You think that they can learn those particular characteristics upon which you lay such stress even though they remain during their earlier years in India?—I think it is quite possible. I do not think it is much use to send them to England when they are not likely to learn much.

3475. You say in another portion of your memorandum that when they become eligible for appointments to the higher offices of Collectorships, and so on, they should then go home and get their training?—We may insist upon their going then.

3476. How many years' service would they have then?—Ten years.

3477. What would their age be by then?—Perhaps 32 or 34.

3478. You think that an Indian going home at the age of 35 would be more likely to learn British characteristics than he would be if he went at the age of 15 or 18?—Yes, decidedly more.

3479. Why do you say that?—Because I do not believe that when we send a man at the age of 19, when his character has been formed, he will imbibe British characteristics in the sense of becoming an Englishman. What is really required is that he should be enabled to observe institutions in England and to learn British ways of doing things. Observation is far more easily made when a man is older. If you send a student home at the age of 19 he will be merely engaged in "mugging up"; if you send him home at the age of 10 the period of unconscious plasticity may make him an Englishman.

3480. You do not think that he would not develop those qualities of observation until he is 35?—He would be able to profit by study and examine things in the country if he goes after the age of 30 or 34. But neither at the age of 19 nor at the age of 32 would he become an Englishman.

3481. You think that at the age of 35 he is more likely to assimilate what he sees?—Yes.

3482. With regard to District and Sessions Judges, you suggest that in future the posts should be held to the extent of two-thirds by Englishmen?—I would reserve one-third for the European Civil Servants. They may get more. The rest I would give to the best of the Bar and the Judicial Service. If there are not a sufficient number at the Bar and in the Judicial Service there is no objection to giving the posts to civilians.

3483. You are very anxious that the British characteristics of administration should be maintained here, and therefore you are anxious that the high standard and quality of the men who come out to occupy those posts should also be maintained?—Yes.

3484. If you reduce the number of posts to the extent you suggest, do you think there will be a danger of detrimentally affecting the popularity of that profession amongst Englishmen?—I do not think so. I would be quite willing to pay them higher salaries if necessary.

3485. You would be prepared to raise the salary above what it is at present for those particular offices?—Yes, if necessary; but I am not competent to say whether the present salaries would attract the best men or not.

3486. Are you desirous of seeing the communities represented in your scheme?—I have not made that a chief point in my scheme. I would very much like that there should be men of different communities in all grades of the service, but belonging to a community should not be the test.

3487. Do you not see any danger, in view of the present educational condition of the country, of an undue proportion of any particular caste being admitted?—It is possible that for some time to come the people of some particular communities may pass in larger numbers than people of other communities; but for my own part I do not think that there will be any harm in that. It will act as a spur to the people of other communities to work so that they may be able to obtain an equally good number of posts. On the other hand, I see great danger in recognising communities as bases for appointments.

3488. To a certain extent is not that principle recognised in recruitment to the Provincial Service?—Yes, because the posts are inferior; but I qualify that by saying that promotion must afterwards be made to depend upon merit, though you must recognise it in the first enlistment.

3489. Why do you emphasise the importance of appointment by nomination to the Provincial Service, whereas you do not consider it necessary in the Indian Civil Service?—I think that appointment by nomination is a far more serious matter in the case of superior appointments than it would be in the case of inferior appointments, because it would affect the efficiency of the service. Secondly, it is likely to create a very unhealthy feeling in members of some communities, that they have a claim to appointment, because they belong to a certain community and that their appointment should not depend upon merit and character. Thirdly, people of communities whose members are put out on the ground that other communities should be represented will feel very much discontented. Fourthly, it will lead to an unhealthy spirit between the communities; it will perpetuate divisions between communities, and probably tend to foster ill-feeling between them. Lastly, it will be a source of great danger to Government, by efficiency being lowered, and communities being dissatisfied, because I believe there would be a good many communities to be satisfied. I consider it my duty to warn Government of the principleof filling up the higher posts by nomination. With regard to the inferior posts the modicum of efficiency may be sufficient. All promotions should strictly depend upon merit only.

3490. Your proposal would mean the abandonment of the system of listed-posts, would it not?—No, I have explained that. If we are to have a separate examination I do not want listed-posts.

3491. I am assuming that your separate examination is brought into practice. In that case it would mean the abandonment of the listed-post system, would it not?—Yes.

3492. And would that meet with the general approval of the Provincial Service?—There will not be listed-posts; but I think that the Statute of 1870 might be used occasionally in cases of exceptional merit.

3493. But you would use it with great reservation?—Yes; because I expect the best to get in through the separate examination.

3494. For all practical purposes listed-posts would go?—Yes, they would go. The Provincial Service itself will offer a sufficiently high reward for all but those who are of exceptional merit.

3495. So that your proposal means that the two services are quite separated. A man who goes into the Provincial Service for better or for worse remains there for the rest of his life?—Only second-rate or third-rate men will go in for it; I safeguard the interests of those who are now there. My proposals are all subject to the reasonable expectations of those now in the service not being defeated.

3496. Would that not be condemning one branch of the administrative service of the country to inferior people?—I do not think they would be inferior.

3497. Can you conceive under your proposal that a really able and brilliant man would go into the Provincial Service if he thought he had any hope of getting into the Indian Civil Service?—He would certainly try for the Indian Civil Service.

3498. It would be only after he had failed for the Indian that he would go in for the Provincial?—Yes, and he would rise to Rs. 1,000.

3499. Do you think it is better to have these two quite separate services, one of superior men, and one of inferior men, than to have the two services interlocked, so that men can eventually go up to the higher services?—Having one service will make it practically impossible for Indians to rise to high posts. The service would be too long a one.

3500. You cannot see any modification of the present practice which would enable Indians to get through that service, if they show brilliant parts, with greater rapidity than at present?—Theories may be elaborated, but nothing will work in practice, I am afraid.

3501. (*Lord Ronaldshay.*) I am not quite sure whether I entirely understand your scheme in a certain particular. I understand that you desire to have a separate examination in India, and that you desire to fill certain fixed posts by recruits from that examination?—Yes, if they all get a certain number of marks that I would prescribe. The examination, besides being competitive, will require a certain proportion of the marks to be obtained by anybody who is to be appointed.

3502. But subject to that you desire to fill the posts which you name in your memorandum by recruits obtained from India?—Yes.

3503. What I want to know is this: Is it your intention to have a superior service containing certain scheduled posts, and to have these posts drawn up in two separate lists, one list to be filled by members of the service who passed in England, and the other list to be filled by members of the service who pass in India?—Yes, the scheduled posts would be divided into two. They are posts of the same kind. Once they are appointed they are all members of the same service.

3504. But you do not mention among your list of posts given here certain posts like that, for instance, of Accountant-General?—I wanted to add — I thought I should have an opportunity of adding – that some of the appointments under the Government of India should be added; I omitted to mention that.

3505. Then you are not going to have two separate lists of posts?—With regard to these appointments under the Government of India, I do not want to give them, necessarily, to those who pass the Indian examination. I should say they should be given to Indians where they are fit, but I do not want to reserve them in the same way as I have reserved the posts mentioned by me.

3506. They would not be reserved for the European side of the service?—No.

3507. Supposing that under your scheme it so happened that there were two European members of the Board of Revenue and two Indian members, and supposing one of the posts filled by a European became vacant, and an Indian was the next senior man for promotion, would you promote him to the vacant place, or would you pass him over in order to promote the European?—I would pass him over if there was a thoroughly efficient European available.

3508. There are one or two minor points in answer to question (53). You say that the probationer's course of instruction should be best spent in England if the examination be held only in England. What would your answer to that question be if you have two examinations, one in England and one in India under your scheme?—My opinion is that it is not necessary to insist on those who pass in India being trained in England. I find that the feeling of the majority of my countrymen is the other way. I would make this a subordinate matter. If it is thought that the young men ought to be sent to England, I would give in, though my own opinion is that it is far more preferable that they should be sent at a later time.

3509. Have you in India at the present time adequate facilities for giving successful candidates the necessary instruction during their probationary period?—I think that is easily arranged from the subjects that I see.

3510. You would anticipate no difficulty?—From the subjects that I see for the final examination, I think there would be no difficulty in arranging for facilities.

3511 Would you arrange for them at certain of the universities?—I think that would be rather difficult. I would arrange for it at one central institution.

3512. Where all the successful candidates in India should pass their period of probation?—Yes.

3513. In answer to question (104), you told us that Indians filling high offices have, in reality, as heavy expenses as Europeans. A European out here has far greater expenses in connection, for instance, with the upbringing of his children?—Yes.

3514. And therefore, so far as the maintenance of his family and the upbringing of his children is concerned, the European is put to a greater expenditure than the Indian?—Yes.

3515. I understand that you qualify what you said in your evidence upon that point?—No, what you mentioned is true, but, on the other hand, the expenses are increasing here; the prices of commodities have risen, and the Indian has other expenses which the European has not. The benefactions which he makes to his relations are on a much larger scale than what the European makes. I base that opinion on the fact that Indians are not able to save more than Europeans. We have to face facts.

3516. (*Sir Theodore Morison.*) May I ask you a general question? Of the half dozen, or so, first-class men whom you have known, of course I mean Indians, what proportion have gone to England for their education, that is to say, taking the first half-dozen men whom you consider in the first rank?—I do not know any.

3517. I am speaking, of course, of the Madras Presidency?—I have no experience of other Provinces.

3518. Do you think that among those who have gone to England the percentage of failure and disappointment has been quite large?—Yes.

3519. Why do you think that it is important to keep the door in London open for Indians, seeing that in your scheme it would not affect the number? The number of Indians who get in would be the same?—I allow for the proportion that would pass in England.

3520. If one gets in in London, you would reduce the number of Indians?—Yes.

3521. Therefore, as far as the proportion of Indians in the Public Service is concerned, the fact of the door being open to them in London is unimportant?—With regard to the proportion it is not important.

3522. Then what is the advantage of keeping the door in London open?—It is an advantage to have a mixture of those who have received the best English and Indian training.

3523. I gather that your evidence is rather that the Indian training is very much better for the Indians than an English training?—I would rather not say that it would be better, though it might be better. It would be somewhat different, but quite as good.

3524. Supposing this scheme of yours were adopted, would you then be willing that the examination in England should be framed solely to suit the requirements of boys educated in English schools and universities?—I would not be anxious that any special consideration should be paid to the needs of Indian students, because that would mean that they would go there when there was an examination here to which they could resort.

3525. It would be possible to eliminate from the examination things which are carried on at the present moment only out of consideration for the Indian candidates?—Yes.

3526. Supposing the system is not changed, would you be in favour of including an Indian vernacular on the same terms as German, French and Italian?—I doubt it. I do not know whether I am competent to pronounce an opinion, but my inclination is against including Indian vernaculars for the first examination on the ground that at the present moment there is not very much of modern literature.

3527. This arises out of answers which one of the witnesses has given me: are you of opinion that it would be possible to give a good modern education in any of the vernaculars of this Presidency?—No.

3528. Do I understand you to say from your note that you think the stigma of inferiority which is

said to attach to the Provincial Civil Service arises out of the fact that they only get two-thirds of the salary when they get to the listed posts, and because they cannot rise to the top posts?—Not on account of the fact that two-thirds salary is given.

3529. That is unimportant?—I do not consider that important. I think the stigma is not due to that.

3530. You do not think that it is important?—No.

3531. How about the fact that there is a limit to their rise?—Am I right in supposing that you mean stigma attached to them even after they rise to the listed-posts?

3532. We have often heard it said in evidence that this branch—the Police Service and the Provincial Service—are regarded as inferior?—Yes, they are regarded as inferior services.

3533. I want to know what the grievances and hardships were from which this impression arose?—There are differences on a number of small points which seem absolutely unnecessary.

3534. You mean a number of little differences?—Yes, that is one thing. My opinion on this matter is only derived from others. The civilians appear to treat the members of the Provincial Service as inferior men who are not entitled to be treated as of their class.

3535. But that is social?—Both in social and in other respects. They do not treat them with proper respect as officers. When they are promoted to listed posts it is regarded as a mere piece of favour; that it is not meant really that they are entitled to rise; that they are not appointed as members of the Indian Civil Service when they are appointed to listed posts, but that they are only appointed to a particular post. It is one of my chief ideas that if people are appointed to listed posts they must, when they are appointed, become members of the Civil Service, with all the rights to subsequent promotion.

3536. Do you think that the behaviour would be very much modified by the method in which they entered?—Not by the method in which they entered. The man's chance is not so good. I know of hardly anything which, in practice, induces an official to treat him as his equal as that he may also rise to the top. Social barriers will still exist. The best thing, I think, which we can do to enable Europeans to overcome that is to make them feel that the Indian is likely to get on as well as they, and to have as much influence as they.

3537. Has the same complaint been made in your hearing with regard to the treatment of members of the Indian Civil Service who enter by the London door?—In a much less degree. It would not be as regards official treatment, but only as regards social treatment.

3538. (*Mr. Chaubal.*) Supposing your scheme of separate examination in India is adopted, do you not think that the present number of Indians who go and avail themselves of study in England would be materially diminished?—Yes. As far as those who go for the Indian Civil Service are concerned, they are now going for a number of other purposes also.

3539. But I am speaking only of what we are now concerned with. You are thinking of having a separate examination here for the purpose of the services; let us, therefore, confine ourselves to that only. Even if that examination, according to your proposal, were started, then you would naturally expect that the number of people who at present go to England to study, and come through the English door, will be materially lessened?—Some would not go, but some people would still go, because they would like to have the coaching there.

3540. That remains to be seen; that is not a thing which we have seen?—I only say what appears to me to be likely.

3541. That is only a guess; but it is certain that some people will not go?—I think that is so.

3542. With respect to what you were speaking about, namely, persons going to England at an advanced age and assimilating the spirit of British administration, is that your own surmise, or have you any instances of people having gone out at advanced ages and assimilated?—A very few.

3543. That is only a surmise?—Yes, but it must be so.

3544. With regard to the question of salary, if you are going to have, according to your scheme, a separate examination for Indians in India, and if, as in answer to another question you admitted, the salary question is not so much a point of discontent, do you not think that it is in the interests of the revenues of the country that the Indians should serve here in this country on a less salary than Europeans do?—According to my scheme the difference would be very little. I do not increase the present number of posts; I only distribute them between Europeans and Indians.

3545. I am speaking only with respect to the salary question. You say in your written answers that you have reserved the higher posts?—You will observe that the higher posts I speak of are exactly the posts which are now reserved to the Civil Service. There is, therefore, no increase of expenditure caused by my scheme.

3546. I am speaking of two-thirds, and one-third?—Yes, there would be a little gain, but the gain would be inappreciably small. I am only asking for the same pay for those who have Collectors' and District Judges' posts and the higher posts.

3547. Let us, first, have the principle clear. Would it not be an advantage to this country, if you got equally efficient men, that the country should be served by those who cost less, equally efficient but less costly?—From a financial point of view alone it would be an advantage, but I think that where the difference is small it is right and proper that all members holding the same posts should be treated equally well. If the difference were large, the question of finance would affect my opinion.

3548. When you propose, as you have done in another part of your answers, that in a certain service the European element should be confined to one-third, and the Native to two-thirds, I do not quite follow what you mean by the difference of two-thirds and one-third?—I intended that it should be the same; but I think I have stated that I do not make this question of pay a matter of the first importance. If it is found that the difference in the expenditure is very large, then the question may very well be considered, and I would not say that the pay must be necessarily the same, because they filled the same office. It is a question whether any feeling on the part of those who get less pay is worth the saving which is effected.

3549. If you will kindly answer my question direct it would be much better. You advise and recommend in a certain service that the proportion of the European and Indian elements should be one-third and two-thirds; is that so?—It is not exactly that. My contention is that Indians should be allowed to get one-third or more. That is what I say.

3550. Indians one-third and Europeans two-thirds?—It may be that Indians may get more.

3551. Assume that it is one-third or two-thirds. Would you be satisfied if they received two-thirds of the salary?—I prefer that they should have the same salary; but if the difference to the Government were large, I would waive the matter.

3552. You prefer that it should be the same salary?—From the post of Collector upward.

3553. So that it is only with regard to the listed-posts that you want the same salaries?—Yes.

3554. In this Presidency some years back the Tahsildars exercised powers, both civil and criminal?—Yes.

3555. How many years back is that?—I should think about 15 years.

3556. Then on this question of the separation of Judicial and Executive in this Presidency I think there has already been a trial as far as the lower magisterial grades go, has there not?—Yes.

3557. In this Presidency there has been, I think, a severance of the criminal and the executive as regards second and third class magistracy by substituting what is called a stationary magistrate?—Deputy Tahsildars are also Sub-Magistrates.

3558. Is he a higher officer?—He is subordinate to the Tahsildar. He is often also a Sub-Magistrate.

3559. That is a second and third class magistrate?—He would generally be a third-class magistrate.

3560. Does a Deputy Tahsildar still have magisterial powers?—Not in all places, I think.

3561. But a commencement of the separation of the two has been tried in the lower branches here?—Yes.

3562. What is your impression with regard to that trial? Did it cost more having the system of a stationary magistrate? Fifteen years ago Tahsildars exercised both civil and magisterial powers. At present magisterial powers are not exercised, but a stationary magistrate is appointed who exercises magisterial powers. Did it cost the Government any additional expenditure?—I think I cannot go into the question of what it did cost; I have not gone into that.

3563. As far as your personal opinion is concerned, you have no objections to the same system being tried in the higher magisterial branches?—I think it should be tried.

3564. Roughly speaking, how long has English and Western education been going on in this Presidency?—For about fifty years.

3565. To what extent has the Western spirit of civilisation and culture taken effect on account of this education?—It has profoundly affected it.

3566. Speaking with reference to the representation of communities, you say that the time will come when these elements may be neglected, because a great advance will be made by these communities?—Yes.

3567. My question to you is this: do you find such an advance made now after fifty years?—I think that the feeling with regard to the representation of the communities is of recent origin, but that it will pass away as all communities reach the same level of advancement.

3568. I want to know how much it has decreased in the last fifty years?—It has increased during the last fifteen years.

3569. But you expect that it will disappear?—I think so.

3570. What are your grounds for that belief?—I am of opinion that the chief members of the community will realise that it is to the advantage of all communities that there should not be such differences, and that the communities which are said to be backward will advance and be able to hold their own.

3571. Is class bias disappearing?—If you mean on the part of officials, I do not think there is class bias, or at any rate, very little of it.

3572. (*Mr. Gokhale.*) Supposing the separate examination which you advocate was to be had only on condition that selected men must proceed to England for a two years' probation, you would have it on these terms?—Yes.

3573. You would not insist upon the men postponing their visit to England until they were 34 or 35?—No.

3574. If you cannot get such an examination you would have a simultaneous examination?—Yes.

3575. Your objection to a simultaneous examination is not that it would swamp the service with Indians, is it?—No; but that it will not be sufficient.

3576. It is really the reverse?—Yes.

3577. And you think that for a long time Indians will not get a fair share; one-third, or whatever it is that you advocate?—That is so.

3578. A question has been put to you about the possible effect of reducing the number of places which are offered for competition in England on the quality of the candidates appearing for that examination?—Yes.

3579. At one time the number was much smaller, was it not?—Yes, that was so.

3580. But the number has gone on increasing?—Yes.

3581. And there was no perceptible falling off in the quality of the men in those days?—That is so.

3582. Taking forty years, and dividing it into periods of five years, are you aware that there were about 34 places offered annually to successful candidates in the five years preceding the year 1879?—Yes.

3583. And then the number fell to about 26?—Yes.

3584. But for the last five years the number has been 54?—Yes.

3585. So that even if you reduced the present number by half—from 54 to 27—it would still be what it was after 1879?—That is so.

3586. Do you expect any falling off in the quality if that happened?—No.

3587. You say you insist on the principle of open competition for the highest posts, whether here or in England?—Yes.

3588. Is not one of your reasons this, that where the work of Indians has to come into comparison with that of Englishmen, only our very best men should be there?—Yes, that is one reason.

3589. Otherwise if inferior men found their way there the whole Indian race would be discredited ?—Yes.

3590. That happened in the case of the Statutory Civil Service ?—Yes.

3591. In answer to Sir Theodore Morison you said that if a separate examination was established here you would eliminate certain subjects from the London examination which were specially favourable to Indian candidates ?—Yes.

3592. About how many subjects are there altogether ?—There are 38.

3593. Out of that number how many lean especially towards the Indian student ?—I do not know whether there are any except Sanskrit and Arabic.

3594. And to the British candidate who appears at that examination, and has to spend his life in India, would not the study of Sanskrit and Arabic be better than that of any Continental language ?—I do not doubt it.

3595. So that from the standpoint of the English candidate himself you would not have to eliminate them ?—I would not object to any elimination.

3596. Would your answer be that there are no subjects in the list which are there especially for the sake of Indian candidates ?—If I had to decide it I would say not.

3597. With regard to class feeling, is it not your experience that communities which are educationally backward, and which have just begun to come under the influence of higher education, naturally show dissatisfaction with regard to their position ?—That is the fact.

3598. When education increases, and they come to an equality with advanced communities, the feeling begins to disappear ?—Yes.

3599. Therefore, when higher education spreads among educationally backward communities you do not anticipate that much of this feeling will remain ?—No.

3600. (*Mr. Sly.*). Your note is very full, and there seems to be very little to ask, but there are one or two statements upon which I should like to get some further information. In the paragraph on "fitness of Indians for high offices" you say,—"I need hardly add that every kind of administrative work is being performed by them in the Native States constituting a third of the whole country." I want to ask you whether in the large majority of cases the Indians holding high positions in the Native States, and administering them, were not picked men, trained under conditions of British rule in British India ?—Yes, but serving as Indians do now.

3601. Then in dealing with simultaneous examinations you say,—"I would abstain from putting an undue strain on the feeling of justice of examiners who have probably never seen India, and are unacquainted with the Indian character and the Indian mind." Will you tell me what you mean by that ?—I mean when the examiner is unacquainted with the candidate you would have to depend merely upon his sense of justice. I have no doubt that the English examiners in England would do their best; but supposing some kind of mistake is made by an English candidate, the examiner would know how to regard it. He perhaps would not regard it seriously, knowing, as he does, the students in England. But he would know nothing about the Indian student. Although he would try not to diminish the marks in appraising the paper on account of a slight mistake, in the case of the Indian he might not know what exactly to do.

3602. That being the case, do you not think that if simultaneous examinations were introduced it might leave some such similar feeling of injustice on the part of Indians with regard to their treatment in such an examination ?—There would be that difficulty. That might be one of the dangers of introducing it.

3603. Particularly if Indians failed to get in by that method in any substantial number. In that case it would create a certain amount of difficulty ?—That particular difficulty will probably exist in a larger degree than it now does, because now students go to England and have lived there for one or two years and made themselves acquainted with the way in which English professors think, and so on, and probably the English examiner would know something of the students who are living there.

3604. You have advocated a scheme for separate examination for the whole of India. As far as I am aware, there is only one examination in India at the present time which is conducted more or less on the lines that you suggest, and to which the same parallel can be drawn with regard to the results which would accrue under your scheme, and that is the open competitive scheme for appointments in the Finance department. We have got some statistics which were given to us yesterday with regard to that, from which it appears that seventeen out of thirty-three vacancies were secured by the inhabitants of Southern India; that is, more than half. Now, if a similar result should follow your scheme of separate examination in India, more than half the admissions would be inhabitants of Southern India. Do you consider that that would have any prejudicial effect upon the Government of the country, particularly with regard to the feelings which would be created amongst the peoples and races of Northern India and other parts ?—In the first place, I do not think that that would be the result with regard to the competitive examination I am referring to. The people of some districts in Southern India have a special aptitude in the subjects that are required for a financial examination; but with regard to the subjects for the Civil Service I do not think they would be likely to get in in large numbers; and secondly I do not think that the people in other parts of the country would object to Southern Indians serving there. We have Bengalis serving here, and I do not believe there would be any objection to Madras people being employed in other parts of the country.

3605. Can you tell me how many Bengalis are serving in the service here ?—There are four or five, I think.

3606. The percentage is very different ?—I do not see why we should object to Bengalis governing while we have got all classes of people governing us.

3607. Another point comes out, namely, that of those seventeen of Southern India who got in, the whole, without any single exception, were Brahmans. Do you think under your separate examination that if, not the whole, but a very large preponderating portion of the successful candidates were Brahmans, that would have

any real effect upon the feelings regarding the Government of the country ?—I do not think it will, provided that the feeling is not fostered that people have any claim on the ground of community. That feeling has come into existence recently, and has been fostered, to some extent, by representation of communities being allowed.

3608. Do you not think that one of the reasons why that feeling has come in recently is because some of the more backward classes are now getting to a great extent educated, and to realise more fully the position than they did in the old days under the more strict principles of the Hindu religion ?—Those who have been educated have really got quite as large a share as they could possibly get having regard to the numbers that are educated. It may be that some of the educated people of those communities are thinking of the times when their people were kept down. Part of the reason for the race feeling which exists may be due to that.

3609. Part of it ?—Yes.

3610. You, I dare say, have heard it stated, as others have heard it stated, that this race feeling, which has increased to a great extent in recent years, has been fostered to some extent by Government action ?—I think so.

3611. You think it has ?—Yes.

3612. You think that Government has deliberately endeavoured to foster a race feeling ?—Ignorantly, I would say.

3613. But it has done so ?—Yes, I think so.

3614. With regard to the probationers' course in England, can you tell me whether there would be any difficulty in giving, in this Presidency, a course of instruction in law, including not only Indian law but the general principles of jurisprudence, to probationers out of India ?—Absolutely none.

3615. You are acquainted, pretty fairly, I believe, with the Judicial Provincial Service, and its method of recruitment of Munsifs from the Bar ?—Yes.

3616. I should like your opinion as to whether you think the class of candidates attracted by the Provincial Civil Service is about the average, or above, or below, the average of the Bar ?—We are able to get men of very fair intelligence, and some are very bright.

3617. It does not attract the best talent, does it ?—Not the best, if they are able to get business. Some of the best are not able to get business, and that is why I said that we got some very bright men.

3618. In answer to question (37), you say that Provincial Civil Service officers, Indians who are advanced to listed posts, are advanced at too great an age to do themselves justice: at what age do you think an Indian should ordinarily succeed to the responsible post of Collector or District and Sessions Judge ?—About 45.

3619. Would you be surprised to hear that the average age of recruitment of officers who have succeeded to those listed posts has been actually 43 years of age, so far as the Judicial and Executive service is concerned ?—Those whom you refer to were recruited by competition, I believe.

3620. I mean that so far as the promotion to listed posts in the Provincial Civil Service is concerned, both Executive and Judicial, the average age has been 43 ?—In order that the figures may give correct information, it is necessary to bear in mind that for some few years there was competition here for the Provincial Civil Service. Then some young men got in. They might have been able to rise early; but those who were merely selected from the service as Collectors, and those who were appointed District Judges, have generally been appointed late.

3621. Therefore the present system does result in their getting appointed at too advanced an age ?—Yes.

3622. (*Mr. Madge.*) You have stated that more is absorbed by observation at a later period of life than by instruction at an earlier period of life. May I take it as a corollary to your opinion in this respect that the general opinion that certain moral qualities are better absorbed during the more impressionable years of a man's life is a mistake ?—No; the two are quite independent. One speaks of moral dangers, the other of the power of being able to benefit by staying in a foreign country and studying its institutions, comparing them with institutions elsewhere, and in what directions the people of that country are superior. The other is quite different, the people being there at the time when they are particularly susceptible in a moral sense.

3623. Do you not think that moral qualities acquired early in life, which help to mould character, contribute to greater usefulness throughout life ?—Eighteen or 19 is too late for that. You must either send a person when he is still very plastic, when his character is not formed, or you must send him later than you send him now. It would be preferable. I have already said that I would waive that point if it is considered necessary to send them as soon as they have passed their examination.

3624. In the paragraph on "Fitness of Indians for high offices" you have said, "I have no doubt that they will realise that to do so is a greater title to glory than to regard their Indian fellow-subjects with contempt as members of an inferior race." You state a conditional thing here: you do not state as a matter of fact that it is your opinion that any European officials do regard their Indian fellow-subjects with contempt ?—I see signs of a change for the better.

3625. Do you not think that any feeling that you call "contempt" here may be a kind of recognition of an inferiority as regards particular objects in life than as regards character ?—I am sure that it is owing to a want of proper understanding that they regard them as inferior in character too. They do not understand the people: they move so little among them.

3626. A great many Englishmen think that persons of all other races, including French and Germans and Russians, and everybody else, are inferior to them in certain business capacities, and that opinion, whether right or wrong, is extended to this country ?—Yes, there is that, I quite agree; but it is more on account of their not having opportunities of understanding them well that they consider them inferior in character. That is my opinion.

3627. As regards simultaneous examination in the two countries, has the state of education in this country been such that you cannot produce the kind of tests adopted by the Civil Service at home ? Do you not think that if simultaneous examinations were introduced the result to the

Civil Service would be disastrous?—I do not see that. The people here may not be able to pass in large numbers. I do not quite follow you when you suggest that the result would be disastrous. The result of that would be that many people here would not be able to pass.

3628. Under the heading of "The Provincial Services" you say "It is clear that according to this scheme the Provincial Service will continue to be separate from the Imperial Service as now." I should like to have your opinion as to whether it is desirable to maintain this distinction at all; whether there should not be one Civil Service: I do not mean in the very inferior ranks?—If there is one Civil Service, Indians will not be able to rise to the highest posts. One reason why I do not want them to be amalgamated is that people will not then be able to rise rapidly.

3629. Then you think that it is in the interests of the people of the country rather than of the administration generally that there should be a distinction?—No, in the interests of administration equally, and of justice to the people. It is my opinion that the administration would be improved if there were more Indians.

3630. I gather that you are of opinion that the feeling of certain communities against others in this country is giving way at the present moment?—Just when the climax is reached they are able to understand that all this is a disadvantage to them. The feeling has been rising for some time. I think the people of the communities are beginning to see that it is not to the advantage of any community that there should be this feeling.

3631. You are speaking with reference to Madras?—I am only speaking with reference to Madras.

3632. As regards the feeling of the lowest class of the people, who are supposed to be excluded from the enjoyment of any privileges, what prospect is there of that feeling dying away?—Do you mean that the higher classes do not want them to rise to anything?

3633. That would appear to be a right inference to draw from the fact that people refuse to travel in the same train?—Not at all. Panchamas and the higher castes travel every day together.

3634. Have you not heard of any instance in this Presidency of a demand being made for a separate carriage?—That must be a demand on account of convenience; but at the present day they are both travelling together. I do not think that any of the higher castes have any objection to Panchamas occupying any position for which they are fit.

3635. (*Mr. Abdur Rahim.*) With regard to the feeling of the Muhammadans in this Presidency, am I right in supposing that, so far as the educated portions of the two communities are concerned (I do not mean only those who are educated at the colleges). there is a considerable harmony of feeling between them?—Yes. Perhaps my remarks may have led to an impression that I thought there was some feeling between Hindus and Muhammadans. I rather referred to the different sections of the Hindu communities.

3636. I wanted to clear that up. As regards the masses of the Hindus and Muhammadans, the uneducated portion of the community, can you tell me what is the state of feeling between them?—There is perfect good feeling except to some extent when there is a religious procession.

3637. Do you think that those outbreaks are of a local and temporary nature?—Absolutely.

3638. And not due to any abiding feeling of hostility between the races?—It is not due to any feeling between the races. The religious feeling becomes strong at times and each party becomes unreasonable.

3639. Among the responsible leaders of the communities there is a considerable desire to efface any feeling of difference that may exist?—There is a strong and growing desire, except that Muhammadans think that they may ask for places and that they will get them.

3640. That, I suppose, is more or less natural?—Every one would do that.

3641. I should like to know what your opinion is with regard to the criminal work which is done by the subordinate magistracy in this Presidency; but first I would refer to the Indian Sessions Judges?—Generally it is very good.

3642. What about the subordinate magistrates?—So far as they are concerned, I am not quite satisfied with the class of men that we have, but they are not wanting in capacity.

3643. They have not a very good reputation generally?—Not yet, though their reputation has improved.

3644. Has not there been a very large percentage of reversals of the convictions of submagistrates?—I have not noticed it particularly. There is a considerable percentage of reversals, but I have not noticed that the percentage has increased.

3645. Is it about 44 per cent.?—Possibly it is so, but I do not know that they have increased.

3646. Do you think the combination of the two functions, executive and judicial, tends to the deterioration of the work?—Yes.

3647. Is that your experience at the Bar as well as upon the Bench?—Certainly from experience at the Bar, and from applications I have had on the Bench, the impression is the same, and it exposes magistrates to suspicions on the part of the people. Apart from the fact of their being affected or not, it exposes them to suspicion on the part of the people.

3648. In your experience is that a serious evil which ought to be remedied, if possible?—I think so.

3649. Is there any foundation for the idea, so far as your experience goes, that Indians are not, generally speaking, fit to discharge the duties of a criminal judge efficiently?—So far as I am aware, there is absolutely no foundation whatever; and I am not able to understand how it can be, that if civil judicial functions can be discharged by them properly, why they cannot discharge criminal functions properly also.

3650. Take the work of the Sessions Judges. There are fewer Indian Sessions Judges than European, are there not?—Only a very few.

3651. Taking them as a body, both Civil Service men, as well as the men promoted from the Provincial Civil Service, what do you think of their work as Judges in criminal cases?—It is very good. On the question of punishment the ideas of men are undergoing a change now, and

sometimes we in the High Court may think that the punishment has been rather lenient. On the other hand we sometimes think it is excessive.

3652. Would it be correct to say that the High Court has found the work of Indian Sessions Judges very defective?—Not at all, as far as I am aware.

3653. As comparing their work with the work of European Sessions Judges?—I do not think that there is any difference.

3654. I should like you to assume that I consider the efficiency of the Public Services as the first consideration in dealing with questions of recruitment, and that I do not give the necessity for class representation any extravagant position. You have, I believe, had considerable experience of the recruitment of the Judicial Bench of the Civil Service: I should like to know your opinion as to whether you consider that satisfactory?—Yes, it is satisfactory.

3655. I mean the mode of recruitment?—The mode of recruitment is satisfactory.

3656. District Munsifs are not promoted, or, at any rate, not supposed to be promoted as a matter of course, to Subordinate Judgeships by seniority?—Practically they are people who are excluded on strong grounds. Except theoretically it is by merit: it is generally by seniority.

3657. That is why I said they are "not supposed to be." As regards the listed posts, would you approve of Subordinate Judges being promoted on the ground of seniority?—I would not approve of that. I am afraid, however, that it will be so. Seniority will practically prevail.

3658. Does it prevail at the present time?—I think that practically it does. A man may be excluded sometimes, but generally seniority prevails.

3659. In your opinion it ought not to be like that?—No, I do not think it ought to be.

3660. Bearing these facts in mind, I should like you to apply that to your scheme. The Subordinate Judges exercise much larger jurisdiction than Munsifs, and therefore it is right in principle that when you make appointments to a Sub-Judge's place we ought to be free in our choice. Apply that to the executive administration. You know that a District Collector's position is analogous to the District Judge's position. If you are to select men for a District Judge's place, you would like to have a free choice on principle?—Yes, I should like that.

3661. That is to say that you would appoint men who have been tried in lower ranks of the service and have proved themselves fit for that position?—Yes.

3662. In appointing members of the Board of Revenue, the principle is to appoint men who are the best to be found in the service from the ranks of Collectors?—Yes.

3663. In your scheme of separate examination, I understand that you adopt the principle which now prevails in the Indian Civil Service?—I think I add that inefficient men must be got rid of, and merit must be looked to.

3664. You mean the compulsory retirement of inefficient men?—Yes.

3665. But that is a very different principle from free selection?—I added it for this reason, that I understood that the present principle with regard to the appointment of Collectors was that it depended upon merit and not upon seniority.

3666. No; the Collector's place is in the ordinary course of promotion. That is the present basis of the Civil Service?—I am afraid I have been under a misapprehension; in which case I should be ready to add, when it comes to the office of Collector, that a man should not be entitled to it as a matter of course.

3667. With regard to that, applying it to Englishmen, you would be very much knocking the whole system on the head if you excluded Collectorships from the list of posts to which they can rise by gradual promotion. You would not expect English recruits of the class we now get to come out in expectation of being Sub-Collectors?—Merit must be looked to; but if you are not able to apply it on the same scale, you cannot help it.

3668. In the case of English recruits you would have to abandon it?—No, there would be less necessity.

3669. It may be quite reasonable to say to a young recruit that if you are found to be inefficient you shall go on pension or on some other conditions like that. It is very different to tell them, so far as ordinary promotions go, that what they can expect is something below a Collectorship?—I see your point.

3670. Do you see the difference between the two?—Yes.

3671. And that has a very great influence on those who come out?—Yes.

3672. As regards Indians we need fear no difficulty?—That is so.

3673. Indians would be quite ready to take their chance?—Yes. You can therefore apply the test of merit more strictly.

3674. What would be your objection to forming a service in India, that is to say, admitting Indians to the Civil Service examination in India, and trying to form a service in India beginning, say, at the grade of Deputy Collector?—If you begin with that grade it will take them too long to be able to rise to higher posts, unless you restrict the number of Deputy Collectors to the number which would be just enough to fill the higher posts.

3675. On the other hand, the greater the number of Deputy Collectors that you select after a trial, the better it is for the higher appointments?—I confess that I have no confidence in our being able to overcome the principle of seniority in practice, especially when those who are to make the promotions may be people who really do not know much of the officers.

3676. The difficulty, in your opinion, then is so great of making selections from tried men that you would be content to take the chance of untried recruits?—No; I think these young untried recruits would prove satisfactory; and although many of them may have to be excised, you still would have a large number from which to obtain a good staff for the higher posts.

3677. You say that many of them would have to be excised?—I would do that. I would apply it with more severity than now, but I would not make the right to insist on merit a chief means of doing the thing properly. I would have a staff of men who in themselves are likely to be very good.

3678. I would appeal to your experience at the Bar. Do you know how many are called to the Bar and how few are chosen?—They are enrolled here, they are not "called" to the Bar.

3679. I am simply using a usual phrase Of men who are tried in the service, and are tried at the Bar some are found to be wanting. A large percentage of those who are tried at the Bar are found to fail. Why should you presume that the man tried in the service will not fail but will rise to the highest expectations?—In the first place the Bar supplies an expert service from which you choose. The qualities of men are much more easily discerned. You have also got persons to choose who know more of the people amongst whom they move than probably you would have in the executive service.

3680. Let us test this. You say that at the Bar the Bar supplies a very good test?—Yes.

3681. I go further and say, a most rigorous test. In the service the test is not so rigorous, is it?—I should doubt that in doing the work of a Deputy Collector the test is quite as good.

3682. Is there not a considerable difference between one Deputy Collector and another?—There is; but it is not so easy to see the difference in actual practice in that direction as it is to see the difference between members of the Bar.

3683. Why do you suggest that the Collectors under whom they are serving would not be able to find out the merits of their subordinates, if they have any power of discrimination?—It is because the higher officers have not got a sufficient knowledge of the work of the various people under them.

3684. That is another matter. We are trying to get as competent men in the different places as we possibly can. It is not due to want of confidence, but to the existing conditions. It may be that the difficulties could be got over by an effort. It is the result of the conditions, and not want of ability on their part.

3685. Under your scheme there would be a fairly large number of Indians as Collectors?—One-third.

3686. Would they not be in a position to know their men?—Yes.

3687. As much as the High Court knows the pleaders?—Yes.

3688. What I am suggesting to you is this, that it may be possible to devise one scheme of service, instead of splitting up the service into higher and lower?—I could not answer that question unless I know what the scheme is.

3689. The scheme might comprise Deputy Collectors, and then give those Deputy Collectors certain appointments as Collectors?—I rather feel that practically speaking it would not be possible to work it satisfactorily.

3690. Do you see any other objection to it?—If it would give an opening to the best men of the country to rise to the very highest offices, I see no objection to it.

3691. I understand you would allow equal salaries to Collectors and District Judges?—That is my own opinion.

3692. Would you object to Englishmen recruited from England getting somewhat more than men occupying the same position in the Indian Civil Service?—I said that I regarded it as a subsidiary matter.

3693. Supposing it was one service, would you still insist upon competitive examination?—You might have some places for nomination. I cannot conceive any scheme which would be less objectionable in practice than competition.

3694. What about the selection of District Munsifs by the High Court?—It is because you have got an expert service at the Bar. How are we to recruit the first people to come into the Provincial service.

3695. It is possible to devise a board which would be above the charge of favouritism?—Unconscious favouritism there will be. Such a board might be misled. The result would be favouritism; not on their part, but on the part of somebody else.

3696. (*Sir Valentine Chirol.*) There is one question arising out of your statement I should like to ask you. You made, I think, the somewhat vague statement that a growing mistrust and ill-feeling between the different communities has been fostered by the Government of this country, but you qualified it afterwards by saying that it was done "ignorantly"?—From the beginning, I meant it.

3697. But that is your view?—Yes.

3698. Are you aware that it has been stated on the other hand, that that distrust and jealousy has been fostered by a tendency amongst a very influential class of Brahmans towards a revival which has been aggressive towards all those standing outside caste which tends to discord and strife?—It is an entire mistake.

3699. Are you aware that that statement has been made by a distinguished colleague of yours in the High Court?—He may have said it, but it is not my opinion.

3700. But you will admit that his statement is one which I, as an outsider, am entitled to give the same consideration to, as I do to your statement?—Certainly.

3701. (*Sir Murray Hammick.*) Would you tell me what you exactly mean by a separate Judicial Service under the control of the High Court? What do you mean by control? Do you mean appointment, punishment, and dismissal and suspension?—I have not worked it out thoroughly, but that is what I mean.

3702. What I should like to ask you is this: your knowledge of the Judicial arrangements of other countries is considerable, do you know of any country where the High Court appoints magistrates?—The Lord Chancellor does, but no doubt, he is a member of the Cabinet.

3703. What I want to know is whether the High Court appoints Judges?—The Lord Chancellor is the highest Judge.

3704. And he is also a very high executive officer. Do you know whether in any country in the world the High Court controls the magistrates?—I do not know; but if there is not I should not consider that an objection.

3705. You would make the experiment here?—Unless I see any serious objection. I have not myself worked it out fully in my own mind.

3706. I understand that the Service you recommend is to be an enlarged set of listed-posts, beginning from the bottom and going to the top, and that you are to introduce Indians by an examination in this country, and give them a right to rise to those posts. You prefer that system to taking a proportion, and allowing so many Indians to get into the service by examination in this country, and allowing them to rise with the other civilians on exactly the same footing; do you prefer your scheme to that one?—I recruit a portion of the Civil Service in that way.

3707. There are two schemes. One is the old statutory service, which, although it failed in its object, was intended to be a service in which one-fifth of the appointments was to be recruited from Indians; they were to be put in the Civil List and their names entered at the bottom of the Civil List, and they were to rise on exactly equal terms with their fellows who came from England. Your system is to separate out of that list the whole set of appointments from the bottom to the top, and introduce Indians into that separate service to the exclusion of others: I suppose you consider yours is the best scheme?—But there is a difference.

3708. I suppose you think yours is the best scheme?—The serious difficulty in the other system is that they belong to a different service. I would recruit members for the same service in two ways. When a person is appointed to a listed-post (it may be that he is promoted) I think that there should be a declaration that on appointment he becomes a member of the Civil Service.

3709. Which do you think would be the best plan, to introduce a certain proportion of recruits to the service out here and place them in the Civil List and let them rise, with exactly the same claims as Indian Civil Service members from England, or, as you propose, to make a separate service to which the Indian civilians who are recruited in England should have no claims, but which appointments should be entirely for the service recruited in this country?—I prefer mine, for this reason; that if you make appointments from the Indian servants here to the listed appointments, they would be appointed at a late age.

3710. If you have an examination here, not a simultaneous examination, but an examination of candidates who would be just about the same age as the candidates who pass in England, you would introduce them into the Civil List as Indian Civil Service members, and they would rise with exactly the same claims to all those superior posts as have now the Indian Civil Service members from England. That is one system. The other system is to make an exclusive service for Indians in this country of a certain number of listed appointments. I want to know why you think the other system could not be carried out?—Except this, that if you have got 50 Europeans and 20 Indians, their promotion must be necessarily slower.

3711. Why?—Because there would be a number of superior posts, and each of the Indians will have a certain chance. That depends upon their proportion to the total number. The proportion of Europeans to the total number would be much larger, and therefore his chance of promotion must be much less.

3712. You would have five assistants recruited from England, and one from India. These men's names would appear at the bottom of the list. There would be a difficulty as to whether Indians should go at the top or the bottom of the list. That could be settled. The Indian would start with exactly the same chance as the other five, as the rest. A post would become vacant, and the first person in those six names would get it. It might be an Indian or an Englishman. I do not see how the Indian would be prejudiced?—What would be the result? Would the Indian be able to get a reasonable proportion of the highest posts?

3713. They would get exactly one-fifth chance if they were efficient?—That may be. I framed my scheme so as to enable them to rise as rapidly as their English brethren. That was my main object in constituting it as I did. I am not able to say at the moment whether what you propose will achieve that object. If it will, I have no objection.

3714. As regards your system, why, when you hand over one-third of the Collectorships to your Indian Service, do you propose to hand over half the members of the Board of Revenue; surely you would give one-third right through?—I wish to have one Indian a member of Council and to have sufficient people to select from, you must have at least two members.

3715. You spoke rather with indifference of the ill-feeling between the different castes and between the Muhammadans and Hindus: has it not been a fact that within the last 30 years in the districts of Salem, Tinnevelly, Coimbatore, Malabar, Trichinopoly, Bellary and Kistna, the position of affairs, has, at intervals, been a matter of the very greatest anxiety to Government as regards the maintenance of public peace owing to the ill-feeling between either different castes or different creeds in those districts?—That is with regard to religious processions. I presume I am right in supposing that they arose out of that.

3716. Some of the disturbances arose from causes such as caste questions, and some arose from inter-creed questions?—There are no means now open to Government officers, at any rate as far as I know none have been devised, of obtaining a knowledge of what is going on in a place. If some means were devised for that, I think these disturbances could be easily stopped. But it does not show that there is any ill-feeling between the communities.

3717. Are you aware that several times during the last 20 years the Muhammadans in Trichinopoly have particularly asked for a Muhammadan Deputy Collector to be sent there?—They may have done so. The Muhammadan candidate may have asked them to do so, but I do not think that the people would do it of their own accord. We have had the case of one community asking for a Munsif because the candidate was not able to make the request.

3718. (*Mr. Oldfield.*) With reference to your scheme for allowing Civil servants one-third of the Judgeships, there are twenty-two District Judges, and that would be seven, would it not?—I think it would be seven now.

3719. As long as there are three Civilian Judges in the High Court, would not that afford rather a small field for recruitment?—It may be so, but I do not think that that rule ought to stand. So far as the High Court is concerned there should be no rule of proportion. They should put the best in.

3720. But, as long as it does stand, one-third would be a rather small number?—Yes.

3721. You are aware of the proposal before the Secretary of State at the present time for the improvement of the judicial knowledge of civilians, are you not?—I do not know what definite proposals there are, but the matter came round to the High Court.

3722. Shortly, they include a year to be spent in England in training in a barrister's chambers. Have you any strong opinion that your scheme is preferable?—I do not think that working for a year in a barrister's chambers will do.

3723. You would prefer actual practical work in the country?—They must first pass their examination in law, and then there would be their practical work in the country. That might be supplemented by working for a year in a barrister's chambers.

3724. With regard to election, you are aware that for the last, I think, three or four years, a system of election has been introduced into this Presidency?—Yes, I believe; after a certain number of years of service.

3725. Do you believe that that, taken with an improved training, would be a very great advantage in the training of a Judge?—What I feel is that eight or nine years would be too long a time after which to think of acquiring a taste for judicial work. I have noticed very few instances in which there has been an ambition on the part of District Judges to become good lawyers. They want to get through their work, which is very heavy. I have noticed in very few a real desire to become good lawyers.

3726. Your scheme is that they should elect after they succeed in the competitive examination?—Yes.

3727. Do you think that they could elect so early if they knew nothing of judicial work?—I think most of them should be fit for both. I would draft a portion of them into one department and the remainder into the other.

3728. It would be necessary for the Government to settle that?—I do not believe that all could be given a choice. That would be impossible.

3729. Government could hardly settle it until it had some experience of their capabilities in the country?—I believe that most of them will be able to do both. There is no want of capacity in District Judges: it is due to the system. They come in too late to their work to have the time or the ambition to study law.

3730. You say that you recognise the fact that a proportion of District and Sessions Judges should be Europeans. What are your reasons?—My reasons are that there should be in all branches of the service a good leaven of Europeans. It is necessary in the interests of the country and of the people.

3731. In this particular service, why do you consider that Europeans would be particularly necessary?—Englishmen have a strong sense of justice. I do not mean to say that the Indian has not an equally strong sense of justice, but I think it is very desirable that there should be a good number of Europeans; and if (as, according to my scheme, they should) they also become barristers, that ensures a knowledge of the best traditions of the English Bench.

3732. One of the witnesses told us that, compared with English lawyers, Indian lawyers appeared to have a spirit of subtlety, which if carried to excess, would be deleterious?—Everything carried to excess would be deleterious; but I do not think that one out of ten Indian lawyers has hair-splitting tendencies. I consider that the best English lawyers are most subtle.

3733. Supposing that the distribution between the judgeships of the Indian Civil Service and the Provincial Civil Service is not carried out, and that they remain as they are between the Indian Civil Service and the Provincial Civil Service, would you still give the appointments to the Bar?—Certainly.

3734. Can you tell us whether you would fix any number of places to be so filled?—I would amongst Judges appoint one-fourth at least, and amongst District Judges one-third.

3735. You would give one-fourth to the Bar?—Yes, and one-third to the District Judges.

3736. We have at present four District Judges: that is to say, you would give between one and two?—With the present number of Judges it would be difficult to work out. If there are six you would give two. I only suggest what would be desirable. I would simply give it to the best.

3737. (*Mr. Ramachandra Rao.*) You have intimate acquaintance with Indian officers?—Yes.

3738. You are the Past-President of the Indian Officers' Association?—Yes.

3739. Is not there a strong feeling, as far as you have gathered among Indian officers, that some of them should be admitted to appointments in the Indian Civil Service?—Yes, there is.

3740. More in number than is now possible under the system of open competition in England?—Yes.

3741. Appointed on precisely similar conditions?—Yes.

3742. Do you think they are satisfied with the present system of listed appointments, that is lower in prestige?—They are not satisfied.

3743. Is there not also a feeling amongst Indian officers that they should be started in their official career exactly on the same conditions, and at the same age as English officers are started?—Yes.

3744. Do you think they should start as early as possible?—Yes.

3745. Some of these aspirations are just and should be met as far as possible?—Yes.

3746. Is it because you think that simultaneous examinations are not sufficient that you recommend a system of separate examination?—Yes.

3747. And if the candidates who pass in the separate examination are not graded in the same rank as those who pass the Civil Service examination, you are not in favour of a separate examination?—There is absolutely no use in it then.

3748. And if a separate examination were to be sanctioned and distinction to be made, you do not want a separate examination?—Certainly not.

3749. Is there also a wide feeling amongst Indians that all distinctions and differences except as to salary should be done away with, so far as the lower and higher posts are concerned?—Yes.

3750. (*Mr. Subrahmanyam Pantulu.*) You said in one of your replies that smart young men who were not able to get good practice have entered the service and have proved intelligent Judicial officers. Does the converse hold good? Is there a possibility of men who are good at the Bar proving failures as Judicial officers?—Yes, there is a possibility.

3751. Do you not think it is desirable that a man's capacity to appreciate evidence and come to proper decisions and conclusions, and that his character, should be tried in a lower grade, such as the first-grade Munsif's place, before you invest him with power to hang men, or to decide disputes relating to estates worth lakhs of rupees?—That would be one way of testing; but the people who are in charge of big cases acquire the same capacity. A pleader would not be worth anything if he could not judge a case judicially. It is one of the functions of the advocate to give advice. He has to study the evidence in the cases which he conducts. I do not think anything could be better than the Bar for recruiting for the Bench.

3752. In this Presidency most of the Civil work in the mufassal is done by Munsifs and Sub-Judges, and the High Court does only the appellate work: is that so?—Except the original side suits.

3753. Would not a very important incentive for good work be removed if, according to your proposal, their promotion were restricted to first-grade Sub-Judges?—It will not be limited. I do not want all the posts to be given to the Bar. I want a good proportion to be given to those who have been Munsifs and Sub-Judges. I do not want Munsifs and Sub-Judges to forget that they went from the Bar.

3754. But you say in your scheme for a separate examination, if sanctioned, that the listed posts should be abolished?—There is the Statute of 1870.

3755. The listed posts are now understood as being the reward which men of merit and ability in the Provincial Service might reasonably expect?—All those who are now in the service would expect it; but others will not.

3756. You said that listed posts must be abolished, and that you want them to get appointments under the Statute of 1870?—I would give the appointments to men who had exceptional merit.

3757. Have you any idea as to how many people would be appointed by the Government?—We have no figures here.

3758. And if you compare the number which have been taken into the higher grades under the Statute during the last forty years, would you think the Provincial Service could reasonably expect any fair number of appointments to be given?—Under my scheme all those who are now in the service will get them. I do not want to prejudice their prospects. I am speaking of their prospects of rising to Judgeships. Under my scheme all Munsifs and Sub-Judges will get posts. The Judicial Service is distinct.

3759. Do you know that in the Provincial Judicial Service there is a feeling that their promotion has been considerably widened by the appointment of one of them for the first time to the High Court Bench?—I think there would be.

3760. That is an appointment made after five appointments had been previously monopolised by the Bar?—After they got them.

3761. Do you not think it a hardship, now at this particular time when they are aspiring to higher things, to remove the little incentives?—I am not removing them by my scheme.

3762. Your chief recommendation for appointing men from the Bar direct as Sub-Judges and District Judges is that men who enter the service may rise to the position of a Judge at an early age. One of the objections for recruiting men from Munsifs, as they are graded now, is because they will become rather old by the time they are made Judges?—I do not think I said that, but it would be the fact that those who join as Munsifs are fagged out. The work of a Munsif is killing. They become fagged out and they would lose their energy.

(The witness withdrew.)

(Adjourned for a short time.)

M.R.Ry. Rao Bahadur K. Ramanujachari Avargal, Maharaja's College, Vizianagram.

Written answers relating to the Indian Civil Service.

3763 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The working of the present system of recruitment by an open competitive examination in England for the Indian Civil Service is satisfactory. The principle is sound except in that it practically excludes Natives of India from its benefits. The present tendency is to cry down examinations, but I am one of those who believe that in a matter so important as recruitment for the Indian Civil Service no other test than an open competitive examination will satisfy the requirements of the case.

3764 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—There are five European languages, exoluding English, against two languages which are Indian. Three of them being living languages, they can be easily mastered by Europeans. But as facilities do not exist for their study in India, Natives of this country find themselves at a disadvantage when compared to European candidates. If there is to be equality between European and Indian candidates, French, German and Italian will have to be removed from the list of subjects. In such a case, there will be two European classical languages against two Indian.

3765 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not suitable for Natives of India who are not of pure or mixed European descent, especially for Hindus, who constitute three-fourths of the population in this country. The customs and habits of our people, particularly of Hindus, which are in many respects different from those of Europeans and Eurasians, stand to some extent in the way of their going freely to England to compete for the Civil Service; but this is not a serious disadvantage. There is another and greater disadvantage under which they labour. They have to go to England and stay there for some time to prepare for the examination. If they are selected well and good; if not, they have to return to India, sadder, wiser and poorer, since other services, excluding the medical, are not open to them. As for the Indian Medical Service, it

requires knowledge of special subjects which those who try for the Civil Service do not acquire. The cost of going to England and a stay of some duration therein, including that of the return journey, is not inconsiderable. As our young men whose ambition is to enter the Civil Service do not belong to the aristocratic or monied classes, their failure to get into the Civil Service seriously affects their financial position on their return to their mother country. Then they find that it is too late to think of any of the liberal professions open to our young men. This, it will be admitted, is a serious disadvantage.

3766 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think that the combination of the competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is to the advantage of Indian interests as it will allow selection from a wider field.

3767 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I think the present system of recruitment by an open competitive examination to be satisfactory in principle, provided that the door is kept open for men of acknowledged merit already in the service to enter the Civil Service otherwise than by a competitive examination.

3768 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of holding simultaneous examinations in India and England, open in both cases to all natural-born subjects of His Majesty.

3769 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am in favour of filling a fixed proportion of the vacancies in the Indian Civil Service cadre by all natural-born subjects of His Majesty recruited by means of a separate examination in India as difficult as the examination for the Civil Service, if it is not found feasible to hold simultaneous examinations in India and England. In such a case, there should be only one examination for the whole of India, but not for each province or a group of provinces. I would recommend that two-fifths of the total number of vacancies occurring in each year be so filled up, including those that may be reserved for deserving officers of the Provincial Civil Service.

3770 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—If the idea of holding simultaneous or separate examinations in India open to all natural-born subjects of His Majesty does not commend itself to Government, I would recommend a system of combined nomination and examination. Nominations may be made from all classes of the people; but the appointments should depend entirely upon the results of an examination. However desirable it may be in theory that all classes and communities should be represented in the higher grades of the public service, it is not to the real interests of the country that any but men of high intellectual calibre should get appointments now generally held by members of the Indian Civil Service.

3771 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—As it is my idea that the examination held in India for the part recruitment of the Indian Civil Service should be open to all natural-born subjects of His Majesty but not simply to Natives of India, I do not consider it unreasonable that Natives of India should still be eligible for appointments in England, if they attend the examination held in England and show conspicuous merit.

3772 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would regard the system of selections of young men who are Natives of India for the Civil Service by means of a competitive examination as being supplementary to the present system of promoting to listed posts officers of the Provincial Civil Service.

3773 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—In my opinion a separate method of recruitment for the Judicial branch of the Indian Civil Service is not necessary. What is wanted is that Civilians who wish to enter the Judicial branch should receive special training which will enable them to discharge their duties satisfactorily. There is a general complaint that those who are appointed as Judges of District Courts do not possess that knowledge of civil law which is absolutely necessary in order that they may effectively supervise the work of courts subordinate to District Courts.

3774 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there "for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—Yes.

3775 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I would recommend that the age limit be reduced to 21. As it is, Natives of India who go to England to compete for the Civil Service have practically only one chance. Regard being had to the risk of failure and the consequences resulting therefrom, for which they should be prepared, the present limit is not fair to them. Our young men of parts take their degree when they are about 20. A preliminary study of one year in England is necessary in order that they may appear for the Civil Service Examination with a fair chance of success. If therefore they are allowed to appear when they are 21, they will certainly have two chances.

3776 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five would, I think, be a suitable age for young civilians recruited in England to commence their official duties in India. A little more knowledge of the customs, manners and modes of thought of the people they will be called upon to rule than they have under the existing arrangements, will enable them to discharge their duties more smoothly and avoid the mistakes that in the beginning some of them commit in their treatment of those who have to work under them or may have occasion to see them on business or otherwise.

3777 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I have already stated that twenty-one will suit candidates who are Natives of India better than the present limit. I have no opinion to offer regarding the age limit of other natural-born subjects of His Majesty.

3778 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I have already stated my objections to the present syllabus with regard to the living languages of Europe. While Latin and Greek carry 1,100 marks each, Sanskrit and Arabic carry only 800 marks each. This is manifestly unjust to Natives of India who are Hindus or Muhammadans.

3779 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—If French, German and Italian are removed from the list of subjects, Natives of India will have no room to complain of the syllabus. I do not think that otherwise any differentiation in the subjects is either necessary or desirable.

3780 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—The question of reserving posts for officers of the Indian Civil Service will not arise if simultaneous examinations are held in England and India. If it cannot be done, a separate examination as difficult as the present Civil Service Examination may be held in India. In the latter case, I do not recommend that any posts should be reserved for members of the Civil Service, for the simple reason that the examination held in India would not be less difficult than that held in England whatever name it may be given.

3781 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—In my answer to question (7) I have stated that two-fifths of the vacancies occurring every year may be given to natural-born subjects of His Majesty on the results of a competitive examination held in India, some of these appointments being reserved for deserving members of the Provincial Civil Service.

3782 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?—The appointment of Natives of India to posts in the Indian Civil Service partly through the medium of an open competitive examination held in England and partly by a special arrangement is not satisfactory. No special arrangement is wanted except to do justice to a few deserving officers of the Provincial Civil Service.

3783 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I do not recommend the revival of the old system of appointments of "Statutory Civilians" under the Statute of 1870, as it was a failure on the whole.

3784 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I do not consider it necessary to introduce the system of recruiting military officers for posts in the Indian Civil Service cadre into this province, as I see no special reasons for its introduction. People of this province have been happy under the administration as carried on by members of the Indian Civil Service.

3785 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—I see no advantage in giving posts now held by members of the Indian Civil Service either to military officers or to officers of other services.

3786 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—If an examination is held in India simultaneously with that in England, there need not be many listed posts to which members of the Provincial Civil Service may

aspire. The number may be gradually reduced so that it may be much smaller than it is. If the examinations cannot be held simultaneously in India and England, I would recommend that two-fifths of the appointments now held by members of the Civil Service be reserved for Natives of India. Two-thirds of these appointments may be thrown open to competition, the other one-third being reserved for distinguished members of the Provincial Civil Service.

3787 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—As I am against nomination pure and simple in the case of appointments to the Civil Service, I cannot say that the rule is satisfactory.

3788 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—As the present arrangements go, I am satisfied with the system.

3789 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I would enlarge the number of listed posts, so that it may include a Member of the Board of Revenue and a Secretary to Government. The reason is simple; if a wide knowledge of the real wants of the people on the part of those who influence the policy of Government is conducive to the efficiency of administration, an Indian Member of the Board of Revenue and an Indian Secretary will be invaluable. As Government are now pleased to appoint Indians to Executive Councils, an Indian Secretary or an Indian Member of the Board may with advantage be taken into the Council. I would further recommend that about a sixth of the total number of Collectors be Indians, so that the best of them may be appointed a Member of the Board of Revenue. More Indians may also be with advantage to the administration appointed as Under Secretaries.

3790 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The holding of simultaneous examinations in India and England for the Indian Civil Service will be the most statesmanlike way of satisfying the legitimate ambition of the Natives of India to serve their Sovereign as well as their mother country. The opinion that is sometimes expressed in certain quarters that the introduction of Natives into the higher grades of public service on a large scale will change the British character of the administration, and may possibly weaken the foundations of the British rule, is quite groundless. By whatever means it may be accomplished, the introduction of a large number of Natives of ability and character into the Indian Civil Service will add to the popularity of the British rule without diminishing administrative efficiency. But if the idea of holding simultaneous examinations does not commend itself to Government, the number of listed posts may be increased in the manner suggested in my answer to questions (7) and (24). Barring officers of the Provincial Civil Service of proved ability and character, none should be appointed to the posts held by members of the Civil Service except on the result of an open competitive examination. Nominations may be made from different classes of His Majesty's subjects, but I beg to repeat that none should enter the Indian Civil Service except in the manner suggested above.

3791 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Probation for a limited period is very desirable.

3792 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—A period of two years is not too long. As I take it for granted that the general educational qualifications of men who enter the Indian Civil Service by passing the competitive examination are sufficiently high, the training given during the probationary period should be of a more useful character than it seems to be at present.

3793 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—The course relating to law should be common to both. It is desirable that Europeans selected on the results of the competitive examination should spend the whole of their probationary period in India. Part of this period may be usefully spent in the study of Indian languages, manners and customs, the rest of it being devoted to the study of law. Similarly, selected Indians will do well to spend a part of their probationary period in England, devoting their time to the study of English institutions. They may spend the other part of it more usefully in India studying the more important of the general laws of the country, including the most important of the local laws of the province in which they have elected to serve.

3794 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—It is very desirable to start a college in India for the training of probationers of the Indian Civil Service as well as of other Indian Services recruited in England.

3795 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—A college for the whole of India will perhaps be a better arrangement. If a well-equipped college be considered to be a costly thing (it will be well worth the cost), each Provincial Government may select a suitable centre.

3796 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Those that choose the Executive branch should, in my opinion, have a longer period of training under Tahsildars and Taluk Magistrates than they are given now. It appears to me that one year is not too long a period for training.

3797 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—As a rule officers of the Indian Civil Service have poor knowledge of Indian languages. The examinations they are required to pass in these languages are easy. If the character of the examination is changed, there may possibly be some improvement. The real cause of the deterioration alluded to in the question is the fact that English is the sole medium of official communication between European officers and their Native subordinates. So far as this province is concerned, persons are found almost everywhere to explain in English what European officers wish to know. I cannot think of any real remedy.

3798 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—It has been suggested in my answer to question (31) that Europeans selected for the Indian Civil Service should spend the whole of their probationary period in India. The greater part of the period should be devoted to study of Law. They should have regular instruction in it. This is applicable to all officers. Those that are selected for the executive branch should study special laws applicable to the province, including land tenures. Those officers that are selected for the judicial branch may be made to sit with District Munsifs and see how original cases are conducted and disposed of.

3799 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—I do. I do not see why officers selected for the judicial branch should not have a course of study in law as wide as that prescribed for the B.L. Degree examination of an Indian University.

3800 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—They may be trained as Subordinate Judges.

3801 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Members of the Indian Civil Service, whether they are Natives of India or other, should have the same kind of training so far as the judicial branch is concerned.

3802 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—Those that are directly recruited in India should, in my opinion, have the same training as those who are selected for the Indian Civil Service on the result of an open competitive examination.

3803 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—With regard to probation, Natives of India of unmixed Indian descent as well as those of mixed European and Indian descent should spend part of their probationary period in England and in the study of English institutions. With regard to persons of unmixed European descent, I would recommend that they do spend the whole of their probationary period in India. As regards training, I do not see why there should be any difference.

3804 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—I believe that some of the district charges are too heavy for the most energetic district officer. The same remark also applies to divisional charges. Increase in the number of officers appears to be desirable for the efficiency of administration.

3805 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I would not recommend any difference between the members of the Indian Civil Service and Statutory Civilians and officers of the Provincial Civil Service holding listed posts as regards pay. Lower pay somehow carries with it an idea of inferiority. Whatever economical reasons may exist to justify the difference, they should not be made to feel that the public regard them as inferior officers.

3806 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—Without going to details I think that leave rules made for officers of the Indian Civil Service may differ from those made for Statutory Civilians and members of the Provincial Civil Service.

Written answers relating to the Provincial Civil Service.

3807 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions mentioned in the Government of India Resolution referred to in the question are suitable generally. The only modification that I would recommend is, that recruitment for posts of Deputy Collectors should be from among the distinguished graduates of Indian Universities.

3808 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—

Nothing short of an open competitive examination for the recruitment of the Provincial Civil Service will be satisfactory Those that have entered the Provincial Civil Service through the door of an open competition are admitted to be superior to those who have got in otherwise, barring a few exceptions. Without overlooking the just claims of those who are in the lower grades of Public Service, only those who have proved their superior intellectual calibre in an open competitive examination should be selected for posts like that of Deputy Collector. The above remarks do not apply to appointments of District Munsifs and Subordinate Judges.

3809 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

3810 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I believe that all classes are fairly represented in our Provincial Civil Service. Whether the work of the representatives of different classes is equally efficient is a matter which need not be discussed here. In my humble opinion, considerations of caste or creed should not overweigh those of fitness in the matter of appointments to the public service.

3811 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—The training and probation of officers appointed to the Provincial Civil Service should in many respects be similar to that given to the members of the Indian Civil Service.

3812 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The complaint is very general that the numbers of officers authorised for the various grades are insufficient and that consequently they (officers) are overworked. There is a cry of overwork in every grade of the service and so far as I know it is not unreasonable.

3813 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The functions of the officers of the Executive and Judicial branches of our Provincial Civil Service are differentiated well enough; but their combination in the same officer sometimes affects the administration of justice in a manner which cannot be considered to be satisfactory. If the finances of the country would permit it, a complete separation of functions would conduce to a more efficient administration of justice.

3814 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am not satisfied with the present designation. I would call the service after the province.

3815 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I advocate that there should be one examination for each province for the recruitment of officers like Deputy Collectors and that there should be no difference as regards their pay between one province and another. The same remark applies also to the pay of District Munsifs and Subordinate Judges.

3816 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I would make no difference as regards pay between the members of the Indian Civil Service and those of the Provincial Civil Service holding listed posts. It must be remembered that only those members of the Provincial Civil Service whose abilities and character are acknowledged are appointed to listed posts. When such is the case, I do not consider it fair that they should get less pay than members of the Indian Civil Service.

Mr. K. RAMANUJACHARI, called and examined.

3817. (*Chairman.*) Of what college are you Principal?—The Maharaja's College at Vizianagram.

3818. How long have you occupied that position?—For the last 26 years.

3819. Have you ever occupied a position in the Educational department?—Before that I was Vice-Principal of the same college.

3820. What is your caste?—Brahman.

3821. How many students have you at your college?—In the College department there are 125 to 150, the number varies from year to year.

3822. Is your college a first-grade college?—Yes.

3823. Is it affiliated to the University of Madras?—Yes.

3824. On an a verage, how many of your students take their degree each year?—From 12 to 20.

3825. At what age do they come to your college?—To the College department from 16 to 18.

3826. What is the average age at which they take their degree?—From 20 to 21.

3827. Have you had graduates from your college of recent years who have gone to England for the competitive examination of the Civil Service?—No.

3828. You know of no students that have been at your college who ultimately got through the examination?—None.

3829. You are in favour of simultaneous examinations?—Yes.

3830. You are also desirous of maintaining a minimum of Europeans in the service?—Yes, in case simultaneous examinations are not held in England and India, two-fifths of the appointments may be reserved for Natives of India.

3831. But if simultaneous examinations are held you say you do not want a minimum?—I do not want a minimum for Natives of India.

3832. Are you anxious to see the retention of the European element in the Civil Service?—Certainly.

3833. How would you ensure that under the system of a simultaneous examination?—I am sure that would be the result. No separate means need be adopted.

3834. You are prepared to leave it to chance?—Yes.

3835. At what age would you like to see the open competition?—From 21 to 23.

3836. Would you also like to see a two years' probation?—Yes.

3837. At what age do you think it is best for a young man to come out and enter the service here?—About 25.

3838. What do you suggest would be the best course for a candidate during those two years of probation in England?—I should like to see candidates spend part of their time in England and the rest of it in India. I would make a difference between Indian and English candidates in that respect.

3839. You would like them to have two years' probation in England?—No, two years' probation.

3840. Not necessarily in England?—Not in England. I should like the European candidates to spend the whole of their time in India.

3841. Is the standard for examination in your college the same as in the University of Madras?—Yes

3842. (*Sir Theodore Morison.*) What sort of probationary system would you like to see adopted for an Englishman when he passes that period, according to your system, in India?—In my opinion they should study law for the greater part of their time, and a portion of their time may be devoted to the study of Indian sociology, customs, manners and modes of thought of the Indians.

3843. Would you describe to me what sort of training you contemplate in law here?—Of course the course does not very much differ from what exists; the general law of India, Evidence, Penal Code, Procedure, and with regard to particular provinces the local laws.

3844. Would you confine your education to the study of the codes or would you include any experience of the practical working of the courts?—Experience of the practical working of the courts would be included in the training course. I would have three years', two years', and one year's training.

3845. Would you explain your probationary period with regard to the study of law?—For Judicial officers I would prescribe the same course as that prescribed for the B.L. degree of one of the Universities, or almost the same.

3846. But the B.L. degree, I think, does not include the reporting of cases, or the actual study of the working?—No; I would add that.

3847. Where would you have the teaching given?—It should be given if possible at one college where the candidates can be specially instructed. If that is not possible one centre for each province may be taken at which regular instruction in law could be given to the candidates.

3848. If you have one centre I suppose you would not give the teaching in the Provincial law?—No, of course that is not possible. After I sent in my replies I changed my opinion. Probably one centre for each province would be better than one college for the whole of India.

3849. You would have lectures given to them at these Provincial centres?—Yes.

3850. Where would you get your teachers from?—The teachers would have to be appointed from the most distinguished men at the Bar.

3851. Have you any law teaching in your college?—No, it is only an Arts College.

3852. In the old days did you have a law class?—No.

3853. You have never had a law class?—No.

3854. You have never had any experience of law classes?—I was myself a student of law in Madras.

3855. In how many colleges in Madras have they law classes?—Only one.

3856. With regard to the study of Indian sociology, have you any teachers at present in the Presidency?—No; there are books, but no teachers.

3857. Could you give me any idea what sort of course of teaching you would recommend?—There are books on the subject which might with advantage be read.

3858. Just outline the course you have in mind?—The books that relate to the customs and manners of the people and their religion and those sort of things.

3859. You cannot give me any indication of the sort of syllabus you have in mind?—I have not a syllabus ready, but one could be framed.

3860. You think there are books?—Yes.

3861. And teachers?—The teachers are available; that is easy enough.

3862. Who are you thinking of?—People who have devoted their time to the study of Sanskrit and the vernacular languages.

3863. What class of persons who are actually serving in our colleges would you recommend? You have in your college a pandit?—Yes, but pandits are not the sort of teachers required. Those who have taken degrees at Universities and who have devoted their time to the subject would, of course, be required for this purpose, not pandits.

3864. That is to say, you require somebody who has had a western education in England?—Yes.

3865. And studied sociology elsewhere?—Yes.

3866. Is there any large class of persons who have that knowledge in this Presidency?—There are some.

3867. (*Lord Ronaldshay.*) You say there is a tendency to cry down examinations; by whom are examinations cried down?—By a good many people, including educational officers.

3868. On what grounds?—They think that examinations do not always show the merit of the pupil, that they cram up subjects, and so on.

3869. But you do not agree with that?—I do not agree with them, especially with regard to an examination like the examination for the Indian Civil Service.

3870. You say that the combination of Executive with Judicial functions in the same officer affects the administration of justice in a manner which cannot be considered satisfactory. Could you give me an example of what you mean by that?—I mean that sometimes an enquiry into revenue matters is held by a magistrate, especially a magistrate of the lower class, sub-magistrates and so on, and it so happens that the man against

whom the enquiry is made is ordered to be prosecuted, and then the people say that is not fair. First of all the enquiry is made by an officer in his revenue capacity, and then the same gentleman enquires into the case as a judicial functionary, and he is prejudiced and takes a certain view with regard to the judicial matter.

3871. The suggestion is that his judgment is influenced by his desire to convict?—Yes.

3872. Do you think there are good grounds for making that accusation?—I think there is ground for it.

3873. (*Mr. Oldfield.*) In such a case as that would not there be strong grounds for applying for a transfer from that officer?—Very often. Transfers are not always given. A transfer petition may be put in before a superior court, but unless the superior officer sees there are very strong and clear grounds he will not order a transfer.

3874. If those grounds were not made clear of course not?—It is not very easy to make them clear sometimes before the officer; they are so subtle.

3875. With regard to your reply to Sir Theodore Morison about a Provincial training centre for young civilians, the revenue system in this province differs from that of others, does it not?—Yes.

3876. In any case there would have to be a Provincial centre and not a centre for all India, unless great expense were incurred?—That is why I said I had changed my opinion.

3877. You have not made any explicit recommendations about the manning of the Judicial office?—I have not made any special recommendation, but I have suggested that candidates might be trained first of all as District Munsifs, or at least they might be made to sit with District Munsifs.

3878. I entirely accept something of that sort, but I was going to ask you this: would you be content to leave things as they are as regards the proportion of Indian Civilians in District Judgeships?—Yes, I have said nothing about that.

(The witness withdrew.)

M.R.Ry. V. S. SRINIVASA SASTRI, Triplicane.

Written answers relating to the Indian Civil Service.

3879 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have not sufficient experience of civilian officers to hazard an opinion. I accept recruitment by open competition as generally satisfactory in principle.

3880 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As a system open competition is equally suitable. But see answers to questions (6) and (16).

3881 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes. *Reasons.*—(i) The Indian Civil Service command the same quality of competitors as the other services. (ii) The examination is under the conduct of the Civil Service Commissioners.

3882 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I approve entirely, the examinations being identical.

3883 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I would entertain a proposal of the sort only if simultaneous examinations be ruled out. In that case the examination in India, as well as the one in England, should be open alike to all classes of His Majesty's subjects. The proportion I would recommend is one-half.

3884 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—No. I am not in favour of any of the methods suggested. So far as the Indian Civil Service is concerned, I would not sacrifice efficiency in the least degree to secure the representation of different classes and communities.

3885 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—In lieu of. The listed posts will go back to the Indian Civil Service. As compensation in part, I would create a new grade of Deputy Collectors at the top with two appointments on Rs. 1,000 each.

3886 (11). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose?—I recommend that the judicial appointments should be constituted into a distinct and separate service. No recruitment would be made to it from the Indian Civil Service. The statutory provision requiring one-third of the High Court Judges to be members of the Indian Civil Service should be repealed. District and Sessions Judgeships should be filled half by promotion from Sub-Judges and half from the Bar.

3887 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would extend the definition so as to include subjects of Native States and the children of Natives of India born outside India.

3888 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I would retain the present limits.

3889 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I do not recommend any differentiation.

3890 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—The classical languages of India must have the same number of marks assigned to them as Greek and Latin.

3891 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

3892 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes. All appointments now scheduled under 24 and 25 Vict., c. 54, except those under the heading "Judicial." Also similar appointments in the non-regulation provinces.

3893 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Yes. But as in my opinion this condition will be fulfilled under a system of simultaneous examinations, I do not consider it necessary to secure it by a special provision.

3894 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No.

3895 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

3896 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I do not consider it satisfactory and have therefore recommended simultaneous examinations.

3897 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

3898 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—Next to a simultaneous and identical examination, I would advocate that half the recruits should be obtained in England by one competitive examination and the other half in India by another competitive examination of equal standard, both examinations being open alike to all classes of His Majesty's subjects. After selection the candidates recruited in India should be compelled to spend a year in England undergoing probation. At the end of the probation, all the recruits should be placed in one cadre and be eligible for promotion on absolutely equal terms.

3899 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

3900 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—One year. The same as now.

3901(31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

3902 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In England. Yes.

3903 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

3904 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I would not have a Judicial branch of the Indian Civil Service at all.

3905 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

3906 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

3907 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to

officers already employed or be restricted to future entrants?—Yes: but the abolition should be restricted to future entrants.

3908 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I would not give any compensation as suggested.

3909 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Yes.

Written answers relating to the Provincial Civil Service.

3910 (51). Please refer to Government of India Resolution No. 1046-1058, dated 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—(i) Rule I must be amended by inserting after "on the other" the words "so far as may be compatible with this aim." (ii) Rule VII must be amended by changing the figure 500 into 600.

3911 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—The Provincial Civil Service should be expanded so as to include Deputy Collectors, Tahsildars, Deputy Tahsildars, and ministerial officers drawing over Rs. 100 a month. At the top a new grade of Deputy Collector with two posts on Rs. 1,000 might be created. Recruitment must be by open competition, except to one-fourth of the appointments, which may be filled up partly by promotion from lower posts and partly by direct nomination. Nomination should be made to the lowest grade only, and promotions should be regulated strictly according to seniority and merit.

3912 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

3913 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I am not in a position to say. I should think it would not be possible to represent in any service in India all classes and communities which are conscious of a separate existence. To meet cases of special hardship I have reserved in my answer to question (52) a limited power of nomination to Government. To go further might impair the efficiency of the service.

3914 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—I would differentiate them completely. I am not competent to construct a full scheme for the constitution of the Judicial Service.

3915 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

3916 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

3917 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

Mr. V. S. Srinivasa Sastri, called and examined.

3918. (*Chairman.*) You are member of the Legislative Council, are you not?—Yes.

3919. What other position do you occupy or have you occupied?—I was formerly headmaster of a high school in this place, and I have now joined the society of "Servants of India." I am also an elected Fellow of the Madras University.

3920. What is your caste?—I am a Brahman.

3921. In your written answers you say you have not had sufficient experience of the Civilian officers in the service to form an opinion with regard to them?—Yes, I say so.

3922. But you are in favour of and recommend a system of simultaneous examination?—I do.

3923. You recommend that, then, more on the grounds of abstract justice than of efficiency?—My impression is that the Indian Civilian has turned out very well, and I should think the same mode of recruitment in India would answer. That is my impression, although I have not had a very large personal experience.

3924. If you could not get a simultaneous examination I understand you would like to have an independent examination in India?—Yes.

3925. For half the total number of vacancies?—Yes.

3926. Should that examination be the same as the examination in England or not?—I should prefer that it was not the same.

3927. In what direction would you like to see a difference?—I should like the papers to be different.

3928. I am referring to the subjects of the examination?—The subjects may be different too. We might introduce Indian history, for example, and some vernaculars into the Indian examination.

3929. How would you make your selection of the vernaculars?—There are a very large number of vernaculars in this country and it would be impossible to include them all in any scheme of examination. I should choose a few in each province which were spoken by large numbers of people.

3930. So that each candidate coming up from the respective provinces would be able to select from his own particular vernaculars?—Yes.

3931. In the event of simultaneous examinations being held you would like to see the listed post system abolished?—Yes.

3932. And you would add certain posts to the existing Provincial Service?—At the top.

3933. What would you add?—A new grade of Deputy Collector with two posts of Rs. 1,000.

3934. Do you think that that change would be popular with the Provincial Civil Service?—I am not quite sure that it would be popular with the members of the present Provincial Service, but my scheme if worked out would not touch them at all; their interest would be safeguarded under any scheme I propose. But as regards the members of the future Provincial Civil Service, they would not be of the same high quality as the present members, as the first men in India would then compete for the simultaneous examination and get in there. It is only men of second-rate quality who would get into the Provincial Service.

3935. How would you propose to recruit to the Provincial Civil Service?—By means of a competitive examination.

3936. By nomination as well?—It could be by nomination to the extent of one-fourth.

3937. Why do you suggest nomination to the amount of one-fourth?—For two reasons. I want in the first place to afford some chances of promotion for those in the lower ranks; and in the second place I think Government may have power as regards this service of redressing any inequality that may be felt as regards the representations of classes and communities in the Provincial Civil Service.

3938. You regard it as important in the Provincial Civil Service to consider the matter of communities?—Yes.

3939. But you do not think it is so important in the Indian Civil Service?—For this reason, that I consider that in the Indian Civil Service none but the best men should get in. I am anxious that, where our work is likely to be contrasted with the work done by the best Europeans, our best men should be there.

3940. Have you considered the possible difficulty in your scheme of one or two provinces absorbing all the successful candidates to the exclusion of other provinces?—It is quite possible that that may take place, but it will not be a permanent phenomenon; it will be only for a few years.

3941. You do not think that the appointment of officers of one province to another would raise difficulties; for instance, in Northern India?—I do not think there would be any serious difficulty. There might be a little feeling in certain other provinces that they were not having their share, but it would soon disappear, and the feeling would at no time be intense enough to attract the notice of Government.

3942. In regard to the Provincial Civil Service you suggest the inclusion of other posts, do you not?—Yes. The Provincial Civil Service is now composed only of officers of the grade of Deputy Collector, Subordinate Judge and District Munsif. I propose that the service should be extended so as to include Tahsildars and Deputy Tahsildars and ministerial officers who draw a salary of over Rs. 100. At the same time, however, I propose to exclude the Judicial from the Provincial Civil Service.

3943. You think the Judicial posts are quite outside?—Quite outside.

3944. Are you in favour of the Judicial branch being quite separate from the Executive?—I am.

3945. (*Lord Ronaldshay.*) You are in favour of Indian recruits passing their probation in England?—I am.

3946. Are you personally acquainted with any Indian students at any of the English Universities now?—I cannot think of any at the present moment.

3947. But you have known some?—Yes.

3948. Generally speaking, would you say they are satisfied with their treatment at English Universities?—Yes.

3949. They are quite happy at an English University?—Once they have found admission they have been quite happy.

3950. (*Sir Theodore Morison.*) Will you explain a little what you said just now about the vernaculars. Do I understand that you would admit the vernaculars to the simultaneous examination?—No, I was thinking of the separate examination which, if the simultaneous examination was not adopted, should be instituted for recruitment in India.

3951. So that your proposal has no reference to the simultaneous examination?—No.

3952. You are contemplating a separate examination devised particularly for India?—Yes.

3953. And that would include the vernaculars, or at least some of them, and a certain amount of Indian history?—Yes.

3954. Any other Indian subject?—I have not thought of a scheme.

3955. I do not see why you should not? But I want to follow this up?—I should include, for example, Indian philosophy.

3956. Indian philosophy, Indian history, and a few vernaculars?—Yes.

3957. Do you think it is desirable generally that the separate examination which is held in India should rather represent Indian culture and Indian learning than European?—It would in some aspects represent Indian culture and learning more than European culture.

3958. You would give it a more definitely Indian complexion?—Yes.

3959. Do you think it would be desirable to retain any representation of European thought in the examination?—Yes.

3960. What would you desire to retain?—I would keep English literature, English composition, Roman Law, and the history of European countries.

3961. You would keep European history?—Yes.

3962. As an option, of course?—Yes.

3963. Do you contemplate that the option offered should be such that a man might be successful in the examination with a predominant knowledge of Indian culture and Indian thought, with of course the proviso that he would have to know English?—Do you mean Indian thought exclusively?

3964. Yes. You allow a considerable number of optional subjects which will represent Indian culture and Indian thought?—Yes.

3965. Would the number be so large that it would be possible for a man to be successful in the examination by taking subjects representative of Indian thought alone, with the one qualification that he must know English?—No. I would not make it so exclusively Indian. Ordinarily I should like that anybody who has succeeded in the examination should have read some histories of European countries.

3966. You do not exclude English history?—No.

3967. Turning to your alternative schemes, supposing a simultaneous examination is not accepted you propose an alternative scheme of half recruitments in India and half in England?—Yes.

3968. You would exclude the Judicial branch?—Yes.

3969. By that you would remove from the cadre eighteen officers who are at the present moment members of the Indian Civil Service?—In the Judicial branch, yes.

3970. And I suppose also you would deduct the younger men who are in training for that post, something like thirty?—Yes.

3971. And the English element in the Civil Service by your proposal would be reduced from 173 to 55, something less than one-third?—First of all you will have to deduct one half which I propose to raise in India, and also the appointments for the Judicial.

3972. Also you have to deduct a certain number for the Indians who may be successful in England, because you would keep that door open?—I would keep both doors open.

3973. I make out that there would be something like 118 Indians and 55 English according to your scheme, supposing the number of Indians who got in by the London door is maintained. Is that about the result you contemplated, that the number of Englishmen in the service should be reduced to about one-third of what it is at present?—I did not work it out arithmetically as you have done, but if it were so I should accept it.

3974. Less than a third?—Yes, but may I say that that is one of the disadvantages of the scheme, and I should therefore prefer the simultaneous examinations.

3975. Have you formed any estimate in your mind as to what would be the result of the simultaneous examination?—Yes. For many years I think the Indians would not be very successful.

3976. What are your reasons for saying that?—The standard of instruction here is not quite so high as the standard of instruction in England, and it would be many years before our men learned to come up to that standard.

3977. But the tendency would be progressive?—We expect so, certainly.

3978. And when it had reached a very considerable increase on the present would you contemplate keeping an English nucleus or not?—I would. As soon as the number of Indians threatened to swamp the Europeans I should propose that only a certain proportion should be recruited in India.

3979. It is difficult to define what sort of proportion of Indians would swamp the Englishmen?—I think I should leave the next generation to judge of that.

3980. But it would be surely more difficult to decide that when you disappoint legitimate expectations than before the expectations had been formed, would not it? Suppose for instance you found a very remarkable increase in one year which you thought, according to your standard, would swamp the European element, it certainly would not be fair that year to say, "No my friends, you cannot come in"?—Certainly it would be a difficult matter, but I also think it is unnecessary to make any arrangement which was not rendered absolutely essential by administrative considerations.

3981. I quite understand your reluctance to settle the question in advance, but surely that would not be so great an evil as disappointing these persons who had every reason to expect that they would be admitted, and who in fact have passed the examination, and whom you now only send back because they were too good at the examination. It seems rather unfair?—But that would be the case even now.

3982. At least they would know what they are in for?—I see there is something in that.

3983. Supposing you came to the conclusion that it would be wise to decide it in advance, what would your proportion be, about?—One half.

3984. (*Mr. Chaubal.*) I suppose you recognise that at present there is some discontent on the ground that a number of Indian students go in for the Civil Service Examination in England and do not pass; discontent among the failures?—I am not aware of any.

3985. Is not that one of the grounds for proposing simultaneous examinations?—According to some of the answers of some of the witnesses many students spend a large amount for the mere chance of getting through the Indian Civil Service and do not succeed?—That is true.

3986. And if they do not succeed there is disappointment? My question is whether you are not aware that there is that sort of disappointment felt by candidates who fail, and it is on that ground that one of the arguments for simultaneous examinations is based?—I daresay. I was not thinking so much of the grief of the candidates and their families as the necessity of opening a wide door to the Indians themselves.

3987. I quite admit that, but I wanted to know whether you admit that that is one of the grounds on which it is urged that there should be a simultaneous examination, that at present parents are compelled at considerable expense to send boys a great distance, and possibly as events happen, for the mere chance of passing?—Most of the men who so fail get called to the Bar.

3988. That is a different thing. I am speaking of the Indian Civil Service. Do you dispute that there is this ground which is urged amongst others for having a simultaneous examination?—No, I do not.

3989. You also have admitted that for some years to come you do not apprehend any number of Indian students succeeding if a simultaneous examination is introduced?—I said so.

3990. But I suppose you agree that it will not prevent a considerable number from appearing for the examination here?—No, it will not prevent that.

3991. That is to say, a much larger number will appear for the simultaneous examinations, when once they are introduced, although none or very few might get in for some years to come?—I admit that.

3992. Do you admit that as regards these failures there is likely to be a certain amount of discontent on account of that, for the next ten years, say? If a simultaneous examination is held every year in August, as it is in England, and fifty or a hundred candidates appear, and no one gets through, or only one or two get through, do not you think that is likely to cause a considerable amount of discontent and disappointment?—It must cause some disappointment to candidates themselves, but the candidates can console themselves in various ways.

3993. We will look to the consolation afterwards. There will be considerable discontent felt. Do you or do you not admit that that amount of discontent amongst the boys and parents of the most intellectual class in the country might mean some political danger?—I was going to say when you said discontent that that discontent would not be with Government at all, or the administration, but with their own fate. I do not believe it will cause any inconvenience to the administration.

3994. Taking the results of the English examination during the last three or four years, not the last one, was there not a feeling here that Indian students were not getting through, and was it not said that the examination was not fair to Indian students owing to that fact?—I remember the discontent was very great when the age limit was 19.

3995. But latterly, except the last year, say the years 1908, 1909, and 1910?—I am not aware that I heard of any particular complaints in those years.

3996. I suppose the object of suggesting simultaneous examinations is that there might be a larger number of Indian Civil Servants?—No, Indian Civil Servants would not increase by simultaneous examination. You mean the Indian officers in the Civil Service?

3997. Yes, the Indian element. It is because that is wanted to be increased that the simultaneous examinations are suggested, is it not?—Yes.

3998. And that a sufficient number is not coming in by the present door?—Yes.

3999. Do you think that there is really at present (I am not speaking of past times) a wider class of people from different communities who can go to England and get through the English door; is not that gradually increasing?—If you mean that caste and religious scruples are not so strong now as they used to be, I think that is so.

4000. Caste scruples and prejudices are being overcome. Indian parents, such as those who hold high office here and save and have means, are feeling more alive to the advantages of sending their boys to England and getting instruction from English institutions. That is becoming more marked now than it used to be at one time?—Yes.

4001. And after all, as you have said, you do not want to do away with the European element in the Indian Civil Service?—Certainly not.

4002. You want only a certain proportion of Indians. Although you are not able at the present moment to say what proportion it should be, still you are only asking for a certain proportion of the Indian element in the Indian Civil Service?—Yes.

4003. Just as you say that there is no chance, for a certain number of years, of the Indians swamping the Indian Civil Service and that when that comes it might be time enough for the next generation to think of setting any proportion, do not you think that in the same number of years through the English door we might be getting a sufficiently large number of people that will reduce that minimum which you wish the next generation to fix? You have thought it out in this way, that for the next ten or fifteen years very few Indians will get in through the simultaneous examination, and when the result, of which fears are entertained, of Indians swamping the Civil Service comes it is so distant that we need not think about it? If you take that same period and consider the larger facilities and the larger number of people who would be sending students for the English examination, are you not likely to get the possible proportion which you ask the next generation to fix? You want to shirk the responsibility of fixing it yourself, but would not that proportion be likely to be obtained during that period?—I do not at all expect that that result will follow. The mere fact that more go from India to compete in England does not guarantee that more will succeed in the examination. There is also another point. It is not alone that we want a certain proportion, but we want the whole country to feel that the best men in this land have opportunities open to them for entering the highest service in the country. In any case the best men in the country cannot all hope to go to England on the mere chance that they might succeed in their examination. There are considerations of wealth and health which mere time could not overcome.

4004. Then you do not attach much importance to the fact of boys residing in England and European countries?—Yes. After the examination is over I propose a period of probation.

4005. What period do you propose?—I have proposed one year.

4006. And you think that is sufficient?—I think it would be sufficient, but I am willing that it should be two years. May I explain why I said one year. I thought that the European members of the service who pass the same year have only one year's probation now, and it might be inconvenient for the Indian candidates to have two years' probation.

4007. So that it is for the purpose of uniformity of both nations that you propose one year?—If for the purpose of uniformity the period could be made two years, I should be more pleased.

4008. There is no doubt about the immediate result of your proposal. The immediate result of your proposal to institute simultaneous examination will be that some of those who at present go to England will not go and very few will come in through the door of the simultaneous examination. You admit the first?—I admit the first.

4009. If simultaneous examinations are introduced there will not be so many people going to England as there are now, and you have admitted that simultaneous examinations for some years to come will bring in very few?—I did not say very few.

4010. Will bring in only a few. Can you give us any proportion as to what it will be as compared with the present results?—I do not like to be precise, but I should be very much surprised if after the institution of the simultaneous examinations we had more than two men succeeding in Madras.

4011. You cannot say anything with respect to the other Provinces, can you?—I would not say so much. Possibly in Bombay and Bengal there might be two apiece.

4012. So that you do not expect more than six?—I do not want to be precise.

4013. But about?—Something under 10, say 8 or 9.

4014. Supposing through the English door 8 or 9 or 10 come in each year, simultaneous examinations would not be necessary?—No. I gave you the other consideration that I want the whole of India to feel that the examination is open to them.

4015. Do you admit that the sort of examination which you propose to be held in India would change the character of the examination, whether for the better or the worse we will not discuss, that it is a distinct change from the curriculum which at present obtains?—It is not a distinct change. It is a change no doubt in the direction of Indianising the examination.

4016. But the object of those who started that curriculum was more to keep up the Western ideal of education than Orientalising it?—I do not object to it at all. I would not have any change made if the examinations were identical and simultaneous in India and England. It is only in case we propose to raise distinct proportions by distinct examinations that I thought it would be advantageous.

4017. Do I understand you correctly that if the same examination is to be held here you do not want any other examination? If there is the simultaneous examination in England and in India, you are not anxious for any other examination, are you?—Not for the Indian Civil Service.

4018. What is the other examination which you want in India separately?—I was thinking of a competitive examination for the Provincial Civil Service.

4019. Entirely for the Provincial?—Yes.

4020. (*Mr. Gokhale.*) Your object in advocating a simultaneous examination is that our best young men should have fair play?—Yes.

4021. Even if as a result of the simultaneous examination fewer men got in than the proportion that might be allotted to us with a separate examination, you would accept a simultaneous examination?—Quite so.

4022. Do you think that the discontent among the candidates that may fail in a simultaneous examination would be in any way comparable with the feeling of soreness and wrong from which the whole country suffers more or less because our young men have to go to England for the examination?—Of course not.

4023. Would it be comparable in any way?—Of course not.

4024. You said that, supposing simultaneous examinations were instituted, you did not anticipate, for about a generation, that any position which need cause apprehension to a European would arise. After that supposing the situation is reached when there was a tendency on the part of Indians to swamp the service you say a remedy could then be found?—Yes.

4025. It was put to you that it might then be difficult to find a remedy. Are you aware that there have been instances in the past when what was conceded first was afterwards withdrawn because other ideas came to prevail with the authorities? Can you recall any instances when a definite share of appointments which had been given to our people was afterwards curtailed because the ideas at head-quarters underwent a change?—I cannot at once think of any.

4026. You remember the rules of 1879?—Yes.

4027 What proportion was practically assured to us under those rules?—It was proposed to appoint one statutory civilian to every five men raised in England.

4028. Which meant a proportion of one-sixth?—Yes.

4029. Today in the Madras Presidency the proportion is one-thirteenth?—Yes.

4030. And the arrangement of listed posts came into existence as a result of the labours of the last Public Service Commission with the orders of the Secretary of State thereon?—Yes.

4031. So that there you have an instance where, with a change of views on the part of the authorities, we have been actually put back after having been promised something more?—Yes, the result is so, but I am not aware that it was brought about . . .

4032. But there it is. From one-sixth we have been now reduced to one-thirteenth. If, therefore, after another generation has elapsed, it is found that the number of Englishmen who get in by the competitive door is not sufficient, it would not be a very difficult matter to impose a limit on the number of Indians coming in?—No.

4033. (*Mr. Madge.*) I understood you to say that the standard of education here is not as high as the Civil Service requires, and you said that comparatively few would enter, and afterwards you said two would enter from this Presidency and two from each of the others?—I said so tentatively. I said I did not want to be precise.

4034. If the standard of education in the country is recognisably lower, I do not understand how you can expect anybody at all to pass a higher standard. It is like requiring a man six foot high to stand upright in nine or twelve feet of water?—I am thinking only of our best men as possible candidates for the simultaneous examination. The fact that our best men got through in a local examination however high does not mean that they could not get through if they took pains in a still higher examination.

4035. But the best men, however naturally qualified they may be, are required to be qualified to given standards, and if the standard does not exist talent cannot qualify for a non-existing standard?—If the standard is presented, I think talent could rise to it.

4036. (*Mr. Abdur Rahim.*) You are rather partial to examinations; are you not?—As a mode of recruitment.

4037. I suppose you have given some thought to the best way of developing national character?—Yes.

4038. Have you considered in that connection what would be the result on young men of an undue multiplication of examinations?—I should consider it under several aspects. In the first place I am greatly impressed by the thought that this appeals only to a very select few, and the educational world need not be perturbed at the advent of a new examination by the Civil Service examiners.

4039. Would you agree with me that too many examinations are likely injuriously to affect the growth of character in young men?—Certainly.

4040. (*Sir Valentine Chirol.*) You suggest that simultaneous examinations will result only in a very small increase for a considerable time to the number of Indians in the Civil Service, and on the other hand you suggest, as an alternative, a scheme which would at once reduce the number of Englishmen employed in the Indian Civil Service to about one-third of the existing number?—Yes.

4041. Can you really call those two schemes alternative schemes when they produce such extremely different results as to the future position with which we may be called upon to deal?—With regard to simultaneous examinations, I was thinking only of the results in the next few years. In the case of the other, since the proportions are to be fixed now, I think we should take a wide margin.

4042. Do you think that if you put before a given number of young men in this country two alternatives, one which would give them at once a very considerable increase in the chances of employment, an increase that would materially affect their immediate prospects in life and another a scheme which only presents more or less distant advantages of the same character, they would prefer the first scheme to the latter or the latter scheme to the first?—I should divide the class of people to whom this matter appeals into two classes. The higher minds of India would probably accept the alternative of simultaneous examinations, as it offers to them a guarantee of perfect equality of treatment and recognition as perfectly competent to stand as members of the highest service in the world. The other would appeal to a very much larger number of people. If I had the option I would choose the simultaneous examination.

4043. It seems to me rather dangerous to put forward two alternatives which are likely to create two such very different tendencies? May I suggest one qualification?—You are now taking my scheme along with the proposal I have made for the removal of Judicial appointments from the Indian Civil Service cadre. You have reduced the number of Europeans likely to form the residue by a third by making the other calculation; but even if this question did not come up now, I should have advocated the removal of the Judicial appointments from the Indian Civil Service cadre, so that really the evil of my scheme is not so great.

4044 (*Sir Murray Hammick.*) In the case of the simultaneous examination, do you intend the same examiners to mark the percentages which are given to candidates in India as well as to candidates in England?—Yes.

4045. Mr. Gokhale put before you as a reason for supposing that there would be little or no political danger in withdrawing this concession of simultaneous examination, supposing Indians were found some years hence to swamp the country through these examinations, that it was unreasonable to suppose that it would be politically dangerous to withdraw those concessions, because certain concessions had been given in 1879 and had been subsequently withdrawn. Do you not think that the very dangerous unrest which has existed in India during the past ten or twelve years has had something to do with the disappointment which the withdrawal of those concessions caused in India?—It may be a very small extent, but to some extent the dangerous unrest which has been a matter of common talk in India for some years was partly caused by the very disappointment felt by the withdrawal of concessions which were made in 1879 . . .

4046. (*Mr. Gokhale.*) May I correct a misapprehension; I did not say the withdrawal of the concession but the limiting of the number.

4047. (*Sir Murray Hammick.*) The point is whether, if the Indians become predominant in this examination, and you wish to limit afterwards, it would not be dangerous to do so. Do you not think that the disappointment which was generally caused throughout India by the withdrawal of the concessions given in 1879 is not to some small extent one of the causes which brought about the dangerous unrest which has been common talk in India for several years past?—I do not think I could tell you that that was in any appreciable degree a contributory factor.

4048. But it is possible it was?—It is just possible.

4049. (*Mr. Oldfield.*) How long have you been headmaster at Triplicane?—Eight years.

4050. And before that?—I was assistant master in various schools for a period of about ten years.

4051. Where?—In Madras for four years, and in the mufassal for six.

4052. You have not had a very large mufassal experience?—Six years, and I am a native of Tanjore.

4053. Have you any particular qualifications to speak with regard to legal matters?—Not at all.

4054. Your opposition to the Indian Civilians holding judgeships is rather comprehensive. What is it based on?—On two considerations. First of all, I have heard opinions expressed that the Civilians holding the appointments of District and Sessions Judge were not absolutely up to the mark in their work, and in the second place, I think that the recruitment might be more economical if members of the Bar who had qualified themselves for such posts were chosen.

4055. With regard to the first point, do you know that the Government of India has forbidden the practice of transferring men who are failures in the Revenue department to the Judicial?—I have heard so.

4056. Do you know there is a principle now by which men are invited to elect for the Judicial, and therefore there is some reason to expect men will go into it who have some slight enthusiasm for that kind of work. Would that qualify your opinion?—I have no doubt to that extent the evil would be minimised, but still there is the other thing.

4057. Would you propose the appointment of Indian Civilians who had been called to the Bar as Judges?—Not if they had not practised for some years here.

4058. You consider practice essential?—Yes.

4059. You think that the practice of District Munsifs is an asset of value to them before they are appointed District Judges?—Certainly.

4060. It is not a very long practice, generally?—Five years, I think.

4061 And not in very important cases as a rule?—I think it could not be in the first five years.

4062. Men do not get engagements in big cases in the first five years. What about criminal work? The Indian Civilian has a good deal of practice in criminal work as a Magistrate, and has occasion to know something about the Procedure Code, investigating crime, and so on?—The others could acquire that as well.

4063. Where would they acquire it?—Not under the present arrangement under which Munsifs and Subordinate Judges do very little criminal work, but we could tack it on to their work. I said I was not competent to construct a whole scheme.

4064. I am contrasting the Indian Civilian with the Indian Judges at present. At present the Indian Civilian has the advantage of knowing something about criminal practice, although he has never practised at the Bar, but it is not so with the English Judge. How do you compare those two things? Do you think they counterbalance?—I do not think so at all.

4065. You recognise that a good deal is said about the doings of the Police in criminal cases?—Yes.

4066. Do not you think it is of the very utmost importance that a Judge should have some knowledge of investigation and police procedure and the work of village officers, and so on?—Yes.

(The witness withdrew.)

M.R.Ry. S. Kasturi Ranga Aiyangar Avargal, Editor, *The Hindu.*

Written answers relating to the Indian Civil Service.

4067 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—In my opinion, the present system of recruitment by open competitive examination in England generally secures a class of intellectually efficient men. They are, however, essentially wanting in the characteristics which would make the administration of a Government department a popular one or a successful one in the true sense of the term. This class of officers under the present system are mainly composed of men of British birth and descent. With rare exceptions, they never get into touch with the people of the country, the educated as well as the uneducated, and the administration is carried on as if it were a machinery devised by a foreign authority and imposed from without. They act as if they felt that there should always be a gulf separating those who were in charge of the administration and the people of the country. Both in respect of social relations and when discharging the duties of their office, they consider themselves as an exclusive and a privileged class. They are generally wanting in consideration for the feelings, habits and traditions of the people. They are devoid of sympathy with and are usually jealous of the larger aspirations in respect of their national development which animate the educated Indians. They do not care to cultivate a friendly and sympathetic understanding with the people and rarely acquire a deep and real insight into the actual conditions of the country and the felt needs of the people. The members of the service set far too great a store upon the prestige attending it and are too generously disposed to be tolerant towards the lapses from duty of those belonging to the service. In my opinion, the general spirit and attitude of the members of the Civil Service act as a standing block to the co-operation of the people with the Government. They feel and act as if they were temporary sojourners in a foreign land. The Indian bureaucracy is in short what has been termed "a soulless machinery," so far as the larger interests of the country are concerned.

I consider that the system of recruitment by open competitive examination is a satisfactory one in principle, being the best that can be devised to secure men of merit and character and efficiency for the posts in the Civil Service

4068 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system of competitive examination does not, in my opinion, make available for service in this country the best men either among the British or the Indians. I consider that the former preponderate to an unduly large extent, and the latter have a minimum chance. I would urge that a simultaneous examination for the Indian Civil Service be held in India as in England. In my opinion, only graduates of British or Indian Universities should be eligible to compete in the examinations. In regard to the subjects for examination, the marks assigned for the classical languages of India should be the same as for Greek and Latin.

4069 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I consider that the system of competitive examination is as much suitable to the Natives of India as to other natural-born subjects of His Majesty, but the former are heavily handicapped and labour under great disadvantages by the examination being held in England. The best Indian youths are unable to compete under the present conditions and as large a number of Indians as are desirable and necessary to be enlisted in the service in the interests of good Government are not obtained under the existing system.

4070 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—In my opinion, the combination of the open competitive examination for Indian Civil Service with that of the Home Civil Service will be to the advantage of Indian interests, but not its combination with the Colonial Civil Service. It seems to me that the former would promote a sense of equality and of fraternity among the Natives of Great Britain and of India

which would be largely conducive to the establishment of a cordial understanding between the British Government and the Indian people. If Indians obtain employment in the Home Civil Service by entering through the door of open competitive examination, the sense of racial superiority which animates the Englishmen who hold offices in the Indian Civil Service will largely disappear, and Indians would feel that they in common with the British born subjects are in fact, as in the eye of the law, fellow-citizens of the Empire. By reason of the laws prevailing in the Colonies, which exclude all Asiatics, including those Indians who are British subjects, from the rights of fellow-citizens, there is no reason or justice, in my opinion, in holding an open competitive examination for the Indian Civil Service in combination with that for the Colonial Civil Service.

4071 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—In my opinion a system of simultaneous examinations in India and in England for admission into the Indian Civil Service is a necessary measure. For the reason referred to in my answer to question (4), I would exclude those who are domiciled in the British Colonies from being eligible to appear as candidates in the examinations. As already stated, I would have only graduates of British or Indian Universities as candidates and those who pass the examination in India and are not graduates of a British University should undergo a period of training and residence in England for not less than one year.

4072 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of a scheme fixing a proportion for filling the vacancies in the Indian Civil Service cadre by Natives of India. Nor am I for a separate examination in India either for each province or for a group of provinces. On the other hand, I am in favour of one examination for all India, and for the officers in each province being freely transferable for duty to other provinces. In respect of certain grades of offices in the State carrying fairly high emoluments, whether executive or judicial, I would strongly urge the appointment of Indians or other Statutory Natives of India in provinces to which they do not belong by birth.

4073 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—My answer is in the affirmative.

4074 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—Please see answer to question (64).

4075 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would recommend that Judicial appointments from the grade of District and Sessions Judge and upwards should be recruited from the members of the legal profession both in England and in India. The members of the Judicial service below the rank of District and Sessions Judge should be recruited from the members of the legal profession in India, and a small proportion of appointments in the grade of District and Sessions Judge may be thrown open to them.

4076 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The existing rule seems sufficient.

4077 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—I should say, twenty-five.

4078 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I see no sufficient grounds for making a distinction between Indians and Europeans in this respect.

4079 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I have no remarks to offer except that the marks assigned for Sanskrit and Arabic should be the same as for Greek and Latin.

4080 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I am of opinion that Indian candidates must have the option of taking up Indian languages for examination in lieu of Greek, Latin and French.

4081 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—My answer is in the negative.

4082 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I consider it desirable that European subjects of His Majesty should be continued to be employed in the higher parts of the civil administration, but do not consider it necessary that any minimum should be fixed. Even with the institution of simultaneous examinations in India and in England for the Indian Civil Service, I think that a much larger number of Europeans would normally come out successful in the examination than Indians. This would be the case for a long time to come. I may here

draw attention to the remarks, with which I agree, contained in the Indian Public Service Commission Report of 1885-86, paragraph 64, in regard to the fixing of a proportion and the institution of a separate examination for Natives of India :—

"This suggestion does not commend itself to the Commission. In the first place, it involves a differential mode of treatment which would certainly be distasteful to the Native community, whose desire is to be permitted to compete on equal terms with the educated youth of England. In the next place, the adoption of any suggestion which involves separate standards of examination for Europeans and Natives is open to many of the objections which have been taken in the evidence before the Commission to the Statutory Service, and to which reference will be made in the following chapter of this report. Not the least prominent of these is the fact that persons appointed otherwise than by a common test and under a common standard are liable to be regarded as not possessing the same qualifications. Moreover, the system of allotting a certain number of appointments to be competed for by Natives and Europeans respectively is a departure from the principles of the Statute of 1833 and the Queen's Proclamation, inasmuch as it involves an artificial exclusion of candidates on grounds of race from appointments for which they may be in other respects the best qualified persons. It has, indeed, been suggested that if increased facilities are given to Natives in connection with the open competition in England, it is desirable to fix such a limit in order to guard against Natives gaining admission to the service by the competitive examination to an extent which may prove a source of difficulty or embarrassment. But when the disadvantages are considered under which Natives labour in competing in a foreign country, in subjects of study peculiarly English, and against the flower of English schools and colleges, the hypothesis involves so violent an improbability that it may be dismissed without serious discussion."

4083 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India ?—I do not consider it satisfactory.

4084 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend ?—I do not think so.

4085 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted ?—No.

4086 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed ?—The system has not worked satisfactorily. It has produced much dissatisfaction among the members of the Provincial Civil Service as well as the general public. In the first place, the listed posts are too few. Secondly, the appointment to them by the Local Government partakes of the system of nomination, both in respect of the method of recruitment and selection of the individual officer. The abolition of a competitive examination for recruitment to these offices has tended greatly to cripple the system.

4087 (27). Is the class of posts listed suitable ? If not, in what directions would you suggest any changes, and why ?—If simultaneous examinations are not to be held for the Indian Civil Service, the present class of listed posts is quite unsuitable and inadequate. I consider that then one half of the several posts reserved to the Indian Civil Service should be listed to the Provincial Civil Service.

4088 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions ?—I am against the idea of incorporating the principle of communal representation in any scheme relating to the recruitment of offices, whether executive or judicial. Fitness and efficiency must be the sole criteria by which posts in the Government service should be filled. There is great inequality in the educational qualifications and capacity to fill high offices among the members of the different communities inhabiting the various parts of India. If any one community is found to be very weak in one part of the country, it should be easy to import persons belonging to that community and possessing the requisite qualifications from another province. As I have stated before, I should prefer as a general rule that to all important offices in the Government service persons belonging to one province should be appointed in a province other than their own.

4089 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service ?—Yes.

4090 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers ?—I consider that those Indians who have not graduated in any British University and who pass the competitive examination in India under a system of simultaneous examinations for the Indian Civil Service should spend one year of probation and training in England.

4091 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England ?—No.

4092 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre ?—No.

4093 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service ? If so, what are the causes ? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied ?—I consider that there is much deterioration in the knowledge of the Indian languages possessed by the European members of the Indian Civil Service. They rarely acquire adequate proficiency in them. The liberal leave and furlough allowances enable the European members frequently to leave the country and lose touch with it. The small social circle composed of Europeans in which they move out of office hours, gives them no opportunity to mix freely with Indians and learn their vernaculars. I am unable to say how this state of things can be remedied. By the large leavening of the Civil Service with the Indian element, the necessity of the European members acquiring any large acquaintance with the Indian languages will, I believe, not be felt very much in the administration of the country.

4094 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judical branch ?—In my opinion, the members of the Indian Civil Service should not be eligible for employment in the Judicial Service, but must be reserved for the Executive branch of the public service.

4095 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty ? If so, please state the special arrangements that you recommend ?—Natives of India who are not graduates of a British University who pass the competitive examination in India should undergo a year's training and residence in England.

4096 (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited ?—*Vide* answer to question (40).

4097 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent ? If so please state your proposals ?—I consider that persons recruited for the Indian Civil Service should be free from the prejudice to foreign travel and should either before or after passing the competitive examination have resided in England for a sufficiently long time to acquire a knowledge of Great Britain and of its institutions and people.

4098 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service ? If not, what rates do you suggest for the various grades of the service ?—I do not approve of the present arrangement and I think there should be no difference in pay between one person and another who happen to hold the same office discharging the same functions.

Written answers relating to the Provincial Civil Service.

4099 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration ?—The conditions laid down in the resolution are not suitable in that they have not made it obligatory on Local Governments to institute a system of competitive examinations for recruitment in the several Provincial Services.

4100 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration ?—The rules now in force for the recruitment of the Provincial Civil Service in this Presidency are not suitable. They have dispensed with the system of competitive examinations, which is a fatal defect in any system of recruitment for public offices.

4101 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs ?—In my opinion, recruitment for the Provincial Civil Service should ordinarily be thrown open to residents of all the provinces in India.

4102 (54). Are all classes and communities duly represented in your Provincial Civil Service ? Do you consider that this is desirable, and what arrangements do you recommend to secure this object ?—I believe they are, by the system of nomination and selection adopted by the Government. In a system of competitive examination, all classes and communities are not likely to be represented in the Provincial Civil Service. In my opinion, however, the principle of representation of classes and communities is not a fit one to act upon in the recruitment for public offices. Capacity, merit and efficiency should be the sole criteria. I may observe, however, that in different parts of the country there are classes and communities containing individuals of varying degrees of education, talent and capacity. By an adjustable method of transfer of officers, it would be easy to redress the seeming inadequacy in the numbers of persons belonging to one class or community in one province by importing qualified men belonging to that class or community from another province.

4103 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated ? Is any change desirable, and if so, in what direction ?—I am in favour of a complete separation of judicial and executive functions in the holder of an office. Purity of the administration of justice and the confidence of the people in the same demand the adoption of this measure.

4104 (58). Are you satisfied with the present designation "the Provincial Civil Service" ? If not, what would you suggest ?—In view of the desirability of the residents of all the provinces in India being eligible for recruitment for the service, I would drop the expression "Provincial."

4105 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I am not satisfied that the principle referred to should be accepted in the matter. The governing considerations should be the nature of the duties to be discharged, the prestige attaching to the office and the class of men whom it is desirable that it should attract.

4106 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I would deprecate any inequality in the rates of pay of men holding the same office and discharging similar duties, whether they belong to the Indian Civil Service or the Provincial Service.

4107 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not satisfied with the existing organisation of the Provincial Civil Service, as it is now recruited mainly from those who start life from clerical posts carrying a salary of Rs. 35. The alternative organisation which I would recommend is on the basis that the superior posts of the Executive branches of the service should be thrown open for competition by a system of simultaneous examinations held in England and in India. The Provincial executive service should be recruited by open competition on a scheme similar to that which Sir Gabriel Stokes proposed to the Madras Government some time ago, and which was commended for adoption by the Royal Commission on Decentralization, with one important difference. Sir Gabriel Stokes said:—

"My idea and a proposal which I actually made is that the executive service of the Revenue department should be divided at the grade of a Deputy Tahsildar, that the service above that should be made into a superior service with a lower subordinate clerical service, that the superior service should be recruited by a combination of nomination with competition. For example, you should make a Selection Committee who would receive applications from any body who wanted an appointment, who would actually personally interview the applicant, ascertain particulars of his family and his connections and everything of that sort, whether he was in good health and so on and finally passing as a candidate; then you would pass in that way, say, three hundred men; there would be about thirty vacancies; then you would have a competitive examination amongst the three hundred men for the thirty vacancies."

I would accept his scheme with this important difference,—that the selection should be by open and free competition and not by the system of modified competition which he advocates.

Mr. S. KASTURI RANGA AIYANGAR, called and examined.

4108. (*Chairman.*) You are the Editor of the *Hindu* paper, are you not?—Yes.

4109. Can you tell us what other positions you have occupied?—About 30 years ago I was Sub-Registrar for some time, and I was enrolled as a Vakil of the High Court and practised in the districts for about ten years, and for about ten years in the Madras High Court. I have been a member of the local municipality of Coimbatore and also of the District Board, and also an Honorary Magistrate in Coimbatore and an official visitor of the central gaol there.

4110. What is your caste?—I am a Brahman.

4111. In your first answer you state that the European members of the Indian Civil Service are generally wanting in consideration for the feelings, habits and traditions of the people. On what ground do you base that statement?—It is based upon my personal experience of these officers as well as the information which I have derived from various sources. I have held the present position for eight years and have had access to information from various quarters regarding the nature of these officers, the way in which they perform their work, and the relations which they stand in towards the people; and I have also been personally acquainted with them when practising in the districts and here. The remarks which I have made are based upon that experience and knowledge.

4112. Is your general statement based on the experience you have personally received from visits in the country districts?—It is based upon personal experience and upon information which I have derived from people who are in a position to know the state of things.

4113. Is it based upon one or two instances?—Several instances. I could mention any number of instances to substantiate every one of those assertions.

4114. Do you confine that statement to the Presidency of Madras?—Entirely to the Presidency of Madras.

4115. You say, "The members of the service set far too great a store upon the prestige attending it and are too generously disposed to be tolerant towards the lapses from duty of those belonging to the service." Could you give us a little further information on that point?—What I mean is that they regard it as a close preserve, and the *esprit de corps* which attaches in their opinion to the service makes them very tolerant towards the faults of the members of the service.

4116. I gather from that statement that you are in a position to know of faults which have occurred and faults which have not been dealt with by the service?—By the service, yes. When faults are brought to the notice of other persons, they are very prone to excuse them rather than deal with them in an efficient manner.

4117. You are anxious to see the establishment of simultaneous examinations?—Yes.

4118. Do you apprehend any difficulty, as the result of success in those examinations, in regard

to the various traditions obtaining in the different provinces and the officers who would be appointed to those provinces?—I do not apprehend any difficulty. I have stated in my answers that although from some provinces there may be candidates who would pass in larger numbers than in other provinces I would generally like that these officers should be employed in places other than their own, and it is therefore capable of being adjusted in that manner.

4119. You think it will be a good thing?—I think it will be a good thing, and I think it is a necessary thing in the case of almost all officers who can afford to live away from their own province.

4120. You think it would be a good thing to develop a free interchange of officers for the whole of India?—Yes.

4121. And you do not apprehend any difficulty with regard to the varying and diverse conditions which at present exist as between one province and another?—I do not.

4122. Do you think it would be good for the officer?—Yes.

4123. And you think it would be in the best interests of administrative efficiency?—I do think so.

4124. I take it there are very wide differences in the provinces of India?—Not essential differences. As a matter of fact men who pass the Indian Civil Service from one province are posted to very different provinces. My own view is that the great advantage which the Englishman has in this country is that he is entirely foreign to all, with no local associations or prepossessions or prejudices. It is that which makes him shine better than the local officers in various cases.

4125. There are different vernaculars, are there not?—Yes.

4126. You do not think there would be any difficulty in an official going from one province to another where an entirely different vernacular is spoken?—I do not think there would be much difficulty at all. I think a Native of this country can easily pick up a vernacular of any other province to which he does not belong.

4127. And with your free system of interchange the officer in the course of his term would have to pick up a good many?—It is not necessary that the officer should be sent to numerous places where he is not acquainted with the local language.

4128. But would he easily pick it up in his spare moments?—If a Madras man is sent to Bengal or Bombay, it is not necessary that he should learn all the languages of India.

4129. It would be necessary for him to learn the language of the province to which he is appointed, would it not?—It would be no more difficult for the Indian than for the Englishman to be employed in various places in this country.

4130. You attach value to the Indian officer having British training?—I do.

4131. What do you suggest in that connection?—If the examination is passed in India, he should go to England and spend one year there at least.

4132. What do you suggest he should do during that year; should he be attached to a University?—He should attach himself to a University and attend Parliamentary proceedings and make himself acquainted with British institutions.

4133. What age do you think is the most favourable for him to go to England to get this British training?—About 21 to 22.

4134. You are also anxious to see free interchange between officers of the Provincial Service?—Yes.

4135. And you do not apprehend any difficulty in that connection in regard to the Provincial Civil Service, any more than you do in regard to the Indian Civil Service?—I do not apprehend any difficulty; I consider it a necessary measure.

4136. If your proposal regarding the Provincial Service were accepted, do you advocate the retention of the listed posts?—I do not.

4137. You would abolish them?—Yes.

4138. You would like to see the Provincial Civil Service quite detached from the Indian Civil Service?—Yes.

4139. Regarding it as an inferior service?—Yes.

4140. You are in favour of uniformity of salaries?—I am in favour of uniformity. Under the present system the Provincial Civil Service man and District Judge gets a much lower pay than a Civilian Collector, although he hears appeals. If the Magistrate gives a decision, the Indian Judge, whose pay is much lower than his, has to hear appeals from his decision.

4141. Do you not think the expenses of a European may be somewhat in excess of the expenses of an Indian living in his own country?—Nowadays, in my view, Europeans are not spending as much money upon their establishments in India as they did in former days. I think they have gradually curtailed their expenses at the present day. I do not think it will be a great disadvantage to them.

4142. Do you think the cost of living has increased in recent years in India?—It has increased, but if the pay of these officers is to be increased it ought to be increased all round. It seems to me invidious to have a distinction of salaries as regards persons who discharge the same duties and perform the same functions.

4143. You are in favour of separating the Judicial from the Executive?—Yes.

4144. What proportion of Judicial posts would you leave to Europeans?—I advocate that all the Judicial appointments, from the District Judge upwards, should be recruited from members of the Bar, English and Indian.

4145. (*Sir Murray Hammick.*) In the first of your written answers when you say that the administration is carried on as a "soulless machinery" so far as the larger interests of the country are concerned, do you refer to the Indian Civil Service officers generally or only to the European members of the Indian Civil Service?—I refer to the European members only.

4146. What has been your experience of the work of the European officer up-country?—I was a member of the Coimbatore District Board from 1885 up to 1892. I do not say I was there exactly all the time.

4147. Were you living in Coimbatore then?—Yes. I was also at the time a member of the municipality and an honorary magistrate of Coimbatore.

4148. Were you then a Registrar?—No, I was then a practising High Court Vakil.

4149. Have you had any personal experience since that time of the work of a District officer of the Indian Civil Service up-country, since the year 1892 and outside Coimbatore?—I was in Coimbatore until 1894 and subsequently I came to Madras. I was practising as a Vakil in Madras.

4150. Have you had any personal experience of the work of a European officer up-country in the mufassal since the time you left Coimbatore?—No, not personally; I was not actually engaged with European officers.

4151. Have you ever seen a European officer in camp, for instance at Jamabandi, or doing his work in camp, in a district, since the time you left Coimbatore?—I have been to European officers in the course of my professional duty.

4152. Which European officers have you been to?—Magistrates and Collectors.

4153. Where?—In several districts.

4154. How often have you seen these European officers?—I cannot exactly say, but I have been to them several times when appearing in cases.

4155. Do you think that this want of touch with the people of the country is increasing or diminishing since the time you saw them in Coimbatore twenty years ago?—My impression is that it has been increasing.

4156. Do you know Mr. Rajagopala Chariar of Travancore?—Yes.

4157. Do you consider he is a person of reasonable judgment?—He is a very clever man and a very able officer.

4158. As Manager of the Co-operative branch Mr. Rajagopala Chariar moved all over the Presidency, did he not?—He did.

4159. He is not an Indian Civil Service man?—He is not.

4160. So he is not likely to be prejudiced against Indian Civil Service officers?—I cannot say anything about that.

4161. Would you be surprised to hear that in his evidence in answer to question (16) he says: "My direct experience has not been large, but I have generally found on enquiry that the men we have been getting latterly, that is, after 1891, have been much more satisfactory in the sense that they have commanded more public respect and the confidence of the people." Do you agree with that view?—That is a general statement.

4162. Do you agree with that view or not?—I cannot say. Those terms are general. I have myself stated that they are an intellectually efficient class.

4163. That is not the point. Have they the public confidence at least as much as they had before 1891?—I have given my opinion.

4164. Cannot you answer my question? Do you think they have the same public confidence now as they had before 1891?—I do not agree with him there.

4165. You do not agree with him?—No.

4166. Have you ever been up-country during the time of a famine?—No.

4167. Have you ever seen an Indian Civil Service officer up-country managing plague?—I have not actually seen it.

4168. Have you ever been up-country and seen a District officer managing an epidemic of cholera?—No.

4169. So that you cannot speak with regard to the sympathy of the District officer of the country when he is managing matters of that kind?—I do not think it follows.

4170. I say you cannot speak from experience of having seen whether a District officer shows sympathy or not to the people of this country when he is managing matters of that kind?—Sympathy is shown in various directions and embraces a large number of subjects. It is a very general term. There may be directions in which an officer may show sympathy and other directions in which he may show a want of sympathy. I cannot say that because a particular officer showed himself active in plague proceedings he was all an officer should be. He may have been in that particular instance sympathetic. I have myself heard of an officer in the Salem Collectorate who showed a great deal of sympathy, and it was noted in the Press. If an officer is shown to be of a sympathetic nature that is so much to his credit. I cannot lay down any general proposition.

4171. If an officer shows sympathy during a plague epidemic, during a period of famine, and during a cholera epidemic, would it not be reasonable to draw the conclusion that he was generally a sympathetic officer with the people of this country?—To that extent I will say he was a very sympathetic officer.

4172. You propose to replace the officers of the Civil Service to a large extent by officers recruited in this country?—Yes.

4173. Most of those would be Brahmans at first?—Not necessarily.

4174. You know that the competitive examinations we have hitherto had in this Presidency have resulted in a very large majority of Brahmans getting into the service?—That is so.

4175. So that it is probable that simultaneous examinations will produce a considerable proportion of Brahmans to send up as Indian Civil Service officers in the first instance. I would ask you to put yourself in the position of a Panchama or very low caste man up-country who wishes to approach the Brahman officer: can he go into his house without first of all asking for permission and arrangements being made that he should not defile the house?—It is not necessary for a Panchama to go into the Brahman's house.

4176. I am only asking whether he can go into the house?—You prefaced it by another observation. If you put the question of whether he can go I will say he cannot go.

4177. You have never seen it, but I suppose you will admit that a Pariah, during his time with a European officer, is doing his work with absolute access into the officer's tent, his office room, and, as far as that goes, his dining room?—My own experience is that menial servants have no access, even in European households, to the better quarters of the household.

4178. To my mind you do not know much about it, because they have complete access everywhere. Do you think a Panchama would say that a European District officer was less accessible to him than the Brahman Collector, if such a person exists? Which is most probable?—I think the Panchama would prefer a Brahman because he can go quite easily and tell his wants to him and the Brahman would understand them much more readily than the European would. In most cases the European would deny access to people of that low degree.

4179. You say that this has been getting worse. When did this deterioration of the service, which you say is so marked now, first set in?—I cannot say when it did set in. I have found it most marked during the time when there was the so-called political unrest in this country. I had reason to believe that every civilian officer distrusted, without any discrimination, any Indian whoever he might be. If, for instance, a political outrage happened in the remotest Province of Bengal, no Indian was safe from the suspicion of civilians. Every respectable man was viewed with suspicion as regards this political unrest.

4180. Every respectable man was regarded with suspicion?—Yes. No man could free himself from the suspicion with which a European officer always looked upon him.

4181. Are you talking of Madras?—I am talking generally. When I say every man, I mean that in the vast majority of cases every European officer believed that an Indian, however respectable he might be, would be connected with sedition.

4182. Do you think that is the generally prevalent opinion of intellectual persons in this Presidency, that after the unrest set in every European officer considered that the great majority of educated Indians he associated with were seditious?—The large majority of Indians.

4183. I am glad to say I never thought that before. It may be so, but it never occurred to me before. You read your own paper, I suppose, the *Hindu*?—I do not think that is a question you ought to put to me; that is the answer I will give you.

4184. But it is a perfectly harmless question?—It is a very objectionable question I should say for you to ask me whether I read my own paper, the paper of which I am the Editor.

4185. (*Chairman.*) I am sure Sir Murray Hammick did not intend any offence?—It is the paper of which I am Editor.

4186. (*Sir Murray Hammick.*) I had no intention whatever of hurting your feelings and I apologise profoundly. What I wanted to go on to say was this. I have read your paper very carefully for very many years and what I always noted in your paper was that, although your leading articles and your face page very often contained very strong criticisms on our service, which I never resented, when I turned over the page I generally saw that four or five correspondents were writing from various districts, and I do not think it is an exaggeration to say that out of those letters at least three out of six contained most landatory accounts of the Indian Civil Service officers of the district. Generally the Indian Civil Service officer was described as being most courteous, and it was said:—"We are exceedingly delighted to have such a pleasant gentleman in our midst," or "Mr. Somebody was received with acclamation at the station as our most popular Collector." Do you read those articles?—I do not mean to say there are not officers who deserve well of the people; at the same time I would say that those letters are written by people who are on the spot with those officers and generally want to curry favour with them. That is a matter that you ought to be acquainted with as much as with the other.

4187. (*Sir Valentine Chirol.*) You began with certain very general and sweeping statements with regard to English Civilians, mostly based, according to the answers you have given to Sir Murray Hammick, not on your personal experience, and you have said to him that you believe a Panchama would prefer to have to deal with a Brahman rather than an English officer, because he would be more accessible. Would you be surprised to hear that not a Panchama but a non-Brahman Hindu gentleman came to me yesterday to make me a statement the whole character of which would correspond exactly with your statement with regard to the English Civilian if you substituted for the "English Civilian" the word "Brahman?"—I am not surprised. I would say this, that not one non-Brahman would come to you in that way, but any number of non-Brahmans would come if they knew such statement would be received with much approval and consideration. A great deal depends on what a person thinks of the source he ought to go to for a statement of that sort. I myself would not attach the slightest value to the statement of a man who comes to you solitarily and gives you some information in private. It is open to a non-Brahman gentleman of that kind to come and give evidence before this Commission and subject himself to cross-examination.

4188. You advocate the establishment of competitive examinations in England and India for the Indian Civil Service?—Yes.

4189. And you do so in the hope and belief that it will lead to an increase of Indians and a diminishing of Englishmen in the service?—Yes.

4190. Do you think that that desire is very widely entertained by the people of India?—I think 99 per cent. of the people of India entertain that. You must be aware of the political agitation since the time of the Congress; I think you have referred to it in your own book on the Indian unrest.

4191. The result of that new system of competition will be, you hope, ultimately to lead to a large substitution of the Indian agency for British agency in the administration of this country?—I do not say a large substitution; I say a reasonable substitution of Indian agency for British agency. I am not advocating a large substitution of Indian agency for British agency. You would see from an answer to one of the questions that if a system of simultaneous examinations is not given to the people, but if the listed posts are to be increased, to what proportion they should be given, I have said 50 per cent.

4192. You look to that increase at any rate?—Yes, I do look to that.

4193. And you think that that increase would be very generally welcome?—It would be, I believe.

4194. Are you aware that when, for purposes of administrative convenience, there is a desire to effect an exchange of territory between British administered provinces and an adjoining native province, there is generally very strong protest by the inhabitants of the villages which are to be transferred against the prospects of being withdrawn from British and placed under Native administration?—I would generally say that a

British Province is better administered than most Native States.

4195. You do not think that is in consequence of any predominance of the British agency ?—I believe the British Government is a sound and just one although I may take exception to individual officers.

4196. You are in favour of complete separation of judicial and executive functions ?—Yes.

4197. And the withdrawal of all judicial functions from the Indian Civil Service ?—Yes.

4198. You say that this is necessary on account of the purity of the administration of justice ?—Yes.

4199. Do you mean to say that the employment of civilians in the administration of justice is detrimental to the purity of the administration of justice ?—I mean that if the officer is both an executive officer and a judicial officer it is detrimental.

4200. To the purity of the administration of justice ?—Yes.

4201. What do you mean by the purity of the administration of justice ?—Impartiality.

4202. That is not a matter of purity; that is partiality ?—Purity includes impartiality.

4203. You are in favour of the employment of Indian executive officers outside the provinces of their birth ?—Yes.

4204. Do you really suggest that it would be either to the benefit of efficient administration or to the benefit of the good relations between the administered and the administrator that, for instance, a Muhammadan from Northern India or a Lingayyat from the Bombay Presidency should be appointed to executive office in this province where he would be entirely unfamiliar with the habits, customs, and language of the country ?—A Muhammadan from whatever part of India he may come would be much more acquainted with the people and ways here, or get to know better their customs and habits, than an Englishman.

4205. Are you acquainted with many other parts of India ?—I have travelled over many parts of India.

4206. And you think that any Indian would be more acceptable ?—Yes

4207. (*Mr. Abdur Rahim.*) You say in answer to question (1) that the present system of recruitment secures a class of intellectually efficient men, and then you proceed to set out a list of what I consider very grave defects in a considerable number of men who have satisfied that test ?—Yes.

4208. And you still uphold the system. I should like to understand how that is ?—It is not the competitive system which is the cause of it; it is because the service is kept as a close preserve to which only people of British descent can aspire. They consider it ought to be kept especially for their class. It is only by giving them that provision that the British Government can have their own prestige kept up. My own impression is that the European Civilians themselves are vastly improved by contact with Indian Civilians. There will be a feeling of comradeship and emulation between the Indian and European members of the service, and things would adjust themselves to a footing of proper equality, and the administration would improve. They consider now that they are aloof from the actual interests of the people.

4209. What you really mean is that the predominance of the British element seems to create a sort of bureaucracy ?—My impression is that the Indians who enter into the Indian Civil Service are looked upon as a sort of intruders who have come into the sacred precincts. That is the impression the English members of the Civil Service create on observers.

4210. Then your satisfaction with this system is more or less a matter not based on actual experience ?—I cannot say it is from actual experience. I expect certain results to follow from the simultaneous examination scheme. By a large number of Indians being in the Indian Civil Service the tone of the service would be improved and they would more identify themselves with the interests of the people of the country, with the institutions of the country, and with its progress.

4211. (*Mr. Madge.*) You have said that about 99 per cent. of the people of India would approve of simultaneous examinations ?—Of course I meant educated Indians. Probably some belonging to a class of people who are called statutory Natives of India may not agree with that proposition.

4212. What proportion do you think the class that you call educated bear to the people at large ?—I have not calculated the figures.

4213. Approximately ? The literate classes are given in the census returns ?—I know. It is impossible to say what proportion of the people of India are literate, but I say all those who have had access to high English education are of this opinion; in fact, the large majority of them.

4214. I do not want to seem discourteous to you. My question is what proportion does the class you consider qualified to give the opinion you have expressed, bear to the whole of the country ?—I cannot tell you the proportion.

4215. Then it is an unknown quantity ?—You may take it so if you like.

4216. Do you accept the opinion of an unknown quantity that you decline to define ?—The class of educated Indians is a well-known description. It is easily intelligible to people. I admit it would be a small minority in comparison with the vast population of India.

4217. My reason for asking you this question is that I have had the advantage of consulting men in Bengal who differ entirely from you, and according to your own standard would rank amongst the highest educated class in this country, and who would establish some difference between you and others. Apparently from your answers you do not attach much importance to opinions in the Press in favour of British officers. But in Bengal statements are constantly appearing in the Press expressing great satisfaction with the conduct of British officers, not when they are in the district and any further favours can be expected from them, but when they are going away. Indeed proposals to raise testimonials and memorials to them have not infrequently been put forward ?—I myself know of some British officers for whom I have great admiration.

4218. I have not finished my question. I simply want to ask you why your Province differs so much from Bengal and other Provinces with which I am somewhat familiar ?—I cannot say it differs because in the first place I do not know the difference. How can I explain the

reason when I do not know it is a fact that in other provinces there is such universal recognition.

4219. I have called your attention to the fact that public reports appear to the effect I have already stated ?—I should like to be satisfied much more than from a mere statement of that kind.

4220. You would recommend that Judicial appointments from the grade of District and Sessions Judge upwards should be recruited from the members of the legal profession both in England and in India. I suppose you mean Barristers ?—Yes.

4221. In the case of Barristers coming out straight from England, they would as Sessions Judges have to decide a class of cases in which the habits and customs and thought of the people of this country are involved to a large extent, and you think all this should be excluded from the view of a Judge in deciding cases ? I am not referring to Indian Barristers who may be supposed to know something of the country, but British Barristers who are entire strangers to the country ?—British Barristers as a matter of fact are brought into the High Court and do take up Sessions cases without any previous acquaintance with the country. Therefore I say there is no objection to British Barristers coming out here as District Judges.

4222. There may be a practice which may or may not be perfect; I am not asking what exists and whether you approve of it or not. But I am asking whether you think, in the case of a Sessions Judge, who does not go out into the mufassal but has to deal with the people, that cases that come before him would not require some knowledge of the people, their habits of thought and feeling, and local customs and practices ?—They would be undoubtedly better with some knowledge, but I do not think that a serious drawback to them as Judges, considering that they would have superior legal training. Men who have had some practice in England and who have had a legal training I conside rsuperior to persons in the Civil Service who have had executive work to perform and who after that get themselves transferred to the Judicial branch.

4223. Besides being entire strangers to the country they would be entire strangers to the language. In all these respects do you think a civilian makes a worse judge, with all his knowledge of the country and his long experience of it ?—Yes, I do think so.

4224. In answer to question (54) as to whether all classes and communities are duly represented in the Provincial Civil Service, you say that they are by a system of selection and nomination adopted by the Government. Do you believe at the present moment that all classes and communities are represented ?—Yes, that is the answer which I have given.

4225. Then according to that there should be no dissatisfaction anywhere as to the constitution of the Provincial Civil Service. Strangers coming in here have heard that a particular class monopolises most of the appointments, but you believe that is a mistaken statement ?—If you can point me out any such statement, I will look at it. I do not know what that statement is.

4226. (*Mr. Gokhale.*) As regards the greater accessibility claimed for European officers, do cases occur in this Presidency from time to time in which Indians of education and position have had reason to complain of the treatment they receive from European officers ?—There are such cases.

4227. Cases for instance of being kept waiting, standing outside the house before being called in ?—I heard of a case of this sort only the other day in which a Magistrate, when a vakil of the High Court went to prefer a criminal appeal to him, had two chairs placed at the entrance of the compound, not within his verandah. When he came into the house he found the vakil with his papers applying for bail and his petition for appeal and simply asked him what the thing was, and when told said: "The application for bail is rejected; I will post a date for hearing the appeal." He fixed a day for hearing the appeal at that very place. When the vakil went to him on that day the Magistrate was not there. The vakil sat in the open air for half an hour, and then the Magistrate sent word to him that he would hear it in the office about half a mile away. He had to wait until 5-30. Then he heard the case and said he would deliver judgment subsequently. It was a case in which three months' rigorous imprisonment had been ordered.

4228. As regards the uneducated countrymen, what is their average attitude of mind towards the average European officer ?—It is one of fear.

4229. Is it not one of fear ?—Yes.

4230. If an uneducated Indian wants to go to a European officer, will he go to him direct or to some peon, or some petty clerk ?—He cannot. He has to satisfy servants before he can get access, and most often he does not get access to a European officer.

4231. I have an impression that instructions were issued by the Madras Government some time ago calling upon European officers to treat Indian visitors better ?—Yes, they framed a code of manners for European officers.

4232. When was this code published ?—Last year, specifically asking that certain things should be observed. It was a code of etiquette in reference to Indians of respectability.

4233. Because complaints had reached the Government that Indians were not being properly treated ?—Yes.

4234. You are the editor of a daily paper and you get exchanges from other provinces ?—Yes.

4235. And you glance through them ?—I go through them.

4236. You get exchanges from Bengal ?—Yes.

4237. Do you notice letters from time to time in the Bengal papers complaining of the ill-treatment of Indians at the hands of Europeans ?—I have read most scandalous cases of ill-treatment.

4238. Your province is not therefore singular in that respect ?—By no means.

4239. (*Mr Chaubal.*) That code of instructions that Mr. Gokhale referred to, have you read it yourself ?—I have.

4240. Do not you think that it was issued in order to give the young junior civilians an idea of what forms of etiquette there are which he may not be conversant with and which if he broke he might offend Native feeling ?—It is not only intended for guidance, but it is based on previous experience that such things have not been observed.

4241. But they are intended to prevent a junior officer through ignorance offending the feelings of particular communities—forms of address and such other things?—Yes.

4242. (*Sir Valentine Chirol.*) I should like to ask you one question arising out of your reply to Mr. Gokhale. You said you read letters in the papers from other provinces and you have told us yourself that you as editor are quite willing that correspondence should be published in your own paper which is entirely misleading with regard to the friendliness and good qualities of English officials, knowing that they are written simply in order to curry favour?—I said in some particular cases it may have been introduced by a desire to satisfy the European superior. I did not say that in every case misleading statements have been put forward.

4243. It is a very remarkable statement for an editor of a paper to make, I must say, as a journalist?—I am not here to receive any judgment from you as to my conduct as editor.

(The witness withdrew.)

(Adjourned to Monday, January 13, 1913.)

At Fort St. George, Madras.

Monday, 13th January 1913.

FIFTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

M.R.Ry. Diwan Bahadur, P. RAJAGOPALA CHARIYAR Avargal, C.I.E., Diwan of Travancore.

Written answers relating to the Indian Civil Service.

4244 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of recruitment by open competitive examination works well for the *Revenue* department. It was probably never really satisfactory in regard to the *Judicial* department; with the great improvement in the Bar that has taken place in recent years, the average Civilian has become increasingly unfit to hold his own in judicial work. The first need, therefore, in my opinion, is the complete separation of the Revenue and Judicial departments. The recruitment for the *Revenue* department may continue by open competition.

4245 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I would recommend that the Judicial department be completely separated from the Revenue and recruited almost wholly from the Bar direct. Should this principle be adopted, recruitment by competitive examination for the Judicial department is hardly practicable. The conditions of recruitment, service, etc., for the Judicial department will have to be framed on quite different lines.

4246 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is now unsuitable in the sense that the large majority of capable Indian youths are practically shut out from the competition, because the examination is held only in England. I see no other unsuitability, so far as "Natives of India" are concerned.

4247 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—As I have no objection to the present system of recruitment by open competitive examination, so far as the *Revenue* department is concerned, I have no alternative to propose. In regard to the *Judicial* department, my view is that recruitment must be almost wholly from the Bar. Provided that a man has come from the Bar, I have no objection to his being promoted from a lower judicial appointment to a higher one.

4248 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—A system of simultaneous examination, in my opinion, will be the only solution having any finality, so far as the claims of Natives of India are concerned.

4249 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I see no need for the simultaneous examination being held outside the United Kingdom and India. At present, Natives of India are not, I believe, eligible for appointments in the self-governing colonies, and I do not think that the latter could, with any show of reason, ask for special facilities being given them for appointment to the Indian Civil Service.

4250 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am against a system of separate examinations. The result will be that the men coming in by the examination held in India will, in the end, be considered by the Governments, and also by their own countrymen, as belonging to an inferior species. This will prejudice them and affect their work.

4251 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—As I am for simultaneous examinations, I am not in favour of any system by which "Natives of India" will gain admission by means of nomination or even part nomination. Experience has shown that, when once nomination is allowed in any form, it is difficult for the nominating authority to resist the pressure brought to bear upon it to appoint the less qualified in preference to the more qualified. It is, of course, desirable that all classes should be represented in the public service, and it may appear that nomination is the *only* way open of securing this object in the case of the educationally very backward communities. The dangers of jobbery, consequent on giving the power of nomination, are, however, so great that I would consider the exclusion of one or two communities, for a time, as the lesser evil. Also, it has to be remembered that communities once considered educationally backward have improved considerably in recent years. It would probably be to the interest of those communities themselves to take away from them this temptation of getting their men in otherwise than by the open door. Further, it has to be remembered that the Indian Civil Service is intended to be a *corps d'élite*, and for admission to a service like that efficiency should be the only test. The legitimate aspirations of the more backward classes for a share in the Government of their country can be met through the Provincial Civil Service. Nomination will, I take it, always play a large part in admission to the Provincial Civil Service, and it will be open to each Provincial Government to give due weight to racial considerations in recruiting for the local service. If promotion to listed appointments from the Provincial Civil Service is allowed to continue, as I propose that it should, it will be open to a member of a backward community to rise to the Indian Civil Service through that door, after proving his fitness in a subordinate appointment.

4252 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I am not in favour of a system for the *part* recruitment of the Indian Civil Service by "Natives of India" in India. The provision of simultaneous examinations should, I think, meet all reasonable requirements, so far as the "Natives of India" are concerned.

4253 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The provision for the promotion to appointments in the Indian Civil Service, of officers in what are known as the Provincial Civil Services, should, I think, continue; provided that this is done, I would wholly confine the admission of "Natives of India" to the Indian Civil Service to the door of open competition.

4254 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I have already said that the Judicial department should, in my opinion, be wholly separated from the Revenue department. The system that I would propose is to have a separate Judicial department for each province, composed of the entire judiciary of the province with salaries of Rs. 200 and upwards. This department should, in my opinion, be recruited from men having some knowledge of law and also experience at the Bar—either Barristers or Pleaders of the High Court. At present, in the Madras Presidency, the class of Munsifs is recruited almost wholly from the vakils of the Madras High Court. The Sub-Judges are almost wholly appointed by promotion from among the Munsifs

But only four, out of about twenty-two District Judgeships, are open to these men, the other eighteen being held by men of the Indian Civil Service whose whole previous experience has been obtained in the Revenue department. It is true that, on account of the combination of Land Revenue and Criminal Judicial functions that now prevails, these officers have had some experience as Magistrates, but it has been generally found that this experience does not avail them much. It is notorious that many of the men appointed to the District and Sessions Judgeships are, for some years at least after their appointment, unfit for their work, and they pick up their experience at the expense of the litigant public. Also, the evil is accentuated by the unfortunate practice that sometimes prevails of relegating to the Judicial department those who have been found unfit for the Executive, under the erroneous impression that an incompetent man can do less harm at the head of a Court than at the head of a district. Not only is all this not fair to the public, but it is injurious to the administration, by constantly exhibiting members of what is supposed to be a *corps d'élite* as palpably inferior in attainments to their own subordinates and also as inferior to the members of the Bar practising before them. When once the Revenue department is constituted separate from the Judicial, the former may be relieved wholly of judicial work and confined to the important work of administering the Revenue and promoting agriculture, etc. I recognise that a European element will be necessary in the Judicial department. This element may be provided by the appointment of European Barristers (of some experience at the Bar) straight to a certain number of the higher posts in the Judicial department. Also a similar course may be pursued for obtaining for service in the higher ranks of the Judicial department more seasoned vakils than are likely to care to enter in the lowest rung.

4255 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I am of opinion that candidates who have completed a *University* course should, as far as possible, be obtained. I would, therefore, maintain the present age limit for the competitive examination—22 to 24 years.

4256 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21–23 or 22–24 years, followed by one year's probation)?—My *direct* experience has not been much, but I have generally found, on enquiry, that the men we have been getting latterly—after 1891—have been more satisfactory in the sense that they have commanded more of public respect and confidence.

4257 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—The recent recruits cannot be said to be inferior to those of any previous period. I have seen a great many Civil Servants in my time, and my opinion is that, during the last 10 or 15 years, the service has been *improving*. I know that a different opinion is held and expressed by several people, and I would therefore give my reasons at some length. I made it a point during my tours, when I was Registrar of Co-operative Credit Societies, to enquire and find out what exactly the *ordinary* people were thinking. So far as I was able to gather, the opinion was that, in more recent times, the men coming in were of a superior type. It has to be remembered that administrative work is more difficult now than before; public servants are exposed to a more searching, sometimes a more unreasonable, criticism than before; the Civil Servant nowadays is expected, on the one hand, to carry out loyally the policy and the orders of his Government; he is *also* at the same time expected to get on smoothly with the non-official public and win the approbation of the latter. It is not always possible to reconcile the two things; the modern Collector is much more tied down by laws and rules, and has often very much less of discretion, either in the matter of spending money or in other respects, than his predecessors of 30 or 40 years ago; for all these reasons, his task is harder; one is apt, under these circumstances, to say that the men coming out latterly are not so good as those who came out a generation or two ago. I have given some thought to this aspect of the matter, and my conclusion is that there has been no deterioration.

4258 (18). What is the most suitable age at which junior Civilians should arrive in India?—About 24.

4259 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—The same age limits as for Englishmen should, I think, suffice for "Natives of India".

4260 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail "shall, to whatever calling he may devote himself, "have any reason to regret the time and labour "which he had spent in preparing himself to be "examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—While the principle laid down by Lord Macaulay may continue to be accepted as generally correct, it seems to me that the time has come when some specialisation may, with advantage, be aimed at. If the proposal to separate the Judicial department wholly from the Revenue department and to organise it as a separate department, be accepted, the subjects for the open competition for recruitment to the Revenue department may, with some advantage, be specialised by the addition of subjects such as, say, agriculture. At present, the Agricultural department makes so little headway, because the staff is comparatively small for a large

province. If the average Civilian has a knowledge of agriculture, not only would he be able to administer the Land Revenue department more satisfactorily, but he should be in a position to do a great deal for popularising improved methods of cultivation, etc., in his district. Also, I would manipulate the syllabus so as to encourage the acquisition of some knowledge of the classical and spoken languages of India.

4261 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—It seems to me that the present syllabus handicaps Indian youths. Greek and Latin are taught, I believe, in almost every English school, and they play an important part, I am told, in the English Universities; at any rate in the older ones. The syllabus assigns 1,600 marks to Greek and 1,600 marks to Latin. Very few Indian youths are likely to take either. Sanskrit and Arabic are assigned only 800 marks each. I would rectify this disparity by amplifying the Sanskrit and Arabic on the lines adopted for Greek and Latin and assigning to each of them 1,600 marks. Not only is this necessary in fairness to the Indian candidates, but it seems to me that a knowledge of Sanskrit and Arabic would enable the possessor thereof to pick up the Indian languages very much more than a knowledge of Latin and Greek. With the exception of Tamil, I believe that almost every one of the present spoken languages of India is based on Sanskrit and Arabic in varying degrees. I would also provide for Persian, and assign 1,600 marks to it. This would be an advantage to the Muhammadan community, whose admission into the Civil Service in adequate numbers is alleged to be one of the chief difficulties in the way of a rigorous open competition. I also think that the principal Indian Vernaculars should be placed on the same level as French, German and Italian, and assigned 600 marks each. I take it that a knowledge of an Indian Vernacular cannot be of less value to an Indian Civil Servant than German, French or Italian. For reasons already stated, I would add Agriculture to the list and assign an adequate number of marks to it, so as to induce as many young men as possible to take it up.

4262 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I do not think that any differentiation is either necessary or desirable. If Sanskrit and Arabic are given the same position as Greek and Latin, if Persian were added and assigned equal rank, and if the principal Vernacular languages of India are treated on a par with the spoken languages of Europe, the Indian candidates would have the same opportunities as English candidates. That should, in my opinion, suffice.

4263 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I would remove from the Schedule all the *Judicial* appointments, for the reason that I advocate the organisation of a separate Judicial department. I would also remove from the Schedule the appointments attached to the several Governments, the Accountant-Generalships, and the Controller-Generalship, as I see no reason why these appointments should be reserved to any one branch of the Public Service. The appointments 1 to 10 under "Revenue" may continue to be reserved for the Indian Civil Service, and to bring the title of the service more into accord with its work—in case the suggestion made by me is adopted—I would call it the Indian Revenue Service.

4264 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I certainly think that a minimum proportion of European officers is necessary in the higher posts of the Civil Administration. But I would not prescribe any proportion by rule just now, as it is not necessary. A proportion like that, even if fixed, can hardly be a permanent thing. So long as admission is made on the strength of a competitive examination, for which an *English* education is necessary, it will be found, I believe, that the majority of the successful candidates are Englishmen. [I use the term *English* education in its broad sense. I would call the education given in the Universities in India an English education.] The term Civil Administration is presumably intended to cover all departments other than the Military department. Should a separate Judicial department be organised for each province, the question will naturally arise what proportion of the higher appointments should be held by Europeans in it. I would fix the proportion equally between Europeans and Indians. I take it that the departments other than the Revenue and Judicial are not now under consideration.

4265 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept it as generally satisfactory.

4266 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I do not think that the "Natives of

India" who have entered the service in Madras have been less efficient than their English brethren. The majority of them have gone into the Judicial department as District Judges, for which their previous training had not fitted them. Their work may not, therefore, compare favourably with that of the members of the Provincial Civil Service who have attained the rank of District (and Sessions) Judges after a great deal of judicial training: but for that matter, they share the disadvantage with their English brethren.

4267 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I am against the revival of the old system of "Statutory Civilians." As I am myself a Statutory Civilian, being the only one now remaining in Madras, I may mention my reasons at some length. Though the idea originally was that the Statutory Civilians, except in the matter of their emoluments, should be treated as members of the Covenanted Civil Service and put on terms of perfect equality with the English members of that service, this idea was never carried out in practice. Many of the Statutory Civilians were appointed for reasons among which a consideration of efficiency was not the main one. Further, the members of the (old) Uncovenanted Service—now called the Provincial Service—viewed the appointment of the Statutory Civilians with considerable hostility. The Statutory Civilians found themselves from the very outset, in an uncomfortable position, with the Government, with their countrymen in other branches of the public service, and with the public generally. The system broke down, and was condemned by the late Public Service Commission. It would be a great mistake to revive the old Statutory Service in any form. The causes which brought about the breakdown of that service, would again operate the moment it is revived, and a second breakdown is a foregone conclusion.

4268 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—The figures are correct with one exception. The number of headships of districts, open to the Provincial Civil Service, is now 3, not 2; the additional appointment is that of the Registrar of Co-operative Credit Societies.

4269 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—I believe that, with the exception of the Under Secretary to Government, the other appointments *have* generally been held by "Natives of India." I believe that the Under Secretaryship to Government is being held by a Provincial Civil Servant for the last one or two years.

4270 (35). To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—During the last five years, the listed posts have been held *mainly* by Statutory Civilians and Provincial Civil Servants. There have been two instances of the appointments of "Natives of India" other than Statutory and Provincial Civil Servants. I allude to the two District and Sessions Judgeships held during the last five years by Messrs. M. O. Parthasarathi Aiyangar and C. V. Kumaraswami Sastri, who rose to the listed appointments from the City Civil Court Judgeship. I speak under the impression that the City Civil Court Judgeship is not considered a Provincial Civil Service appointment.

4271 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—The power has been exercised—*vide* answer to the previous question.

4272 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—So far as I can gather, there is no feeling about it, one way or the other.

4273 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The *class* of listed posts is suitable, but the number is inadequate. On account of the comparatively large numbers of members of the Provincial Services, and the very small number of the listed posts, the tendency has been for a Provincial Civil Servant to get into a listed post towards the closing period of his official career. Under circumstances like that, the officer does not get much benefit from his promotion, and the work he can perform also loses to a certain extent in efficiency. Unless the number of the listed appointments in any department bears some reasonable proportion to the numbers lower down, there is bound to be dissatisfaction and also loss of efficiency.

4274. (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—In the *Executive* line, the Provincial men have not been less efficient than the Indian Civil Service men. In the *Judicial* line, they have been more efficient.

4275 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—At the risk of being blamed for repetition, I would reiterate the need for separating the Revenue and Judicial departments. The requirements for the two departments are fundamentally different, and the divergency is getting wider day by day. A single

system by which young men are recruited for two such divergent branches is bound to be difficult to work. If the Judicial department is wholly taken out, and organised by itself, with special reference to its own needs, it should be possible so to reorganise the Civil Service as to confine it to the important work of Revenue Administration. Also, it should be possible to specialise considerably in the training of the civilian when it is settled that he would have to devote himself wholly to Revenue work. There are one or two Revenue departments now to which Europeans are appointed in the higher ranks *by nomination*. These appointments may also be transferred to the Civil Service, which would then cover the entire field of the Revenue Administration, with the Board of Revenue at the head.

4276 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I have had no personal experience of the results of the system. It strikes me, however, that, when *university* men are recruited, a year's probation should suffice, and the period might probably, with more advantage, be spent in India at the head-quarters of each province than in England.

4277 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—If the Indian Civil Servants are confined to the Revenue department, it follows that the only remaining subjects in the list for them will be the vernacular and classical languages of India and Indian History. These may probably, with more advantage, be studied in India than in England. A portion of the one year's probation, if it is decided to spend it in India, may probably with advantage, be spent at the Agricultural Institute at Pusa. I would add "The Indian Land Tenures" as a compulsory subject for probationers.

4278 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—As already stated, I feel that the probationer's course of instruction can, with more advantage, be spent in India than in England, so far as those who pass the competitive examination in England are concerned.

4279 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am against a Central Training College, but would leave each province to arrange for the training of its men.

4280 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—A year's course of probation under the supervision of the Provincial Government would, in my opinion, best meet the case.

4281 (56). In the report of the Treasury Committee appointed to consider the organisation of oriental studies in London (1909), the view is taken that the preliminary training in oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—The objections to training in India, given by the Treasury Committee, do not appear to me convincing. In learning languages, I believe that it is the generally accepted view that one would learn it better in the country where it is spoken than elsewhere. If the training is given at the Provincial head-quarters, it should not be difficult to arrange for good teachers, etc. And as for arduous work in a tropical climate, as the Indian Civilian is going to have 21 years of it, I do not quite see the need for being anxious about the extra one year.

4282 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have made no proposal for the direct recruitment in India for "Natives of India" in lieu of or supplementary to the system of recruitment by open competition, my view being that a simultaneous examination would satisfy all reasonable Indian aspirations. In regard to the probation, however, I would make it quite different for the Indian successful candidates. The great thing in regard to the Englishman will be to enable him to pick up a knowledge of the vernaculars and otherwise understand the country. In the case of the Indian, that difficulty practically will not exist, or where it does, it could be easily surmounted. The great thing will be to inoculate him with what may be called the English standpoint of view of most questions. I would, in the case of Natives of India succeeding in the simultaneous examination held in India enforce a compulsory one year's probation to be spent in England.

4283 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—As stated in my answer to question (57), a differentiation *is* necessary in regard to the probation between Englishmen and Natives of India. I consider that, for a Native of India obtaining admission into the Indian Civil Service, it is desirable that the probationary period should be spent in England, whereas for the Englishman, it should be the other way.

4284 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what

change should, in your opinion, be introduced ?—The training is mostly nominal. They pick up their experience, as other people do, by making mistakes and getting corrected; and the need for passing the departmental examinations enforces a certain volume of study. There is very little more in the training I believe.

4285 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend ?—The departmental examinations may be left alone, provided however that, if the Judicial department is separately organised and law omitted, the departmental examinations may be amplified in the direction of revenue and confined to that and the vernacular languages.

4286 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service ? If so, what are the causes ? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied ?—It is difficult to say if Indian Civil Servants have deteriorated in their knowledge of the vernacular languages. Probably they have. But I hardly think that they are to blame. A knowledge of English has spread in recent years (in Madras) to an extent which has made a knowledge of the Indian languages on the part of the Indian Civil Servant less of a need. The correspondence in mufassal public offices, down to and including the taluk offices, is now conducted a great deal in English, so much so, that when there is any report to draft, it is often easier to get it done in English by a Rs. 25 clerk than in the man's own vernacular. This was not so 26 years ago when I entered the service. If, as the result, the Indian Civil Servant has been feeling less the need for knowing the vernacular of his district, it is not a matter for surprise.

4287 (63). Do you recommend any changes in the rules for the encouragement of the study of oriental languages, and if so, what changes ?—I have no changes to recommend. I would, however, mention a circumstance which is probably peculiar to Madras. We have here not one, but four vernacular languages. Some of them are akin to one another, for example, Tamil and Malayalam. But others are not, for example, Tamil and Telugu. In some of the cases where it was alleged that ignorance of the vernacular had handicapped the Indian Civil Servant, the evil could probably have been obviated if the man had been posted to a district whose vernacular he knew. We have had more than one case in Madras where a junior civilian, after spending years in learning a particular language, has had in the end to spend a great deal of his service in a district whose vernacular was not the one he had learnt. This, however, is a matter of detail.

4288 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose ?—I think that the whole system of recruitment, so far as the Judicial department is concerned, is wrong. No amount of patching it will, in my opinion, do good. A good *working* knowledge of law, such as will make a good judge, can best be gained by practice at the Bar. The whole training of a junior Civil Servant (I speak of course only of Madras of which alone I have direct knowledge) unfits him, in my opinion, for higher judicial work. That, notwithstanding this drawback, we have had occasionally Indian Civil Servant Judges who were really good Judges, speaks much in favour of the particular men. All the same, the system is wrong. Merely passing a Law examination would not carry the Indian Civil Servant far.

4289 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch ? If so, please give details ?—I do not think that this is quite practicable. Should, however, the proposal to form a separate Judicial department be considered quite impracticable, and the country *has* to get on with a judiciary whose higher ranks are recruited almost wholly from the Revenue department (that is what it really is now) it is of course desirable that the Indian Civil Servant should pick up his judicial experience with the minimum amount of miscarriage of justice and loss to the litigant public. I would, therefore, propose that he be started *as a Munsif*, no higher. The training for judicial work given in a Munsif's Court is by no means bad, and the value of a suit does not exceed Rs. 2,000 or Rs. 2,500. This will be the least injurious course.

4290 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of oriental languages ?—It will probably do very little good so far as the administration of justice by the Indian Civil Servant is concerned. Law is one of those things where *theoretical* knowledge, however wide, cannot obviate the need for *practice*.

4291 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty ? If so, please state your proposals ?—When once the men have joined their appointments, there is no need to differentiate in the matter of training between "Natives of India" and Europeans.

4292 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system ? If so, do you consider that the period of eight years is suitable, or do you recommend any change ? What alteration (if any) would be necessary if

the age of recruitment were lowered ?—My only objection to the theory noted above is that it is assumed (and the assumption has also been carried out in practice) that every Indian Civil Servant, after getting his training, eight years or any other period, is bound to become fit for one of the higher appointments, the headship of a district or the headship of a court. The assumption is erroneous. There have been instances (not many of course) when officers, after completing their Sub-Collectorships (Joint Magistrateships) did *not* become fit to rise either to a Collectorship or a District Judgeship. All the same, the men had to be promoted and were promoted. The result was that the public had to suffer and the prestige of the Administration was also lowered. I think that the first need in any scheme is to make a provision for obviating this evil. However careful the recruitment may be, and whatever attention may be paid to subsequent training, it is inevitable that a few men should turn up, from time to time, whom it is a puzzle to the Government to know what to do with. I would, therefore, propose some arrangement by which, at the end of five or six years, the absolutely unfit may be sent away on a gratuity or some such thing.

In regard to the period of eight years mentioned in the question, I consider it far too low. The headship of a district or of a court is a very responsible appointment, and I consider that no Civil Servant should aspire to it till he has put in, say, twelve years in a subordinate appointment.

4293 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement ? If not, what alteration would you suggest, and for what reasons ?—I consider this a suitable arrangement.

4294 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers ?—The interests of individual officers are now fully considered; every Indian Civil Servant, so far as I remember, has risen to a Collectorship or a Judgeship when his turn came. It is unlikely that *every one* of them was fit for it. On the other hand, there have been cases (a few of course) when the men promoted should not have been allowed to go up above a Sub-Collectorship. The compulsory retirement of inefficient officers should, in my opinion, take place, *not after* they have put in their full service for pension—when they have done all the harm that they could—but *before* they rise to the responsible appointments of headships of districts and courts. Some provision for weeding out the unfit at a preliminary stage, is, in my opinion, necessary.

In regard to selection for higher appointments, the evil in Madras has been far too rigid an adherence to seniority; almost up to the top of the tree. I cannot help feeling that, when once a Collectorship or a Judgeship has been reached, seniority should play *quite* a subordinate part in choosing for the appointments above. In the Judicial branch, the promotion of an Indian Civil Servant District Judge, over the heads of his seniors, to a High Court Judgeship, is by no means infrequent. In the Executive line, we seldom see a Collector being promoted over the heads of his seniors, to a Membership of the Board. It means either that the men who have gone into the Revenue line are probably very much more fit for promotion than those who have gone into the Judicial line, *or* that a more rigorous selection for promotion and less of consideration for seniority is shown in the Judicial line than in the Revenue. The latter is, I fear, more in accord with fact.

Again, it seems to me that it would be to the advantage of the Administration if at least one seat in the Executive Council is assigned to the special departments (I mean the departments other than the Revenue) which play an increasing part in the Government of the country. Since Sir Philip Hutchins left the Council, and till the other day when a "Native of India" was appointed to the Council, the Councillors have been chosen wholly from Indian Civil Servants *of the Revenue line*. The Judicial branch of the same service never supplied a Member; and such important departments as Public Works, Education, and Medical and Sanitary, have never supplied a Member to the Council. A Membership of the Executive Council is *not*, I believe, one of the appointments reserved *by Statute* for the "Covenanted Civil Service." In view to the increasing importance of the departments other than the Land Revenue, and the increasing part that they play in the administration of the country, I would propose that one of the seats in the Council be assigned, by rotation, to the Judicial, Educational, Public Works, etc., departments.

4295 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated ? Is any change desirable, and, if so, in what directions ?—At present there is no differentiation, till the time comes for promoting an officer to the headship of a district or the headship of a court. Then an oscillation takes place, an officer not unusually changing several times from the Executive to the Judicial, and *vice versâ*, before he settles down in one of the two departments. The only effective remedy, in my opinion, is the complete separation of the Judicial department from the Revenue.

4296 (92). Are the present rates of pay and grading suitable ? If not, what alterations do you recommend ?—I have no changes to propose.

4297 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both ?—I have not heard of any dissatisfaction.

4298 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions ? Should such abolition apply to officers already employed or be restricted to future entrants ?—I think that the exchange compensation allowance should be abolished. The abolition, if made, can hardly be made retrospectively; I mean, that it will suffice if the abolition is restricted to future entrants.

4299 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I do not propose an increase of salary in lieu of the exchange compensation. Assuming that such an increase of salary *is* contemplated, it will be a serious mistake to make a difference between "Natives of India" and Europeans. I know that several of the "Natives of India" in the Indian Civil Service resent the line drawn between them and their European brethren in the matter of the exchange compensation allowance; and I would not accentuate that difference.

4300 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am against a time-scale.

4301 (100). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—I am wholly against a time-scale.

4302 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—The time-scales have been introduced in several other departments only in recent years; and it is probably premature to judge of the result.

4303 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—As already stated, the Statutory Civil Service has practically ceased to exist in Madras, and I have no remarks to offer in regard to its pay. So far as the Provincial men are concerned, however, I think that it is a mistake to fix their scale of pay —*when they are holding listed appointments*—on a markedly lower level than for Indian Civil Servants. The number of the listed appointments open to the Provincial Civil Services is comparatively small; the additional expenditure involved by giving them the same scale of pay as for the European officers doing the same work may not be much. After all, the pay of an appointment should have reference to the *work* to be performed, not to the *nationality* of the man holding it. The concession given to the Provincial Services by allowing some of their members to rise to a few of the higher posts (*i.e.*, the listed posts) is robbed of much of its value by the differential treatment shown in the matter of the pay. I know that this differential treatment is resented as a badge of inferiority. It seems to me that it would be a politic thing to do away with it.

4304 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—So far as the Statutory Civil Service is concerned, for reasons already stated, I offer no remarks. In regard to the Provincial Civil Services, however, I consider that, when the officers belonging to these services rise to the listed posts, they should have the same concession in the matter of their leave as the Indian Civil Servants. The present leave rules of the Provincial Civil Service (and for the matter of that of the Statutory Service) press hard on the officers in several respects. For example, an officer cannot take any furlough till he has put in ten years' service, and subsequent to that, he can take furlough only once in eight years. The result is that an officer is afraid to take furlough, for fear that he may not be in a position to take it again for another eight years. The private affairs leave does not carry one far, as only six months could be taken and private affairs leave cancels furlough. In many cases officers are unable to take long leave except on medical certificate. Again, only *one* year's long leave out of twenty-five years' service counts for pension, whereas, in the case of the Indian Civil Servant, four years so count out of twenty-five years' service. It is true that, if a Statutory Civilian or Provincial Civilian spends his leave out of India, he can count *two* years out of twenty-five years; but it is hardly fair to expect a man whose interests are all in India to go out of the country to spend his leave for the sake of getting the leave counted as service for pension. I can mention some other points also, but they are matters of detail. When a Provincial Civil Servant has attained the high rank of the head of a district or the head of a court (and only a *very few* reach that position) there is no reason why, in the matter of leave, as well as of pay, he should not be put on the same level as his European colleagues. In the High Court, no distinction is drawn in the matter of pay and leave between the European Judges and the Indian Judges. I would apply a similar principle to the few high appointments to which alone, under existing conditions, Natives of India could aspire.

4305 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I see no need for extending the special pension to any Executive office. I take it that work in the High Courts is particularly arduous and that the special pension is provided for all Judges including the Indian Civil Servant Judges.

4306 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The retirement for inefficiency, while of course, it is necessary, should be quite at an early stage. It should not be difficult for the Government to find out, within *six or seven years* after an Indian Civil Servant comes in, whether he is suited to the work, or is hopelessly unsuitable. There should be no hesitation in retiring the latter class of officers. A gratuity would probably be better than a pension. The danger of a *regular* scale of reduced pensions, supposed to provide for inefficiency at all stages, is that many people who want to get away would consider a development of inefficiency as a *sine quâ non*.

4307 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—It has always struck me that the minimum period of *thirty* years of active service to enable a Statutory Civilian to get his full pension of Rs. 6,000 *per annum* is excessive. It should, I think, be reduced to twenty-five years. The question is not, however, one of practical politics so far as Madras is concerned.

4308 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—I think that the officers of the Provincial Civil Services holding listed posts must be allowed a pension of Rs. 6,000 *per annum*. They can now claim a maximum of only Rs. 5,000 *per annum*.

Written answers relating to the Provincial Civil Service.

4309 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—For *direct* recruitment I would recommend open competition in the case of the Executive Department, and nomination from the Bar in the case of the Judicial Department, as now.

4310 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is necessary to give adequate representations to all classes in the *Provincial* Services. I believe that all classes *are* pretty fairly represented in Madras now, in both departments.

4311 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that the interests of individual officers and of the Administration are fairly reconciled now.

4312 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The Revenue and the Criminal Judiciary are now combined in one set of officers, and the Civil Judiciary in another set. I would separate the Revenue and the Criminal Judiciary and organise the Judicial department, both Civil and Criminal, as one.

4313 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think that the principle is all right.

4314 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I would have—(i) An extra grade of Deputy Collectors on Rs. 1,000; (ii) An extra grade of Sub-Judges on Rs. 1,000; (iii) the minimum pay of the Munsifs raised from Rs. 200 to Rs. 250.

4315 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am against a time-scale.

4316 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—I am wholly against a time-scale.

4317 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—When an officer of the Provincial Service rises to a *listed* appointment, he should draw the same pay, I think, as his European colleagues in the Indian Civil Service.

4318 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did five, ten, fifteen or twenty years ago? If so, to what is this due?—They are taking more leave now, I believe, than before.

4319 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I think that the two years' furlough now allowed is not excessive and should continue.

4320 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—For a *portion* of the *sick* leave, *one-fourth* average salary is now given. I would give *one-half* the average salary for the entire sick leave (three years).

4321 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—The first furlough comes after *ten* years, and afterwards furlough can be taken at intervals of *eight* years. I would reduce the *ten* years to *eight* years and the *eight* years to *four* years. [Please view this as an answer to question (39).]

4322 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—At present only *one* year of leave (out of *twenty-five* years) counts for pension. I would allow the officer to count *two* years of leave with allowances to count for pension in *twenty-five* years—whether the leave is spent in India or outside India—*vide* also annexure to question (37).

4323 (40). Is the present system of superannuation pensions satisfactory in the interests both of

the Government and the members of the Provincial Civil Service?—Fair. I would allow *voluntary* retirement (on half pay) after *twenty-five* years of service. It is now *thirty* years.

4324 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The Government should have the power to direct the *compulsory* retirement of an officer for inefficiency; and he should, in that case, be deemed to have been *invalided* and given the pension due under the rules.

4325 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I would raise the maximum pension from Rs. 5,000 to Rs. 6,000 *per annum* in the case of those officers.

4326 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The period for *voluntary* retirement may be reduced from *thirty* to *twenty-five* years.

Mr. P. Rajagopala Chariyar, called and examined.

4327. (*Chairman.*) You are a permanent Collector and District Magistrate in the Madras Presidency?—I am.

4328. And a member of the Statutory Civil Service?—Yes.

4329. And you are now on foreign employment as Diwan of Travancore?—Yes.

4330. I understand from your answers to questions that you are the last survivor in Madras of the old statutory system?—Yes, I am.

4331. Although you hold that proud position, you condemn the system and do not desire to see it revived?—I do not want to see it revived.

4332. You recommend a scheme of simultaneous examinations?—Yes.

4333. But you consider at the same time that there should be a limited proportion of European officers in the high posts?—Yes.

4334. Do you regard it as of vital importance to retain a European element in the service of India?—I feel strongly that a substantial European staff should be maintained in India for very many years.

4335. I notice that, whilst holding that view and advocating simultaneous examinations, you do not propose any restriction to carry out that end?—I do not. It is not necessary.

4336. Why do you say it is not necessary?—The present European staff may be capable of reduction, but the reduction should be gradual and not sudden. If we give up the simultaneous examination and go in for a separate examination, we will have to fix at once the irreducible European minimum and assign the balance of the present cadre to the separate examination.

4337. Do you prefer a separate examination to a simultaneous examination?—I am against that. I would either have a simultaneous examination or leave things alone.

4338. At the same time you say that a separate examination could ensure automatically the maintenance of a European element?—Do you mean a separate examination in India?

4339. A separate examination in India, of course?—I do not see quite how that would ensure a European element.

4340. I thought you said that with a separate examination you would have a limited number going up for that examination?—That will be in addition to the other door.

4341. If successful in that examination, I mean?—That will be in addition to the other door being kept open in England. At present we have only two channels, namely, the competition in London, to which all Natives of India are eligible, and what is called promotion to listed appointments in India. If you have three channels it will increase the volume of Natives of India entering the Indian Civil Service. The effect of a separate examination in India will be probably a far too sudden and rapid diminution of the European element than the framers of the scheme contemplate. When we fix a separate examination in India we have to say at once what portion of the cadre is assigned or could be assigned to the people coming in by that door.

4342. You would consider that to be an essential element of the proposal?—Otherwise what is the object of the separate examination? We shall have to say how many appointments are to be thrown open to them. There will be no meaning in having a separate examination if we have no appointments to give to the people competing in it. Before doing that we shall have to determine how much reduction could be made in the cadre of the Indian Civil Service and transfer that to the separate examination. My impression is that when we do that we shall probably find Natives of India coming in more largely than they would if simultaneous examinations are held. That is one of the points which I take.

4343. Do you think that more Indians would come forward for a separate examination than for a simultaneous examination?—It is not a question of coming forward. More Indians will succeed in getting in because it is entirely confined to Indians. The competition will be confined to Natives of India and only Indians will succeed. Now, when we go to England, our boys have to compete with English youths, and the chances are that, when we have a simultaneous examination, although it is held in both countries,—the final list being only one—when the Indian youths in a particular year are not quite up to the mark, they cannot get in, but when you have a separate examination and you have ten men every year and those ten men are not as good as Europeans even then you have to admit them.

4344. If I follow your argument, you are in favour of simultaneous examinations?—Yes.

4345. Mainly for the reason that by carrying out that proposal you will better ensure a European element than you would by a separate examination?—That is one of the reasons.

4346. At the same time could not you conceive that, in a certain number of years in the future, even under simultaneous examinations, the volume of successful Indian candidates might have appreciably increased?—Well, I do not mean to say it is an impossible contingency, but I consider it is a remote contingency, and when the time comes when the number of Indians in the Indian Civil Service is so large that the interests of the country require action to be taken, I take it action should be taken, and the question would have to be grappled with, and another Commission could come in and deal with the whole subject. There is nothing to prevent that.

4347. Regarded from a political point of view you think that would be the psychological juncture to interpose that restriction?—Yes. I would rather not meet that evil until we are face to face with it.

4348. At the time when you are face to face with it?—We could always do it then because we should have a larger volume of public support and should be able to cope with the evil.

4349. Do you think you would have a larger body of Indian support at that juncture than you would at a time when there are not so many candidates who have been successful in the examination?—The Government could very well then say: "We have given you these opportunities and you are now swamping us, and it is not good for the country," and probably a large body of Indian opinion will support them in taking action.

4350. Are you satisfied that an open competition in India will produce the best type of candidate?—Yes, I should think so if the prospects are good.

4351. In your reply to question (13), I see you are in favour of a complete separation of the Judicial and Executive Branches?—Yes, I am.

4352. Would your objections to the present system in any way be met if the Indian Civil Service officers selected for the Judicial Branch had got a proper training before they began to officiate as District and Sessions Judges?—I do not quite understand what the proper training contemplated is.

4353. I will not go into details as to that, but just say that class of training which would fit them for that position?—I do not think it will go far.

4354. You would rather see the two branches, the Judicial and Executive, completely separated?—Yes, I would.

4355. Would you by that proposal withdraw from the Collector, the Revenue Officer, all magisterial powers?—Yes.

4356. Can you conceive that in the course of his daily work as a Revenue Officer it might be necessary from time to time for him to enforce his authority, his magisterial power?—I do not quite understand why it should be. The Collector of course is governed by laws in connection with his Revenue work as well as in other things.

4357. I will put it in this way as a concrete case. A Collector in the ordinary course of his work goes down to a district for Revenue purposes, say to collect rent, and there might be a disturbance incidental to the discharge of that duty. If he was deprived entirely of all magisterial work, might it not put him in a somewhat difficult position to carry out his work as a Revenue Officer?—I do not think so; I do not think there is any danger.

4358. You are not prepared to say that there is any danger of that?—No, absolutely none.

4359. But supposing he was faced with that trouble?—It would be all right; he could appeal to the Magistrate, as other people appeal.

4360. But would not that take some time?—Yes.

4361. But I am talking of an emergency case?—I do not quite see the kind of emergency you refer to. Even as a Collector he cannot decide his own cases as a Magistrate.

4362. But I am suggesting that he could have power in emergency to enforce his authority as a Revenue Officer if in the discharge of his work certain disturbances took place in the district?—He could be given that power by special legislation.

4363. You would not object to that?—No, I would not object to it.

4364. I notice that you say, in answer to question (104), that the pay of Indians and Europeans should be similar?—Yes, I do.

4365. Do you think that the expenses of an Indian, looked at all round, are as great to-day as those of a European?—I have no minute knowledge of what the expenses of a European are, but certainly our expenses have gone up by about 100 per cent. within the last twenty years.

4366. I am not so much thinking of those expenses, although of course they are a very important element. I am thinking of the expenses which are due to climatic conditions and to the effect those conditions may have on a European as distinguished from an Indian. It is a question of the residence and health of the family of the European civilian. Would not that tend towards a more expensive existence for a European than for a Native of India?—As I know so little of European habits, I am not able to say much about that.

4367. In the State of which you are Diwan can you tell us what European officers are employed there, if any?—In certain departments we have a number of them.

4368. What departments?—Educational and Public Works mainly. In them we have a strong European element.

4369. Have you any European Magistrates?—We have two European Magistrates in what they call the planting districts. We have a large European population in Travancore, and for that area we have to provide European Magistrates as otherwise they could not try offences committed by other Europeans there.

4370. (*Lord Ronaldshay.*) In the Public Works Department in your State are the European officers serving under superior Indian officers or not?—Yes, they are.

4371. And do you find that that is quite a satisfactory arrangement, that there is no difficulty?—It is very satisfactory; they get on very well together.

4372. I want to be quite clear as to what your objection to a separate examination is? If I understand you rightly it is this. If a separate examination was held in India it would be necessary to lay down the number of recruits that were to be obtained by means of that examination, would it not?—That is one of the things.

4373. And your fear is that the examination might not produce the necessary number of recruits up to the proper standard of efficiency, that there might not be a sufficient number of candidates who pass the separate examination with those

qualifications which are necessary to make satisfactory officers? - I do not say that. What I say is that when you have a separate examination you must take the best that come up to that examination; whereas if you have a simultaneous examination, even though they may be the best that come up locally, unless they are good as compared with the English candidates they will be eliminated.

4374. (*Sir Theodore Morison.*) In your answer to question (21) you advocate, I understand, certain changes?—I advocate certain changes in the syllabus.

4375. On the ground that they are not fair to Indian candidates?—On the ground that the present syllabus handicaps our young men.

4376. How are the 1,600 marks made up which you would assign to the Indians?—That includes 500 for history.

4377. In this case the 500 for history would not be connected with Arabic history but Indian history?—I would have it Indian history and the history of Oriental countries. Greek history and Roman history, I believe, to be answered satisfactorily, require a knowledge of Latin and Greek, and I understand that we really cannot dispense with that knowledge; we cannot really study history unless we are able to read the originals in those languages. Therefore I would leave that alone. I would not say you must set Greek and Roman history papers such as our boys, not knowing Latin and Greek, could answer; but I would amplify Sanskrit especially to include ancient Indian history, the history of the pre-Mussalman period. A lot of that is in Sanskrit and could be read. I have no objection to the history of other Oriental countries.

4378. With regard to that, you would of course admit quotations from Sanskrit in the same way as you would admit quotations from Greek?—I suppose so.

4379. It is to be exactly the same?—I want to give our men equal opportunities, nothing more.

4380. Then you would also add the principal Indian vernaculars?—Yes.

4381. That again, I understand, is on the ground that the present system places Indian students at a disadvantage, is it not?—Yes, at some disadvantage.

4382. Is it on the ground that it is right to equalise opportunities or on the ground that you think the Indian vernaculars are in themselves good subjects for education?—The Indian vernaculars are very good; I know one of them. If they were not, I would not, for the sake of equal opportunities, ask for a subject which is not worth while being studied for the examination.

4383. There are two considerations, are there not? There is the equality of opportunity and also the other?—Yes.

4384. Do you think that you could give a good modern education in some of the vernaculars of this Presidency? We have had evidence to the contrary?—I know Tamil very well and the literature is excellent.

4385. But is the modern literature very large?—There is not much difference between old Tamil and modern Tamil; it is one of those things in which there is not very much difference.

4386. For instance, would it be possible to give an education up to what we call the B.A. standard in the Tamil language?—For the M.A. we have got Tamil.

4387. But could you give a complete examination in Tamil?—Do you mean without reading anything else?

4388. Yes?—If you educate a man solely in Tamil and he knows nothing else, and you ask whether he can have the whole volume of science, mathematics, and literature in Tamil, I say no.

4389. Mathematics you clearly could have, could not you?—No. Our Indian vernaculars are more literary languages; we have not got scientific books in those languages.

4390. Your science would have to be read in a European language?—The scientific subjects I am not interfering with; I am leaving them alone. I only ask for the vernaculars to be put in the same position as French and German, and those kind of things.

4391. On the ground that at present the Indian students are unfairly handicapped?—Yes, and on the ground also that these languages are worth while studying, that they do give a certain volume of culture.

4392. Could you suggest any European language which you think at the present moment is about in the same stage of development and richness of literature as Tamil?—I do not myself know any European language except English.

4393. Of course we put the French and German languages on the same plane of culture as English?—I do not know anything about that, and my hearsay evidence would be of no value to you.

4394. Supposing we had a simultaneous examination, are there any other subjects which are particularly studied in Indian universities which it would be necessary to introduce?—I am not for any more changes than I have mentioned in my written evidence. I would leave it there.

4395. But I take it as a matter of fact, owing to the difference in the system of education in India and in England, certain other disparities would appear, would not they?—May I know what the disparities are that you contemplate and then I can answer the question.

4396. Certain things are more emphasised in India and certain things more emphasised in England. Indian history, of course, is one of them?—It is at any rate only latterly. At one time we took a pride in neglecting Indian history; now we do not. That attitude has ceased.

4397. Indian philosophy, I hope, is studied here?—Yes, in a way, but when we do turn our attention to philosophy we generally study English philosophy and German philosophy in English translations, and that kind of thing.

4398. Is that quite fair? I should have thought the tendency would be to accentuate and develop Indian culture in an Indian university?—I do not think the separate examination will do all that.

4399. In that case you would also have to represent it in your simultaneous examination?—I would rather not do that. I would just modify one or two marked inequalities in the present syllabus and then leave it alone. After all is said and done, the tone of the administration has to be English, and where an Indian desires to have a share in the administration of the country, and is prepared to assimilate the tone to an adequate extent, I say give him the opportunity. Let him have fair opportunity. But I would not go

out of my way to stimulate his coming in or to put special opportunities in his way. I do not think it is necessary.

4400. I gather you would like the examination to remain predominantly representative of Western ideals?—Certainly.

4401. (*Mr. Chaubal.*) If there is a simultaneous examination, you do not want anything except the present listed posts?—I want the listed posts to continue.

4402. You want the listed posts and simultaneous examinations?—Yes.

4403 You do not care for the separate examination?—I am against the separate examination; I do not care for it.

4404. You said that there must be a certain proportion of European servants in India?—I did not say a proportion; I am not fixing a proportion. I say that there must be a substantial European staff in all departments for very many years to come.

4405. And the rest may be filled by the Indians?—Yes; I would throw open the other things to Indians.

4406. Can you give us some definite idea of what you would consider a sufficient or substantial equipment of the European Service in India in the present condition of the country?—A thing like that will vary from time to time, but taking the condition of the country as it is now, I have said in one place that half the number of the Judicial appointments could be transferred to Indians.

4407. And the others? Speaking about the recruitment, say for any year, if men are wanted for fifty vacancies what would you consider to be a substantial representation of the European element in those fifty vacancies?—I am proposing that the Judicial Department should be quite separate. I can only speak of the Judicial.

4408. I am not taking you into the question of separate departments; we are now on the question of examination and what they should try to get. Supposing there are fifty vacancies for any year, and, as you say, a substantial equipment of the European element is necessary, I want to have your idea as to what you consider to be a substantial equipment of Europeans?—With your permission I must say that I could answer that question only for the two departments separately.

4409. Then let us have it in your own way?—According to my proposal the whole Judiciary must be taken out of it.

4410. May I put it in this way. When it is said that this year there are fifty vacancies, they do not fix the vacancies by so many in the Judicial and so many in the Executive?—That is what I find fault with.

4411. I want you to tell me this, if you can possibly do so. Supposing there are fifty vacancies, and you admit there ought to be a substantial equipment of the European element, then out of fifty vacancies, or sixty or forty, what would you consider to be a substantial proportion of the European element?—I am speaking of the European element in the Service, not in the recruitment.

4412. Then I will say that there are fifty Civil Servants wanted in the Service: how many of them should be European?—In the Judiciary I would have, say, half the number Europeans, and in the Executive I would say two-thirds.

4413. Why do you separate the Executive and Judicial in connection with this matter?—I am unable to give you an answer to cover both.

4414. You are not able to say frankly what proportion you would fix for the European element and what proportion you would fix for the Indian element in the Indian Civil Service generally?—I cannot say that unless you allow me to go into detail.

4415. When you speak about simultaneous examinations you admit, I suppose, that the immediate result in the near future would not be to give any substantial addition to the Indian successful candidates?—I feel that it would not do us any immediate good.

4416. Do you also admit that if there was a simultaneous examination in India, the number of candidates at present going to England and trying to enter by the competition door would lessen?—I do not think so.

4417. You think it will remain as it is?—I do not think it would reduce that number.

4418. You seriously think that if a simultaneous examination for the Indian Civil Service were held every year in India, the number of people going to England and trying to come into the service through the English door will not be lessened?—It will not lessen.

4419. That means that a sufficient number now appears for the examination?—It does not.

4420. If you say that the simultaneous examination is not likely to reduce the number of people who go to England, do I understand you to say that a sufficient number of people is going in now for that examination?—I do not say that. Very few people go now, and those few people will continue to go.

4421. You mean that those few alone will continue to go?—Yes.

4422. What is the object of having this examination if in the near future you do not expect any appreciable number to come in?—There are two or three things to be considered. Firstly, it is a question of equal opportunity. Secondly, in the present condition of our country, it so happens that the boys who have got brains have not got money, and the boys who have got money have not got brains. I do not say it is a general rule, but unfortunately it is so in a large number of cases in the present state of the country. Naturally in the Indian Civil Service we want to be represented by the best youths we can produce, and when you have simultaneous examinations you will probably find a substantial improvement, at any rate, some improvement, in the quality of the Indian youths who get into the Civil Service.

4423. I quite follow. At present, as you say, it is very unfortunate that brains do not carry wealth and wealth does not carry brains, but I suppose those candidates who now appear for the examination in England have a little of each?—Many of them have more of wealth than of brains.

4424. Those that come out successful?—I would not say, so far as my own experience of young men goes, that the men who have come out are quite the brightest of our young men. I believe there has been one instance in which a man failed for the Provincial Civil Service here and came out in the Indian Civil Service.

4425. I do not think that proves much, does it?—No, it need not; I am simply mentioning it.

4426. I want to have your considered opinion about one point. If, as you expect, in the near future, by having an examination of the same stiff character out here as the Indian Civil Service examination in England, and if, as you say, very few will get in in the near future, do not you apprehend any serious discontent on account of having an examination at which many appear and very few get in? Supposing a simultaneous examination were introduced and that, as you admit, simultaneous examinations in the near future are not likely to bring in any appreciable number of students, at least for some time to come, then do you or do you not apprehend that amongst the failures in these simultaneous examinations held in India there will be some discontent?—No. I do not think so, because they do not lose anything by it. They pass or they fail and they go out.

4427. But you admit there is some discontent on account of their not getting through?—When a man goes to England and spends a lot of money and fails to pass, his parents get discontented, he himself is discontented, his wife and family get discontented, and everybody is discontented.

4428. You think there will be no such discontent here?—No. If he goes and gets ploughed he comes home and he settles down to something else.

4429. You would consider that to be a feather in his cap?—No, not a feather in his cap, but he has not invested money in it and therefore he would not consider it so very bad after all.

4430. This may appear to be a very strange question to put but I will put it. Is it very good in the interests of the country that merely brains without any other qualification should go and pass?—I do not say that it is good.

4431. In answer to question (43), you say: "I have had no personal experience of the results of the system. It strikes me, however, that when University men are recruited, a year's probation should suffice." For university men you consider that a year's probation is sufficient?—Yes.

4432. Do you think the same as regards simultaneous examination?—Yes.

4433. Candidates who pass in a simultaneous examination held in India should have one year's residence in England on probation; that is enough?—I could not say that, because I have no experience.

4434. Then that answer does not apply?—No. The probation should be sufficiently long to enable our youths to assimilate English ideas such as are needed for this country.

4435. Would you say what period that should be, whether two, three, or four years?—Unfortunately I am not in a position to say; I am not a great authority on the subject.

4436. But you do say that it ought to be longer?—It may be longer if you think that one year is not sufficient.

4437. In the case of those who take the simultaneous examination here, is one year enough or do you say it must be more, and if so how much more?—If one year is not enough let it be as long as it is necessary.

4438. (*Mr. Gokhale.*) While it may be agreed that in the present circumstances, and for many years to come, there must be a considerable European element in the Public Service, do you think that the laying down of a definite number as the irreducible minimum of Europeans would be consistent with the Parliamentary Act of 1833?—I have not read it.

4439. The Parliamentary Act of 1833 says that no one shall be disqualified?—Yes, by reason of age, colour and that kind of thing, from holding any office.

4440. Statute 3 and 4 of William IV enacted that "No native of the said Territories, nor any natural-born subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said Company." If a definite number is laid down as an irreducible minimum would that be consistent with this Parliamentary statute from which I have quoted?—It is a question of construction, I suppose, and a man of law must answer that. I could not say. It does not *look* consistent, but of course these things have to be interpreted.

4441. I am not asking you to express a lawyer's opinion?—It does not look very consistent, but sometimes lawyers give an opinion very different from ourselves.

4442. Do you think it would be consistent?—It does not look consistent.

4443. Would it be consistent with the Queen's Proclamation of 1858?—The Queen's Proclamation does not say anything about the appointments in the Civil Service.

4444. It says that the people of India should be freely and impartially admitted to all offices for which they are qualified. If you say there should be an irreducible minimum, does it not follow that that minimum must be maintained even when qualified Englishmen are not available. You cannot reduce a minimum?—No.

4445. Even when better qualified Indians are available?—No.

4446. Therefore to that extent the laying down of an irreducible minimum would be inconsistent with the Queen's Proclamation?—I confess I do not see how the Queen's Proclamation comes in, if you will excuse me saying so.

4447. Do you know what the Queen's Proclamation is?—Yes, but it is a Proclamation in a general way. I do not think it contemplated all these details.

4448. It is a solemn promise given by the Sovereign to the people?—We are engaged in getting them to fulfil the promise, and they are fulfilling it from time to time.

4449. Let me put it to you in this way. The Proclamation says: "It is our further will that "so far as may be our subjects, of whatever race "or creed, be freely and impartially admitted to offices in our service, etc." Of course it is a very improbable contingency, you may say it is an almost impossible contingency, but supposing that at any time after you have laid down a certain number as the irreducible minimum, a stage arrives when more qualified Indians are available than Europeans, from the standpoint of the European standard itself, if you say that a certain number shall be Europeans would that be consistent with this?—That will go on being altered from time to time.

4450. If it is an irreducible minimum?—It does not mean irreducible for all time.

4451. If you lay it down as a minimum that may be reducible at some time or other it is not irreducible. An irreducible minimum means a minimum that cannot be altered?—I do not contemplate an unalterable state of affairs.

4452. Therefore you would not lay down an irreducible minimum which is irreducible as long as you can see it?—I would not commit myself to an opinion that whatever we do must stand for all time. There is not the ghost of a chance of it.

4453. Would it not be better to secure the number of Europeans we want in the Public Service by a practical arrangement rather than by doing open and express violence to the Statute of 1833 and the Queen's Proclamation?—That is a matter of policy, I suppose.

4454. I will put it to you like this. As long as a sufficient number of Englishmen get into the service, is it wise that this question should be raised?—I think it is not wise.

4455. It is not wise that anybody should say that the number of Europeans in the service shall be so and so?—When we have a sufficient number of Europeans, and we can keep that state of affairs going, I would not parade this difficulty and make a discussion of the question.

4456. Would it not be wiser to secure the object of having a certain number of Europeans by practical arrangements rather than by laying down in black and white a definite number which many will regard as inconsistent with the Queen's Proclamation?—Yes.

4457. If simultaneous examinations are instituted you do not apprehend that there will be at once an influx of Indians into the service?—No, there is not much chance of it.

4458. It will be slow?—It will be very slow. One of the reasons for my advocating it is that it will be slow, and I want it to be slow.

4459. I have read your evidence carefully and I know that. If simultaneous examinations are instituted, you do not apprehend that there will be a sudden influx of Indians?—No.

4460. If any increase takes place it will be only gradual?—It will be very gradual.

4461. In all probability, unless English intellect deteriorates seriously, Englishmen will be able to hold their own?—I should think so.

4462. If the stage does not arise when the service is swamped by Indians the question need not be raised at all?—No.

4463. The question of a minimum need not then be raised at all?—The question of a minimum is not an imminent question at all, nor is it a question of practical politics.

4464. Perhaps I have not made myself clear. The proposal has come forward that a certain number should be laid down as the irreducible minimum of Europeans in the service practically for all time, and I am dealing with that. We all want a certain number of Europeans in the service?—Yes.

4465. But we could secure that by a practical arrangement.—Yes.

4466. If simultaneous examinations are instituted, and the number of Englishmen that come into the service continues to be satisfactory, then the question of an irreducible minimum need not be raised?—No.

4467. If, on the other hand, a serious situation does arise, and we all feel that the interests of the country are being jeopardised, or the interests of British administration, the two being identical, the question will have to be taken up?—Yes, it will have to be taken up.

4468. And therefore you would leave each generation to deal with its own difficulties?—I should think so.

4469. Taking into consideration the nature of the examination, the character of the subjects, and the educational facilities existing in England and here, you have no fear that for as long as you can see the Indians will swamp the service?—Absolutely no fear, so far as I am able to see it.

4470. Do those parents who send their children to England for education send them necessarily for the Civil Service or because they value an English education?—I think more because they value the English education, and they compete for the service incidentally.

4471. Therefore those who value an English education will continue to send their children in spite of simultaneous examinations?—Yes.

4472. Those who fail in the simultaneous examinations here can go for other University examinations?—Yes.

4473. There is no age-limit for our degrees?—I think the simultaneous examination will be held after a man finishes his University examination.

4474. It will depend on the age-limit. There is no age-limit for the B.A. or M.A. here, is there?—No.

4475. So that a man's career would not be sacrificed even if he failed?—No.

4476. (*Mr. Sly.*) You have made certain suggestions in regard to the recruitment of a separate Judicial service. Throughout your long course of service as a Statutory Civilian have you spent any proportion of it in the Judicial branch?—Yes, as a District and Sessions Judge.

4477. Then you have had practical experience of Judicial work?—Yes.

4478. Can you give us any idea as to what age for recruitment you suggest for the separate service that you propose to create?—I want it to be recruited in all branches. I do not want to begin wholly at the bottom and then work up. I want the recruitment to be straight into all ranks. At the bottom we shall have a certain recruitment, and at the stage above we must have recruitment from the Bar and also from the ranks, and also in the stage above similarly, recruitment from the Bar and rising from the ranks.

4479. What stages?—Magistrates and Munsifs, and when it comes to Sub-Judges and District and Sessions Judges, I would have a certain number promoted, and also take some from the Bar, and so on.

4480. Do you want that recruitment to be in India?—So far as the Indian is concerned it would have to be in India; so far as the European is concerned probably it will be more advantageous to have it in India than elsewhere because he has been practising in India and the Government know him.

4481. Can you give me any idea as to how many European Barristers are practising in Madras?—I have no idea.

4482. Do you think that half the Judicial service could be recruited from European Barristers practising in India?—When this channel is open probably a certain number will settle down in practice.

4483. You are the Diwan of the State of Travancore. Can you tell us what are the principal conditions for the recruitment to the Civil Service of that State?—We have no Civil Service.

4484. Then to the State Service?—So far as the Judicial department is concerned we recruit from the Bar. We recruit Munsifs from the Bar and promote some of the Munsifs to the District Judgeships, and we recruit District Judges from the Bar and we promote District Judges, and sometimes recruit from the Bar for our High Court. In the Executive they rise to Tahsildars and what are called Assistant Diwan Peishkars and Diwan Peishkars, which latter corresponds to what you call a Collector in the British territory.

4485. Is your recruitment restricted to residents in Travancore?—At present we have a rule that only the subjects of His Highness the Maharaja can enter the service excepting where we cannot find a local man fit for the post.

4486. Can you tell us the reason why that rule was passed?—There was a great deal of complaint that people were being brought in from outside without sufficient ground and that kind of thing, and we wanted to lay down the principle, not as a principle which should never be deviated from, but that as each case came up for consideration the necessity for a non-Travancore man might be proved before one was entertained.

4487. That is to say, the rule was passed in response to public complaint?—Yes, the public had been complaining about it for a very long time. I do not say it was wholly reasonable, but we wanted to take the wind out of their sails, and so we passed this rule.

4488. In answer to question (42) you refer to some Revenue department being still recruited from Europeans by nomination?—I am speaking of the Separate Revenue department where we have a certain number of Assistant Commissioners of Salt and Abkâri Revenue who are Europeans, and we have two or three Deputy Commissioners. I would confine those appointments to Civil Servants.

4489. Do you know whether those recruits are Europeans or Statutory Natives of India?—I did not consider it from that point of view.

4490. Your authority for stating that the Europeans are recruited to that service is simply a general impression?—Yes.

4491. If it should be proved incorrect, you have no other instance to offer in support of it?—No, I should still, however, say I want a certain number of Indian Civil Servants to go into that department, and I should say that the non-Civil Servants should come up by way of listed appointments, as in other branches.

4492. In answer to question (51), in regard to the probation of the Indian Civil Service, you have suggested, if a separate Judicial Civil Service is recruited, there would be practically no necessity to teach any law to the Executive officers?—Yes.

4493. Do you consider that an Executive officer of this country who has to deal with laws every day of his life should have no probation whatever in law?—He would have to learn it of course. What I meant was that, when you remove the Judicial appointments, the need for that kind of thing will be very much less. I did not think about it from your aspect.

4494. As a Statutory Civilian I suppose you have been brought into fairly close touch with officers of the Provincial Civil Service?—Yes.

4495. How long have you been absent on duty under a Foreign State?—I have been about five years in Travancore.

4496. And before that?—I was five years in Cochin, also as Diwan.

4497. Then for the past ten years you have been out of touch?—Not continuously.

4498. Although you have been in a Native State have you kept in touch with the officers of the Provincial Civil Service?—Yes.

4499. And you think you are fairly well qualified to speak in regard to them?—It is not for me to say how far I am qualified to speak in regard to anything, but I believe I should be justified in speaking for them.

4500. In answer to question (93) you stated that you have heard of no dissatisfaction whatever in regard to the pay and grading of the Provincial Civil Service?—I was asked: "If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both," and I answered "I have not heard of any dissatisfaction."

4501. All the evidence we have received here from almost all the Provincial Civil Service has been to the effect that there is grave dissatisfaction, both in regard to their pay and their grading?—Unless I am told what their evidence is I would not be in a position to offer any remarks in regard to it.

4502. I do not wish to go into details. You say you have heard of no dissatisfaction, but we have heard of a very great deal of dissatisfaction. Do you think that their evidence dealing with this dissatisfaction has simply been manufactured for the purposes of this Commission?—By whom?

4503. By the Provincial Civil Service?—I am not aware that any attempt to manufacture evidence has been made.

4504. Then the evidence we have received with regard to dissatisfaction is genuine?—It may be.

4505. Therefore how do you account for not having heard of it?—Several things take place of which I do not hear, and this may be one.

4506. (*Mr. Macdonald.*) You have stated that in the State of Travancore you have had experience of English officers working under Indian superiors?—European Engineers working under Indian Engineers.

4507. Is the head of the department an Indian?—He is a European Engineer.

4508. Have you examples in your State of any large department, either Executive or Judicial, being under the control of an Indian with subordinate European officers?—We recruit Europeans practically only for two departments—Education and Public Works—because we cannot get sufficient Indians for those departments.

4509. But at the head of both these departments you have Europeans?—We have a European Director of Public Instruction and a European Chief Engineer.

4510. Do you pay the same grade of salary to Europeans as you do to Indians?—In the Public Works department, yes.

4511. And in Education?—In Education, following the Madras precedent, they fixed a different scale some time ago.

4512. In your Public Works department is the scale of salary an Indian scale or is it a European scale?—I suppose it is something midway. I do not know what an Indian or a European scale is, nor do I know the details of the Public Works department organisation in Madras just now; but our scale of pay is pretty fair, and we get very good men.

4513. With regard to leave, do you give your officers in Travancore as ample leave as the European officers?—They have all got the same leave except those who come under covenants, who have less leave than those under the ordinary rules.

4514. Have they as much leave as the European Civilian in Madras has got?—Yes, they have two years' furlough and three additional; five years altogether.

4515. Your Indian officials?—Indian, European, and everybody can take five years. I believe in the Civil Service they can take about four years.

4516. In your minor offices do you require to degrade many men for inefficiency?—Yes, we have had to do it.

4517. Would you say that you do more of that than they do in Madras?—It is difficult for me to say because I do not know much about it here. When you punish one man for inefficiency the effect is so good that for about a couple of years afterwards the service works very well, and then slackness begins again, and we have to take hold of another man. That is how it goes on.

4518. Have you seen any of the evidence that has been submitted to us by important officials of the Madras Government to the effect that the Public Service of Madras would be very much improved if there was less promotion by seniority and more promotion by merit, and if there was more punishment in the form of degradation, or discharge as a last resort, meted out to inefficient officers?—I saw Sir Ralph Benson's evidence to that effect.

4519. If your experience in Travancore is that one or two discharges or degradations have such a good effect on the *morale* of your service, then if an important official of Madras comes with that evidence is it your conclusion that they are exceedingly lax in Madras?—I cannot say that.

4520. Supposing that it was the State of Travancore that was under examination by a Royal Commission, do you think that we would get evidence from your officials that it would be necessary to degrade and to punish for inefficiency?—No, I do not think so.

4521. Is that because evidence would be required but not given?—Of course the conditions are very different there from what they are here. There of course the aim at efficiency and all that is practically confined to the Darbar, but even there you would find that this kind of punishment you could mete out only to the comparatively lower grades. When a man comes to the position of the District Collector and District Judge, even though he is not quite efficient, we have to bear with him.

4522. So that you do not think, so far as the higher officers are concerned, that there is very much in the proposal to discipline your service better by degradation and discharge if necessary?—I do not attach much importance to punishing a man after he has become a Collector or Judge; what I am pressing for is that he should not be promoted to that rank, that there should be more discipline before promoting him.

4523. What is the condition of caste and community representation in Travancore; do you find any difficulty under that?—Yes, we have a number of castes.

4524. In the service?—Yes.

4525. In the higher service?—Yes, we have Christians, Brahmans, Nairs and others.

4526. How do they get there, by examination or by nomination?—We have no competitive examination.

4527. It is exclusively by nomination?—Nomination and promotion.

4528. Do you deliberately appoint men so that your communities are properly represented in your high offices?—Sometimes we do.

4529. Is that a consideration that is always present in your mind?—Not always but sometimes.

4530. As a matter of practical working do you secure that as far as possible?—If any particular branch gets monopolised by a particular community, there is a hue and cry, and we make a few appointments to tone it down and then go on.

4531. Being good politicians you sometimes sacrifice efficiency for peace?—Sometimes. I do not think that is confined to us.

4532. Have you separated the Judicial from the Executive functions in your officers?—No.

4533. Would you like to do it?—Personally I should like to do it very much.

4534. Do you find there is any great convenience enjoyed by your Executive officers in having a certain amount of magisterial duties and powers?—None whatever.

4535. With reference to what you say about the statutory minimum or the irreducible nucleus, or whatever phrase is to be used, of the European staff, your proposal is that at present it is unnecessary to fix anything?—Yes.

4536. Because in the ordinary working out of any examination imposing a high test there will always be what at any rate will be equivalent to any irreducible minimum that might be fixed?—Much more than an equivalent.

4537. But in reply to Mr. Gokhale you said that by a very wide stretch of the imagination we might conceive of a time when that irreducible minimum was entrenched upon by clever Indian youths?—Yes, it is not inconceivable.

4538. And then you propose that the situation should be reviewed again?—Yes.

4539. And you tell the Commission that that is the time to fix this minimum?—Not to fix the minimum but to go into the whole question and find out whether it has come to that stage, and how the people have been considering it and so on; to diagnose the evil and then grapple with it.

4540. Do you think you are ever likely to admit that it is an evil under those circumstances; that the public opinion of India will admit it is an evil, that more than one-half of the higher offices are filled by Indians?—I am not in a position to speak for public opinion in India; it changes so often; it is in a very fluid condition.

4541. Have you not spoken for public opinion in India in answering that question in the way you have done? You say that when the evil has been experienced then we can settle it?—I was asked what I thought and I said that was my opinion.

4542. Will you reply to my question from the point of view of your own opinion? Do you

think the public opinion of India would recognise that a progressive increase in the Indian staff, which was threatening to become a monopoly, would be regarded as an evil?—I think they would when they see the evil is imminent.

4543. Do you think that the public of India, as they look at the results of the examinations year after year, and see that the first thirty is growing to forty and forty growing to fifty places in these examinations, places held by Indians, would say "This is going too far, let us agree to fixing a minimum below which the European staff must not go."?—Not exactly. I do not think that public opinion will come forward and say that. But it will be for the Government then to say: "We have got this particular state of affairs, this evil has come, and we want to take action upon it," and then if witnesses are examined just as I and others are examined now, I am certain, so far as I can see now, that large numbers of people will say they have no objection.

4544. Do you think that any Government in India, under conditions such as then would exist, would deliberately establish a rule which would prevent Indian youths, who could pass examinations better than Europeans, being deprived of the posts to which they are entitled as the result of the examination, and those posts given to Europeans who have failed?—I could not very well say.

4545. As Diwan of Travancore would you do it yourself?—I would certainly do it if I considered it necessary.

4546. One of your objections to the proposal of fixing a minimum is that you are not quite sure whether it is in accordance with the Act of 1833 and the Proclamation?—That is so.

4547. You think it is very undesirable to do anything against the spirit or the letter of the Act and the Proclamation at the present moment?—I think it is inexpedient.

4548. But you are not so particular about the next generation?—I would leave the next generation alone.

4549. You think that the next generation, if it is necessary, can upset that law and break the spirit of the Proclamation?—They can do as they like and settle their own troubles. We can settle our own troubles and be done with them.

4550. Would it not be more in accordance with that good commonsense view of yours that as there is some fear, and you yourself admit that this nucleus must be maintained, you should fix that nucleus now, not for ever certainly, but fix it and let it be the subject of revision some ten or twelve years hence?—I would not do it. I am very much against it, because I consider it most impolitic.

4551. Impolitic from what point of view?—Impolitic from every point of view, impolitic from the Government point of view, from our own point of view, and from the point of view of peace. If the evil ever assumes dimensions we will do it, but I would rather leave it alone now.

4552. I do not press you on the point; I wanted just to see exactly what you meant by some of the opinions you express. You say in answer to question (88) that some sort of officers shillyshally and wigglewaggle between the Judicial side and the other side?—I do not say they shillyshally. For a time they get a little uncertain and finally settle down in one of the two grooves.

4553. First on one side of the rut and then on the other, uncertain of which they are going to choose?—It is not they who choose but the Government.

4554. Is that because the officer himself is uncertain or because the Government finds it impossible to fix it? I think as a matter of fact you have just said the Government is to blame?—It is done for administrative needs. A man's turn may come, and when his turn for promotion comes sometimes he becomes a Collector and sometimes a Judge.

4555. You do not mean to say that the individual uses the possibility to suit his own convenience?—No. Sometimes, when he says what he prefers, Government agrees, and sometimes they do not.

4556. Is this a common experience?—I cannot say. I have been out of the service now for about five years and there has been a big reorganisation.

4557. Do you make this statement on the experience you had when you were in the service?—Yes.

4558. Or upon what you hear now?—I have not taken very much interest latterly in these things.

4559. So that this is rather old information?—I would not say it is rather old information. I believe things are now a little different. There has been some reorganisation and the men are chosen definitely for one or the other.

4560. In answer to question (99) you say you are opposed to a time-scale? Why?—I feel that even as it is men are promoted in a sort of mechanical way and a time-scal accentuates the evil.

4561. You do not think it would have this effect, that if the Government have to pay a man who is inefficient a salary which increases automatically by increments it will be far more careful about the efficiency of the man who is getting this increased rate?—I do not think much of that aspect.

4562. If you were a private employer, having a staff of your own, would not that view operate in your mind?—It is difficult to say. As far as a time-scale is concerned my impression is that it will probably accentuate the evils of the present situation to some extent. It will ensure a man promotion automatically and that kind of thing.

4563. Do you know that the proposal of a time-scale is not that it shouldlgo through the man's service but that it should only operate while he is in the grade below the Collector. The lower-paid man has to wait to jump from grade to grade and his chances of jumping do not depend upon his efficiency but mainly upon his luck. The proposal is made that these men, whilst waiting for their proper advances in grade, should not suffer in pay but should receive small annual increments?—I am against that proposal.

4564. (*Mr. Madge.*) Question (72) postulates certain fundamental conditions of service in the Indian Civil Service, and amongst these is one that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of the higher ones. In your answer to that question you say "My only objection to the theory noted above is so and so;" and then you refer to certain consequences which are either accidental or incidental, but do not appear to me to touch the fundamental character of the conditions postulated. Is that so?—You have my answer there.

4565. No. The question postulated certain fundamental conditions, and in your answers you refer to certain accidental or incidental consequences which do not seem to me to affect the fundamental character?—Probably they do not.

4566. Would you qualify your answer to any extent?—I do not want to alter my answer.

4567. There seems to me some slight inconsistency between that answer and your answer to question (42) in which you say "At the risk of being blamed for repetition I would reiterate the need for separating the Revenue and Judicial departments. The requirements for the two departments are fundamentally different." Is there nothing in common between the judicial and the executive services to the extent of requiring, in the fulfilment of judicial duties, an experience that can only be gained in executive office?—There is something, but I do not attach much importance to it.

4568. Is it not a great deal?—I do not think so. I can see that an executive man does pick up some amount of executive experience which to some extent probably helps him later on, but the balance of advantage would be decidedly in favour of the recruitment from the Bar direct. Where a pleader handles cases in court he understands the machinery very much better than a man who rises in executive appointments.

4569. We are not referring exclusively or even chiefly to pleaders who are appointed?—I am speaking of practitioners.

4570. We are referring generally to the experience gained in executive duty in the early years of a civilian's career. Is it or is it not your opinion that a civilian during that period acquires valuable knowledge of the various conditions existing in this country which are very valuable to him in his judicial duties?—He does acquire a certain amount, I do not deny that.

4571. I am not comparing one thing with another but simply asking whether it is valuable or not?—Whether it is valuable or not depends upon what he does. There are civilians and civilians. Some do acquire a lot of valuable information and some go through their whole career without acquiring any information.

4572. No European coming to this country and being pitch-forked into a judicial appointment could acquire that experience only in an executive office?—I do not say that he should come straight from Europe and be pitchforked into an official appointment.

4573. I do not say you say it, but I want to bring it home to you that the knowledge acquired in executive practice is very valuable whether to the executive officer or later in life to the judicial officer?—I am not quite in a position to take the same view as you. I see the point.

4574. Do you admit that the experience is valuable?—The experience is of some use.

4575. But in your opinion not of much?—It does not carry far.

4576. At what period in a civilian's career would you fix the bifurcation between executive and judicial?—I do not want to fix the period at all. I want the judiciary to be wholly outside.

4577. But as the Civil Service is at present constituted, supposing your view was not adopted and the Civil Service went on as it is, and bifurcation were introduced at a particular period, at what period would you fix it?—I would fix it pretty early, after about three years or so.

4578. Only three years?—Yes.

4579. Do you think an Assistant Collector acquires it within the first three years of his experience, when probably he has not even mastered thoroughly a knowledge of the people and of the prevailing conditions in rural areas?—I propose elsewhere that if we have to go on with the present system the civilian should be started as a Munsif. I would rather start them early so that they can pick up a knowledge of the vernacular and all that as a munsif by coming in contact with cases.

4580. You think that within three years he will have acquired all the knowledge that will be of use to him later in life as a Judicial officer?—I do not say that. I say, if you insist on that system and ask me to fix a period, I would fix that as the most convenient.

4581. As regards simultaneous examinations, if I understood you rightly, you think that when the Government wanted a certain number of Indian officers here it would state the number it wanted, and have the examinations with a view to filling those offices. You propose simultaneous examinations from year to year?—Yes, I want an examination held in London and also held in India.

4582. As to the examination here, supposing there were no vacancies in a particular year, you would have no simultaneous examinations in that year?—That is so.

4583. Then to go back to my first question, you would have the examination in a particular year because a certain number of vacancies exist in that year?—Yes.

4584. Would you accept the man who passed at the top as a matter of course?—Yes. I want the same examination and the men to be all brought into one list.

4585. The same examination as for the Civil Service at Home?—Yes.

4586. Do you think the standard of education in this country is such, or will be such for a long time to come, that it will equal the Civil Service tests?—It will not. That is why I say you can give the concession with great ease.

4587. That is to say, you would have the concession, fully expecting that nothing would come out of it for some years to come?—That is one of the grounds on which I am putting it.

4588. Absolutely expecting nothing from it?—I do not say nothing, but very little will come out of it.

4589. If the standard of examination does not rise to the standard of the Civil Service, how do you expect anything at all?—It will take a long time for it to rise and in the meantime it will be a satisfaction to the people that you have given them equal opportunities and a concession. The Natives would not swamp the service and the matter would go on all right.

4590. The question of swamping is not present to my mind at all. I want you to say whether you think that if three or four men were appointed, and that education had not risen to the

necessary standard, you would still appoint them in India?—I would not appoint them.

4591. You would not appoint them at all?—No. Under simultaneous examinations, if these gentlemen are not up to the mark they will have to remain outside.

4592. What satisfaction will the country as a whole derive from the fact that a concession had been made which produced no practical result at all and was not likely to produce one for some time to come?—The country would be stopped from urging it; the demand which the country made with a pretty unanimous voice having been granted, they would be stopped from further complaint. They would feel "We have asked for a thing and we have got it, and it does not pay." It will serve the object of peace.

4593. They will be satisfied with the theory without any practical result?—They will discover what it means and will have to hold their tongue.

4594. You say the country universally demands this?—When I speak of the country I am speaking of the people dealing with this question. I do not mean the whole country.

4595. What proportion do you think they are to the masses?—I mean the large number of people represented by myself and others, the *literati*.

4596. It is quite possible that the *literati* may hold an opinion that is not only opposed to you but opposed to the feelings of the great masses?—Ignorant men have no opinion the one way or the other. They do not know that this Commission is sitting and that we are discussing the matter.

4597. Nevertheless, because they are voiceless, the Government is bound to consider their interests?—Of course they are.

4598. With reference to the optional languages, you would substitute Tamil for French and German?—No, not substitute; I would allow a choice.

4599. Of course you are aware that there exist, both in French and in German, scientific works of which there has been no translation?—I have not read French and German so that I have no experience.

4600. You need not be an authority to answer a question like this, which is, that certain scientific works exist in French and German which are of great use to candidates who can read those languages, but which would be denied to men who had not studied those languages?—I have heard of them. I have read translations of French and German books and I sometimes felt very sorry that I did not know the original languages. I have only read translations.

4601. I am speaking of works of which there are no translations?—There must be a great many works like that.

4602. Which would be lost to officers who did not know those languages?—Yes.

4603. (*Mr. Abdur Rahim.*) I want to understand your position with regard to simultaneous examinations. As I understand you, it is likely to be barren of all practical results for some time to come?—Yes.

4604. I also understood you to say in answer to a previous question that you consider Indian boys who pass successfully the Indian Civil Service examination in England at present are as a class inferior to the boys who would attempt the examination if it were held in India?—Yes. I think the type of boy who will appear and pass when the examination is held in India will be of a more capable type.

4605. Then these men ought to get in?—They must get in I think.

4606. Then you have the men here who will get in as well as the men who at present go to England, and will continue to go, according to you, if simultaneous examinations are held?—I believe some of these people will probably elbow out the others.

4607. In elbowing out the others they will be elbowing out those Englishmen who are below the Indians who succeed in England now. That is to say, the boys who appear here will elbow out the Indian youths who are now successful in England, but they will at the same time elbow out the English youths who come below the Indians?—They may.

4608. So that the result must be that more Indians will get in?—Yes, there would be more Indians. All I can say is that it will be a small number.

4609. So it will not be barren of results?—It would not be barren of results in the sense that nobody would get in.

4610. I put it to you that no large body of Indian public opinion would make a demand for simultaneous examination unless it was to result in practical benefit to Indians?—I rather think that the practical benefit is very much overrated.

4611. That may be, but they do expect substantial practical benefit?—I think there is a great deal of sentiment in it.

4612. Is it your opinion that for years there has been a cry for a simultaneous examination all from mere sentiment?—There is a substantial volume of sentiment in the demand.

4613. I put it to you that you yourself as a practical man with a large experience of the world would not advocate the measure simply for the pleasure of seeing our boys sit at certain examinations, in addition to the examinations they sit at at the present?—I do not mean to say that we would not have any boys coming in. We should have a certain number. I advocate it because it would give us equal opportunities, and although the results may not be very great for very many years, still it is better than having a separate examination.

4614. Is it not clearly better to face the facts and devise a remedy which will suit those facts? You recognise that a certain element of English people is necessary?—Yes.

4615. Would it not be wiser statesmanship to define that element as far as practicable, I do not say for all time to come but having regard to the present condition of things?—I think the statesmanship lies in this point, in not attempting the thing now.

4616. You have had experience of the two largest Native States in this Presidency as Diwan?—Yes.

4617. The Diwan is the principal officer?—Yes, the Chief Minister.

4618. How does this office compare in point of responsibility with the office of a Collector of a district here?—It is very much more responsible.

4619. You have told us that you have very many sections of people in the Travancore State?—Yes.

4620. How many divisions are there of this State corresponding to the districts in this Presidency?—We have five land revenue divisions.

4621. Are the magisterial divisions separate?—They are the same.

4622. I suppose they are much smaller than those here?—One or two of them are smaller, but some of them are not small. On the whole the average is decidedly smaller than the Madras district.

4623. Are they larger than the largest of the divisions here?—I have no idea what the largest division in Madras is. Two of our districts cover over 2,000 square miles each.

4624. They are considerable in extent?—They are quite large enough for all purposes.

4625. Did I understand from your answers that most District officers there are Indians?—All of them are Indians except in the planting districts.

4626. What is your opinion regarding the way in which they manage their districts?—Fair.

4627. Are they efficient officers as a class?—Of course when they know that efficiency is expected they work up to efficiency; when they do not know it, they may relax a bit.

4628. I want your opinion. Are they efficient as a body?—The District officers on the whole are an efficient body.

4629. Have you many serious riots and disturbances?—Yes, sometimes we have.

4630. Do you find these officers able to cope with them when they arise?—The riot generally ends before we know where we stand. We had one riot when the mob burned down a police station and threw stones at the Palace of the Maharaja, and the whole thing was over before we could get the military, who were only a few hundred yards off.

4631. I want to know have they got to deal with riots either themselves or through their subordinates?—Yes, when they do take place.

4632. Do they run away when there is a riot and leave their subordinates to be killed or burned?—No, they have not the chance. We had one man who did keep clear of a riot and so we dismissed him, and ever since they find it much safer to go into the riot and get beaten there than to get out of it. It is more politic.

4633. When a possibility of a big disturbance arises, do you find that these officers are generally satisfactory in trying to prevent riots?—Quite; the great point is that they prevent it before it comes to a head like that. That is the great point I see in Native States, that they prevent the thing from developing into that position.

4634. Is there anything in the circumstances of this Presidency different from the circumstances in Travancore which would not allow of riots being prevented in time if the officers are vigilant enough? I do not of course mean that riots can be prevented in all cases, because there are disturbances which nobody can prevent?—The bother of most riots is that they come without notice, and that is the real difficulty.

4635. Do you know that in this Presidency there are riots arising out of processions?—They can be prevented to some extent.

4636. You mean that people ought to know what is brewing and take measures, such as riots connected with plague where officers ought to know if they are likely to arise or not?—Yes.

4637. Do you think an Indian officer is in a position to be in touch with the people, and to prevent riots occurring under circumstances I have mentioned?—An Indian officer should be in a position to do so.

4638. Were they so in touch in this Presidency when you were in the service?—They have been fairly good I should say; they have anticipated things and tried to keep things quiet and all that.

4639. Have they failed in that respect more than you might expect from a large class of people?—Personally I have not known any failures worth mentioning.

4640. In your experience do they compare unfavourably with European officers in that respect?—It is difficult to say that kind of thing unless we take careful analysis of all the riots we have ever had.

4641. You would not generalise?—No, I would not add to the volume of generalisation.

4642. I see you are rather strong on the question of the separation of the two branches of the service, the executive and judicial. Do you say that upon mere theory or from experience?—More from experience than from theory.

4643. What is the chief evil of the present combination of the two functions and the amalgamation of the two services?—The judicial work, I believe, is not quite up to the mark now. There is a strong feeling in most districts that the judicial administration is not up to the mark. The great point in favour of the British Government has always been its pure and efficient administration of justice. It is certainly as pure as ever it was and probably purer; but so far as efficiency goes there is an impression in most of the Madras districts—an impression not of a few people but a large body of opinion—to the effect that justice is getting less and less efficient. After studying the question with some care I have most reluctantly come to the conclusion that the only way in which the administration of justice could improve is to specialise the department. That is why I have proposed it like that.

4644. As you know, the District Collector is the head of the Police, and also the Chief Magistrate of the district, and as such the head of other Judicial officers, who try criminal cases: does this combination of functions in your experience result in any practical harm?—I do not think it actually results in a miscarriage of justice, but there is a general impression in the minds of the people that it is not quite safe; that is to say the two are allowed to weigh mutually.

4645. What you mean is that it does raise a sort of distrust which may not be justified?—Which, I believe, is mostly unjustified.

4646. But all the same it tends to lower the reputation of the judiciary?—It does.

4647. (*Sir Valentine Chirol.*) You recommend the introduction of the system of simultaneous examinations from which you do not anticipate that the danger, as it has been called, of swamping is likely to arise in your time and my time, and therefore you say for the sake of peace and to avoid all the trouble and difficulty of dealing with that question at present and averting any possible danger in future, you would leave it to the next generation?—Yes.

4648. Might I ask you whether in proposing a settlement that affects the material interests of your own children you would also advocate that,

for the sake of saving yourself inconvenience, you would leave them to take care of dangers that were remote?—I would leave them alone.

4649. (*Sir Murray Hammick.*) I think it would be as well to get on record a short history of your own services. You joined the Statutory service in what year?—I became a Deputy Collector in 1886.

4650. What was your next appointment?—Then I was Treasury Deputy Collector, and General Deputy Collector, and then I went into the Statutory Civil Service as an Assistant Collector.

4651. When did you become an Assistant Collector?—Early in 1888.

4652. Were you ever a Collector?—Yes.

4653. When did you first become a Collector?—When my turn for the Collectorship came I was in Cochin as Diwan and so I had to wait until I came back, and then I was a Collector.

4654. And you were in Cochin as Diwan for five years?—Yes.

4655. And when you came back you became a Collector?—I became a Judge and afterwards became a Collector.

4656. And you were head of the Co-operative Branch?—I was Collector twice and then Registrar of the Co-operative Societies.

4657. How long were you Registrar?—Three years.

4658. That took you over the Presidency?—Yes.

4659. Since then you have been Diwan?—Yes.

4660. You said your largest district in Travancore was about 2,000 square miles?—A little more than that, 2,000 odd.

4661. Beyond the two districts of Nilgiris and Madras there are no districts in Madras which do not exceed in area very much more than 2,000 square miles?—I believe the Madras districts are very much bigger.

4662. Is not the Diwan of Travancore on very much more intimate relations with his District officers than either the Chief Secretary or the Members of the Council in Madras could possibly be?—I have no idea as to the relationship existing between the Chief Secretary and Members of the Council and District officers here, but certainly the Diwan has to be in touch with his District officers.

4663. Very close touch?—Yes, he has to be.

4664. Do not you think that, if you had simultaneous examinations introduced now, in a very short time there would be special educational classes in most of our schools, and also special educational institutions started for the purpose of giving students special training for these examinations?—I do not think so; I do not contemplate that.

4665. That has happened in England, but you do not think it would happen in India?—I do not think it would happen here.

4666. You think a European element is necessary in the judicial service?—Yes.

4667. Your proposal is to bring in English Barristers, by which I suppose you mean Barristers who are English in origin but practising in India?—Englishmen practising in India.

4668. You would bring them in as Sub-Judges or District Judges?—If they were men of standing and experience I would put them in as District and Sessions Judges.

4669. I suppose you know, as far as this Presidency is concerned, that the proportion of English-born Barristers at the Bar is decreasing very much?—Yes.

4670. There are very few left in Madras now?—I know, but you can bring them in from other Provinces. My own impression is that when this opening is made you will probably have a large number of practising Barristers.

4671. Barristers would come out attracted by the belief that they would get these appointments?—Yes.

4672. In answer to question (67) you say "It will probably do very little good so far as the administration of justice by the Indian Civil Servant is concerned. Law is one of those things where theoretical knowledge, however wide, cannot obviate the need for practice"?—That is my feeling.

4673. Do not you mean by practice such practice as the Indian Civil Service officer derives from his constant trial of criminal cases, rent cases, water disputes, and the various disputes that come before him, which are *quasi*-judicial, in the course of his revenue career?—No, that is not the practice I contemplate. The practice I contemplate is practising at the bar.

4674. You do not think the practice that the civilian gets in the courts that he presides over gives him that knowledge?—I made the whole thing so strong on account of my own personal experience. The divisions I was in were divisions where the Revenue officer had a good deal of *quasi*-judicial work, and yet when I became Judge I felt as if I had been blindfolded and made to run about. That is the feeling I had. That feeling has been sitting as a nightmare on me ever since.

4675. You object to the revival of the Statutory service?—Yes.

4676. But do not you think that the Statutory Service never had a proper trial?—It was in force for about nine years and nine years is a sufficiently long period to try a thing like that.

4677. I take it the chief reason the Statutory Service broke down was, firstly, that incompetent persons were put into it—I am not of course referring to you—and, secondly, that they were put in a distinctly inferior position?—The Statutory Civil Service probably had not much of a fair chance. I was at one time of opinion that it would probably have solved some of our troubles, but after my somewhat wider experience now, I feel it was good it went overboard, and I am against its being resuscitated. The moment you have anything like that here some amount of nomination will be inevitable, and once you have any power of nomination there are two things to be considered. My countrymen, those who have sons and all that, will be very persistent in asking for favours. The average Englishman is a pretty good-natured man and stands a good deal of nagging, but the result will be that all those old evils will re-appear.

4678. Could you not revive the Statutory Service without nomination?—Then there is always the feeling that it is an inferior service.

4679. Was not that feeling very much due to the fact that, first of all, the holders of offices got less pay than Indian Civil Service men and, secondly, that they were placed in a separate list and labelled "Statutory Civil Servants"?—

We were *not* placed in a separate list at the beginning. The point you mention would be all right if it were so, but until the Public Service Commission came we were recognised to be members of the Covenanted Civil Service and were given gradation numbers and assigned equal positions, but somehow a sort of curse was upon the wretched thing from the very beginning. I did not think it could survive that.

4680. Do not you think that curse came upon it because Statutory Civilians were appointed by nomination and were many of them very inefficient?—There were some competitive examinations. I did not get in by examination, but I had to begin my service as Deputy Collector and work up to the Statutory Civil Service. I am rather against it.

4681. You still do not think you could work it?—I am against it.

4682. In answer to question (64) you say "The whole training of a Junior Civil Servant unfits him in my opinion for higher judicial work." What exactly do you mean by that?—There is a certain amount of *quasi*-judicial work which Revenue officers do; it is all right, but what I have seen is that the whole training of executive work takes you further and further away from a judicial frame of mind. For instance, as an executive officer, 90 per cent. of our work is done by what the lawyers would call *ex-parte*; we always only hear one statement in a case, and if we waited to hear the other statement the whole machine would come to a stop. Therefore we ask ourselves what the other side of the case is likely to be and go on and do the work. By the time the whole thing is over we get a sort of feeling that we are omniscient and never likely to commit mistakes, and one side of the case is always sufficient for us to decide. When I became Judge I wanted to dispose of a number of matters to which my sherishtadar objected on the ground that notice had to be given to the other side, and then I looked up the Code and deferred to him. But still it was an eye-opener.

4683. But do you think, that supposing after six or eight years' service an Indian Civil Service officer was sent Home and made to read Law in England for 18 months, and when he came out was made to work first as a munsif and then as an additional Sessions Judge and Sub-Judge for, say, a period of three or four years before he took up the Judgeship, that training would be sufficient to get rid of that idea of omniscience and *ex-parte* opinion?—I do not think so. The one thing we cannot get rid of is omniscience.

4684. With regard to your answer to question (88), you have had no experience of the new rules on the subject?—No, I have not. That is why I mentioned it to Mr. Macdonald.

4685. With regard to questions (116) and (122), do you know how the leave arrangements in Travancore, which you say apply both to Europeans and Indians, compare in liberality with the leave arrangements in Madras?—Some of the proposals I am making for the services here have been already made there. That is where I got my inspiration from.

4686. Your leave arrangements in Travancore are much more liberal than ours?—Much more.

4687. Do not you think that a European serving in this country, 5,000 miles away, perhaps, from his wife and family, naturally requires some different furlough arrangements from an officer who lives 50 miles away, it may be?—Yes.

4688. You do not want to make any serious point of that at all?—No.

4689. Have you had any experience in Travancore of the time-scale?—Much of my objection to this time scale is that it has been working there much more than at any other place, with bad results.

4690. Where has it worked?—In a number of departments. A time-scale is somewhat of a refuge from troubles. Whenever we cannot regulate promotion in any department and do not want to take responsibility we institute a time-scale. The time-scale distinctly lowers efficiency, as I found in a number of departments.

4691. (*Mr. Oldfield.*) You told Mr. Sly that you had Judicial experience; how long did that experience last?—I was there for three months.

4692. You have never acted as a Judge since?—I wanted to be kept on, but Government refused me permission.

4693. With reference to one of Sir Theodore Morison's questions about the existence of a vernacular literature at present, can it be put fairly in this way, that there is a little fiction?—Yes; I am speaking of Tamil.

4694. A little religious poetry?—Yes.

4695. What more would you say there was of any value?—A great deal, but I could not answer off-hand a question regarding the value of a thing like Tamil literature.

4696. With reference to this period of nightmare tempered with omniscience, I understand it arose from your being exclusively occupied with revenue work?—I think so, and exclusively accustomed to dealing with one side of a case and disposing of things in that way.

4697. Were you doing any magisterial work?—I was.

4698. And dealing with it on those lines?—No, but it was not a sufficient antidote.

4699. (*Mr. Ramachandra Rao.*) You are the senior Indian officer in the service?—Yes.

4700. And you are in considerable touch with the opinions and feelings and wishes of the Provincial Civil Service officers?—Yes.

4701. Do you think one of their great wishes is that some of them could get into the ranks of the Indian Civil Service and be treated on exactly the same footing?—Yes, I suppose that is their ambition.

4702. That an opportunity should be given to them, an opportunity which is now denied to them, by having the competition solely confined to London. They want greater opportunities of getting into the ranks of the Indian Civil Service?—Yes.

4703. Even if they could, it is not their wish that they should eliminate the entire European element?—I do not think anybody contemplated ousting the European element.

4704. You have considerable acquaintance with the functions of the Provincial officers?—I was a Provincial officer myself for some time.

4705. Do not you think they are treated as an inferior service by having an inferior scale of pay than the European officer?—It is difficult to say.

4706. I mean in such ways as providing allowances, etc.?—In regard to those small matters I think some of them are.

4707. Is not that going a great way towards increasing the bitterness of feeling, a feeling which can be avoided by doing away with the little petty distinctions?—It certainly is inconvenient pecuniarily, but I do not see it makes a feeling of bitterness.

4708. What is the wish of the Provincial officers?—They would like to have the same rate of travelling allowances, etc., as the European officers.

4709. And the same treatment also?—Is there much difference?

4710. I thought you knew there was some difference. The Deputy Collector can only appoint up to Rs. 30 and even that requires the sanction of the Collector?—The Collector has and should have the right of vetoing anything in the district.

4711. Do not you think that when doing similar duties they should be treated alike?—It may be, but I do not think we can give the same powers to men who are getting Rs. 250 as to those who are getting Rs. 800, because one is a more seasoned man than the other. I agree that a distinction need not be made as to whether they are Provincial or Indian Civil Service men, but I have always thought the more seasoned Divisional officer should have larger powers than the less seasoned man.

4712. In answer to question (42), in speaking about the separation of the Executive and Judicial, you think the Revenue officer should be invested with magisterial powers and that there would be no difficulty in that?—The President put the question to me of whether the Collector, for the sake of getting his collection of revenue in, should have certain magisterial powers, and I saw no objection.

4713. Can you conceive of a state of things in which all the Judicial work shall be done by a Magistrate in the Judicial department.?—I have not thought of a scheme in all its details, but all the Judicial work must be done by the Judiciary.

4714. The question is whether the executive officer should be given the power to prevent riots and settle disputes about property?—I am speaking throughout of land revenue and Judicial offices, and I do not attach much importance to the distinction of Executive and Judicial. The President put the question to me, that under particular contingencies, if the revenue did not come in, and all that kind of thing, whether I had any objection for the power to be given. If the revenue does not come in we must come to a full stop, and I said he must have the power.

4715. (*Chairman.*) I did not put it in that way. What I asked was: if, in the course of his work of asking for revenue, a riot or any trouble was caused, you would be in favour of his being clothed with magisterial power which would enable him to enforce his charge?—The Collector must have all possible powers to collect the revenue; otherwise he would not be a Collector.

4716. (*Mr. Ramachandra Rao.*) Do you think an Executive officer should necessarily have the Judicial powers of a Magistrate?—I have not thought out the question from a theoretical point of view. I say the land revenue work and the Judicial work had better be separated so that both may get better done.

4717. Will the work be more efficiently done?—It will be more efficient generally if the whole of the Magistrates like the Munsifs are brought under the High Court. I put it only on the point of work.

4718. (*Mr. Subrahmanyan Pantulu.*) You have Indian District Judges. Have you not?—We have.

4719. Are they discharging their official duties to your satisfaction?—I suppose so.

4720. In speaking of officers being appointed as Judges you said it was not desirable because they are trained in taking one-sided view of questions, and when you were made a Judge you felt as if you were blindfolded, and you were surprised when an officer gave you some information. Do not you think the man who is recruited as a Judge from the Bar would be more one-sided than a man who had been trained in the service?—I do not see why it should be.

4721. Speaking of the present system you said it is desirable that a Revenue Officer should first start as District Munsif before being made a Judge?—Yes, if you want to give him training.

4722. That is because you say the Revenue Officers are accustomed to take one-sided views of questions, and they may be trained in the lower service work to see both sides?—They have had no Judicial training, and if started as District Munsifs they would take up their training with a minimum amount of inconvenience and loss to the public.

4723. Would it not be equally advantageous that all people who enter the service, either from the Bar or from outside, should start as Munsifs and learn the work of exercising the judicial function on a limited scale and have their efficiency tested by the Courts?—I am against it. You must remember that the more brilliant men will stick to the Bar, and if you confine the promotion to the lowest rank you will probably lose a great many good men. The first-rate men would not come in.

4724. Start the men of some standing at the Bar as Munsifs and give them training as Munsifs before they are invested with the powers of a Sub-Judge?—I attach a great deal to the training a man gets from practising at the Bar.

4725. Is not that a one-sided training?—No, it is not a one-sided training: he is sometimes for the plaintiff and sometimes for the defendant and gets to know both sides.

4726. You said that as a general rule you would start Judicial officers as Munsifs and promote them gradually?—Some of the members of the Bar I would appoint to District Judges straight on.

4727. At what age do they become Judges in your State?—Some of them are young, and some of them old.

4728. Do they discharge the duties of a District Judge efficiently?—Some of them get there when they are about the fag-end of their service and they are not efficient, and we wait to get rid of them. Some of them are efficient. I will not generalise in a matter like that.

4729. A Judge need not be of so much physical vigour and so young as a Collector. You can afford to have a Judge at a riper age than a Collector, I suppose?—I do not attach much importance to the "ripe age" business, but I would rather have Judges who are not too old. The work involves a great deal of strain; a man has to sit from morning till evening, and if you put in a man as Judge at the fag-end of his career he breaks down very soon and is not able to do much work.

4730. (*Chairman.*) You wish to add something?—If your Lordship will permit me, there is one point I forgot to mention in my answers to the interrogatories; it is a thing affecting Native States generally and it would not take more than a minute to mention it to your Lordship. At present under these rules inhabitants of Native States are not eligible for appointment in any of the Indian Services, and they all feel that that kind of exclusion should not be continued. Although they owe no direct allegiance to the King-Emperor, the Rajas, to whom they owe allegiance, themselves owe allegiance to the Sovereign of the Empire, and the relations between Native States and British territory are very intimate. We have people inter-marrying, of the same caste and creed, and all that, and I think it will be fair if they are treated and put in the same position as the people of British India. In the Provincial Civil Services they are now eligible for appointment, and I want the same concession, if possible, to be given to them in regard to the Indian Services.

4731. (*Mr. Subrahmanyam Pantulu.*) This question has been mentioned but witnesses have not been called to give evidence upon it and therefore we desire that statement to be made. It is a very important point.

(The witness withdrew.)

M.R.Ry. Nyapathy Subba Rao Pantulu Garu, High Court Vakil, Cocanada.

Written answers relating to the Indian Civil Service.

4732 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I consider the system of recruitment by open competitive examination as generally satisfactory in principle, apart from the question of the suitability of the place of the examination for "Natives of India."

4733 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes; but "Natives of India" are very much handicapped in competing with British youths "in a foreign language in a foreign country, in subjects of study peculiarly English, and against the flower of English schools and colleges."

4734 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of holding simultaneous examinations both in England and India.

4735 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—In case the holding of simultaneous examinations both in England and India were considered impracticable, I would advocate a separate examination at one centre in India, open not only to "Natives of India" but also to all other classes of His Majesty's natural-born subjects, half the number of vacancies in the Civil Service cadre being recruited in England and the other half in India.

I am against the system proposed in the question. I consider it to be illegal. I cannot do better than quote here the opinion of the Public Service Commission of 1886–87 with regard to a proposal of the Bengal Government "that the number of Native probationers to be selected by competitive examination in London should be first fixed and that the Native candidates should be selected by an examination separate from that of European candidates and especially adapted as regards limits of age and otherwise to the condition of Natives of India." The Commission state that "the system of allotting a certain number of appointments to be competed for by Natives and Europeans respectively is a departure from the principles of the Statute of 1833 and the Queen's proclamation inasmuch as it involves an artificial exclusion of candidates on grounds of race from appointments for which they may be in other respects the best qualified persons" (paragraph 64 of the report).

4736 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of the suggestion contained in the question. I am against the representation of classes and communities in the highest service of the country where efficiency ought to be the only consideration.

4737 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—It should be in lieu of the present system of promoting to "listed-posts" of officers of the Provincial Civil Service. But provision should be made for the appointment of the officers of the Provincial Civil Service of "tried merit and ability" to posts reserved to the Indian Civil Service. The maximum number of posts to which such appointments may be made should not be more than 10 per cent. of the reserved places.

4738 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would recommend that all judicial appointments should

be separated from the executive and constituted into a distinct service, and recruited from the legal profession and from the judicial branch of the Provincial Civil Service. If this be accepted, there need be no judicial branch of the Indian Civil Service and the Charter constituting the High Courts will also have to be amended. But if this is not found feasible under present conditions, I recommend that one-third of District and Sessions Judgeships, and the chief magisterial offices and so many places among the inferior offices as are necessary for their training should be reserved for the members of the Indian Civil Service, and that they should at the outset of their career be called upon to choose either the executive or judicial line. In case they select the latter, the recruits should undergo a special training in law before they actually enter on their duties.

4739 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Viet. c. 3), as including "any "person born and domiciled within the Domi- "nions of His Majesty in India, of parents "habitually resident in India, and not established "there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would amend the definition so as to include the subjects of Native States also.

4740 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The present limits appear to be satisfactory.

4741 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—About 26.

4742 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I do not favour any differentiation.

4743 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would recommend (i) That the nature of the examination in Sanskrit and Arabic should be of the same standard as that in Greek and Latin and that the same number of marks, viz., 1,100, should be allotted to these languages. (ii) That the History of India, ancient and modern, be added to the list of subjects and that 500 marks be assigned to it. (iii) That the examination in Greek and Roman history and Roman law should not insist on a knowledge of Greek and Latin. (iv) That Indian Philosophy with 600 marks be added.

4744 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—If the subjects mentioned in the answer to question (16) be included, no differentiation is necessary.

4745 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes. The following maybe excluded from the Schedule: Junior or Assistant Secretaries and about two-thirds of Judicial appointments.

4746 (19). Do you consider that a minimum proportion of the European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—The real point raised by this question is whether there should be an "irreducible minimum" of Europeans in the service and if so whether a minimum number of places should be reserved for them. This raises the question whether it is legal to reserve a particular number of posts for a particular class of His Majesty's subjects. I consider that such reservation is illegal and is open to objections similar to those raised by the Public Service Commission of 1886–87 to the proposal of the Bengal Government to allot a specific number of vacancies to Natives of India. *Vide* my answer to question (7). I consider that under a system of simultaneous examinations there is no reason to suppose that there would not be a preponderance of Europeans in the service. However to have a fair proportion of Europeans in the service, which I consider desirable, the alternative scheme proposed by me in answer to question (7) would secure the object in view. Under this scheme half the number of vacancies may be recruited in England and the other half in India. Those recruited in England would be mainly Europeans and those in this country would be mainly "Natives of India" and thus a fair proportion of Europeans would be secured in the service without in any way contravening the Statute of 1833 or the Proclamation of 1858.

4747 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I consider the present system to be entirely unsatisfactory.

4748 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

4749 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—I do not favour the system.

4750 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed-posts?—I have no objection to the present rule.

4751 (26). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—I see no objection to it so long as they are not required for the

training of the members of the Indian Civil Service and so long as the listed-posts are not recruited separately.

4752 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—If the system of listed posts should continue, I would include in the list a certain proportion of all classes of appointments open to the Indian Civil Service, such as, the posts of Secretaries and Deputy Secretaries to the Government of India and the Local Governments, Commissioners of Divisions, Members of the Board of Revenue, Financial Commissioners, etc.

4753 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The differentiation of the Indian Civil Service and Provincial Civil Service as now constituted on the lines of the recommendation of the last Public Service Commission is against the spirit of the statutes of 1833 and 1870 and the Queen's Proclamation, and does grave injustice to the claims of Indians to be associated with the real administration of the country. As Mr. Montagu pointed out at the last budget discussion "the result of the system is in almost all the services Indians are shut out from the more important and highly paid posts." The present state of things is causing deep dissatisfaction and is a danger to the Empire and the orderly and progressive development of the country. It ought not to be allowed to continue. I welcome any system under which all classes of His Majesty's subjects may have fair play and equal opportunities to serve the State in all appointments involving initiation, direction and supervision.

4754 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

4755 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is necessary, provided the course of studies is wide enough to enable "Natives of India" to acquire an intimate knowledge of the social life and constitutional history of the English people and Europeans an intimate knowledge of the social life and constitutional history of India.

4756 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—"Natives of India" should spend at least a year in England before they enter on their duties.

4757 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. The causes are:—The spread of English knowledge, office work being mainly carried on in the English language; greater facilities for going Home; easy examination in the vernacular; the isolation and aloofness of the officers from the people. It is difficult to suggest remedies. It appears to me that if their knowledge of the vernacular is tested before the members of the Indian Civil Service are appointed to district charges, it may go a great way to improve the present state of things.

4758 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—Yes. They should be appointed in the first instance as Munsifs and afterwards as Subordinate Judges before they are made District Judges—*vide* also my answer to question (11).

4759 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Yes; restricted to future entrants.

4760 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Yes.

Written answers relating to the Provincial Civil Service.

4761 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Rule 1 should be amended by inserting after the words "on the other" the words "without in any way risking efficiency."

4762 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is not possible to secure in the Provincial Civil Service the representation of all classes and communities, and to make such an attempt would impair the efficiency of the service. Under the scheme suggested in answer to question (64) power is given to the Government to appoint qualified persons on considerations of family, influence, religion, etc.

4763 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—They are not at present differentiated in case of Deputy Tahsildars and Deputy Collectors who also exercise magisterial functions. It is necessary that the executive should be completely separated from the judicial.

4764 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—With the

institution of simultaneous or separate examinations in England and India for the recruitment of the Indian Civil Service, I would retain the designation of the Provincial Civil Service.

4765 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

4766 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed-posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I approve.

4767 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—No. With the construction of the Indian Civil Service as indicated in my answers to questions (6) and (7), I recommend that the Provincial Civil Service may well include all appointments above a salary of Rs. 150 a month. The recruitment should partly be by competition, open or limited, to the extent of not less than one-half of the vacancies, partly by nomination to the extent of not more than one-fourth, and partly by promotion from the lower ranks. Nomination should ordinarily be made only to the lowest grade and promotion only according to merit and seniority and not on considerations of race, community or religion. I recommend also that officers of "tried ability and merit" should be appointed to posts reserved to the Indian Civil Service to the extent of not more than 10 per cent.

Mr. N. Subba Rao Pantulu, called and examined.

4768. (*Chairman.*) Will you tell the Commission what public positions you have occupied?—I was an elected additional member of the Imperial Legislative Council from 1910 to 1912; I was an elected additional member of the Local Legislative Council for six years, from 1893 to 1899. I am a land-holder as well as a vakil of the High Court, Madras. My practice was mostly confined to the mufassal. I was a Chairman and member of the Municipal Council of Rajahmundry and a member of the District Board of Gōdāvari. I was also Vice-President of the Taluk Board, Rajahmundry. I was Public Prosecutor and Government Pleader in the Gōdāvari district for a period of ten years. I presided over District Conferences and Provincial Conferences on different occasions. I was the Chairman of the Reception Committee of the Indian National Congress held in Madras in 1898. I reside generally in the mufassal.

4769. To what caste do you belong?—I am a Brahman.

4770. In your answers you say you are in favour of simultaneous examinations in India and in England?—Yes.

4771. Are you satisfied that if such were brought into practice the material for the Indian Civil Service from England would continue at as high a standard as at present?—Yes, I believe so. There is no reason why it should not be. I have faith in English patriotism.

4772. Are you satisfied that such a proposal would produce the best candidates in India?—Yes, it would bring out the best men of this country to take their place side by side with Englishmen.

4773. You are anxious to retain in the administration work of India a European element, are you not?—Yes, I am in favour of having a European element in the service under the present conditions.

4774. Do you regard it as of vital importance to the future of India?—Yes, under present conditions.

4775. In your reply to the question regarding simultaneous examinations, you base your objection on two grounds. I take it the chief ground is that of illegality?—Yes, I consider it to be illegal.

4776. You base that statement on former Statutes and the Proclamation?—Yes. Also it is undesirable to allot a specific number of places to a particular class of His Majesty's subjects, whether they are Englishmen or Indians or of any other denomination. Also I consider it to be illegal and against the whole spirit of British legislation.

4777. When you say it is undesirable, do you mean that, supposing in years to come Indians absorb the whole of the vacancies, you would still consider it undesirable to have anything in the nature of a restriction in order to ensure a European element?—I should welcome the day when the whole service is manned by Indians, because it would show that a stage had been reached in the civilisation of India when educational facilities would be so great that Indians could hold their own with Englishmen and even displace them in the highest service where the examinations were similar. Under those conditions the country would be so advanced that public opinion would be in accordance with such a state of things. Therefore if such a state of things should come about in the history of India, I should welcome it, and I believe that was the aim of the statesmen who legislated in the year 1833; they looked forward to a time when India would be in the hands of Indians and the highest service would be manned by Indians.

4778. In view of what you have just said you will have very materially to modify your former statement as to the importance of retaining a European element in the Government of India?—Under present conditions and for many long years to come the British element will be here, and I have made an alternative proposal on that subject, namely, that there should be two examinations, an examination in England and an examination in India, and if necessary fifty per cent. of the vacancies should be recruited in England and fifty per cent. in India. The result would be that you would secure Europeans from England and Indians from India, as long as such an arrangement is considered feasible in the interests of India.

4779. This is an alternative proposal?—Yes.

4780. In the event of your not securing a simultaneous examination?—Yes.

4781. It is quite a different proposal?—Yes.

4782. A separate examination giving fifty per cent. to England and fifty per cent. to India. I gather from your answers that under the second proposal you would suggest the elimination of listed posts?—Yes.

4783. Except to the extent of ten per cent.?—Yes, just to give encouragement to the Provincial Service.

4784. Why not eliminate them altogether?—The Provincial Service must have encouragement.

4785. It is to provide encouragement?—To reward ability, under the statute of 1870, I would promote officers of the Provincial Service to these listed posts, but not more than 10 per cent. That would not in any way affect very largely the present cadre.

4786. Under your scheme would that 10 per cent. be absorbed in the fifty?—Yes.

4787. It would not be in addition to the 50 per cent.?—What I am saying is that 10 per cent. would be allowed for those people and the balance would be distributed in England and in India.

4788. I notice in another answer you say you are satisfied with the present practice of two-thirds pay being given to Indian Servants?—For listed posts.

4789. Would you apply that same rate of pay to Indians recruited to the Indian Civil Service in India?—My idea is that they should have the same salary, but that Europeans coming to this country should receive extra allowances to compensate them for any extra outlay they have to incur in this country. Their salaries must be the same, and they must be placed on the same footing, with the same rank, the same promotion and in the same list.

4790. But you recognise that the expenses attached to a European are inherently greater than those of an Indian, and you would be prepared to grant him certain allowances to meet that extra expense?—That may be investigated, and if it is found that Europeans coming to this country have extra expenses, I have no objection to giving them extra allowances to compensate them. I am inclined to allow them extra allowances.

4791. You would separate the judicial from the executive branch entirely, would you not?—Yes, I would like to do that.

4792. And you would recruit the Judicial branch in the future from the legal profession and from the Judicial branch of the Provincial Civil Service?—Yes, and so long as the High Court Charter continues on its present basis, I would recruit also from the Indian Civil Service a certain proportion of appointments.

4793. (*Sir Murray Hammick.*) You are primarily in favour of simultaneous examinations?—Yes.

4794. Exactly the same examination in England and India?—Yes.

4795. If that did not meet with approval you would suggest a separate examination held in India, the successful candidates at which should be classified along with the Indian Civil Service men who pass in England?—No, not exactly.

4796. Would you put them on a separate list or have them in the same list?—If it is a simultaneous examination there is one objection to that system, and that is, that those who pass out from England might all get more than, say, two thousand or three thousand marks, whereas those who pass out from India might get less than two thousand marks. Further those that are not selected in England might be getting more marks than those obtained by persons selected in India. Therefore it would be rather invidious. To get over that objection I would advocate that the examinations be held by the Civil Service Commissioners half-yearly, the examinations to be of the same difficulty. This proposal would obviate all difficulties in that connection.

4797. You mean that in one half-year it should be held in England and in the other half-year held in India?—Yes.

4798. And the examination in India would be for the whole of India and not for each Presidency?—Yes.

4799. Then you would admit the successful candidates in the Indian Examination actually to the same list as the English candidates?—Certainly.

4800. And it would be a mere matter of time: the ones who passed in July would be put above the ones who passed in the following December?—Exactly.

4801. You said just now that you had great faith in English patriotism always sending out Englishmen to India?—I should think so.

4802. But do you not think the popularity of the Indian Civil Service in England depends quite as much on the material prospects which are open to the English candidate who goes up for the examination in England as on his patriotism?—Yes, I have heard that the Englishman cares for pounds, shillings and pence, but at the same time I would put his patriotism along with his desire to make money.

4803. Supposing you had simultaneous examinations, you say you would be quite glad to see Englishmen disappear from India . . . ?—It is rather the other way.

4804. You would like to see them disappear if it were caused by the Indians being able to beat them in those examinations?—Yes.

4805. But do you not think there is a possibility that the very fact of the simultaneous examinations being started will prevent Englishmen of the same calibre going up for these examinations in England as go up now, because the prospects would be so much less?—I do not see why the prospects should be less. All the posts will be still open to them.

4806. But they will have to compete then with at least half, or a large proportion, of men who are recruited in this country for the same posts?—But the chances of promotion will be the same as now, and within a certain period they will rise to certain posts. Instead of Europeans you will have Indians in their place, that is all.

4807. You would have Indians instead of Europeans, and therefore the chance of promotion and a successful career to an Englishman would not be the same as it is now?—I do not see that. I think the chances will be the same.

4808. Do you think it is a disadvantage to have a certain proportion of Indian Civil Service men in the High Court, or would you advocate that statute being repealed?—The best way of recruiting the judiciary is, as I have said, from the bar and, if necessary, from other services. What I say is that there should not be an absolute condition

laid down for the successful administration of justice by the High Court that there should always be recruitment from the Indian Civil Service.

4809. We have had some evidence that the civilian judge is a useful character at the High Court, but you do not think so?—I do not deny his usefulness, but he is not an absolute requisite in the High Court.

4810. (*Sir Valentine Chirol.*) You say you look forward with satisfaction and with legitimate pride to the time, very remote possibly, when all Englishmen will be eliminated by the success of Indian candidates in the simultaneous examinations?—Yes.

4811. Is it solely on the ground of their present greater intellectual attainments that you and people who think with you attach value to the presence of an English leaven in the Indian Civil Services?—No.

4812. On what other grounds then?—I look forward to the advancement of the civilisation of the country, to the time when India will become more homogeneous and will be a united nationality. It is when such a state of things comes about that I should look upon it with satisfaction.

4813. You have rather missed my point. Is it merely on the ground of an intellectual superiority on the part of the Indians employed?—No. Intellectual superiority connotes an advancement in the educational facilities, in social conditions, and in the economic and other conditions of the civilisation of the country. It is as an index to that more than anything else.

4814. You think a competitive examination will be an adequate test of the attainment by the people of India of all those qualities which connote an advance in civilisation?—I am afraid I have not been correctly understood. What I say is that when the time comes that in a competitive examination between the Indians and Europeans the Indians oust the Europeans, that would connote a period in the history of India when civilisation would have so far advanced that India would take her rank along with England. I look upon it as pointing to an advanced state of civilisation. A competitive examination will not produce these conditions.

4815. It will not produce but it will prove their existence?—Yes.

4816. You think a competitive examination will be sufficient to prove the existence of all those qualities?—You are putting it in one way, and I am putting it in another way. It is not the competitive examination by itself, but when through these competitive examinations Indians oust Europeans it will indicate a stage when the country shows itself to be highly advanced and may be left to itself. I do not say that competitive examinations will produce it, but the conditions will prove it.

4817. Competitive examinations will be the proof that India has attained that position?—It will indicate the time. I do not like to accept your wording.

4818. (*Mr. Abdur Rahim.*) Do you think that the Indians as a community have any interest in the public services?—Certainly.

4819. Then in advocating simultaneous examinations do you consider merely the question of administrative efficiency or the interests of the Indian community?—I do not see that the interests of the Indian community are distinct from the efficiency and the purity of the service. They are necessary to the service so far as to see that it is efficient.

4820. Is that the sort of interest you meant in your answer to my first question, that is to say, interest in the efficiency of the administration?—Yes.

4821. Do you say that appointments to places of power and places which give Indians opportunity to serve their country are not matters of interest to the community?—That is included.

4822. Power and the emoluments attached to the office?—Yes, all these evidently.

4823. Does the right to exercise power and the right to draw a certain salary count in your opinion?—Properly speaking, so far as the salary is concerned, it is an important consideration, but the more important aspect of the question is the careers that are open to the country and the talent being utilised in the country.

4824. Do the emoluments as well as the power attached to office count?—They will all count in varying degrees.

4825. Has the community, then, an interest in the public service to hold certain appointments: does that count in your opinion?—The public at large have got that interest.

4826. Perhaps I have not made my point clear? Certain members of the Indian community aspire to certain offices, and you say that it is in the interest of the community that they should be given a proper opportunity?—I do not understand what you mean by the community. The community means the public at large or different communities?

4827. I am taking the Indians as the community. Taking it in that sense, when a number of Indians aspire to certain offices because of the power and the emoluments attached to those offices, do you think that it is the interest of the community that they should have proper opportunities given to them?—Yes, it is the interest.

4828. That interest is not quite the same thing as the efficiency of administration? You can get, for instance, a Chinese official discharging the same duties as efficiently as an Indian official?—Of course.

4829. You see the difference between the two?—Yes, I fully agree with you.

4830. Then there is a question of interest in the matter?—Yes, there is a stake in the country.

4831. There is a question of efficiency as well of interest?—Yes, if you put in that way I have no objection.

4832. You concede that?—Yes, but the point is . . . .

4833. I am not arguing with you?—Perhaps I may have misunderstood your latter question.

4834. Why do you anticipate any later question? Kindly give me an answer to my question now?—The answer to your question is this. Administration, if carried on by Indians, certainly would give satisfaction to the Indian community. If Indians did not carry on the administration with efficiency, I would under present conditions see the administration carried on by Europeans. Therefore the interest of the Indian community in having careers is subordinate to the efficiency of the service.

4835. Is that an important element at all in your opinion?—It is an important element.

4836. Efficiency as well as the interest of the Indians?—Yes.

4837. Then my next point is this. You would like to see the element of sympathy pervade administration just as much as efficiency?—You would consider sympathy as an essential part of efficiency?—Yes, sympathy is an important part of efficiency.

4838. Now I am coming to closer quarters with you. Do you think that the largest sections of the Indian community have interests in the Public Service?—Yes, as part of the public they have interest.

4839. Do not you think that if certain sections of the community can produce efficient men, they are entitled as of right to expect a certain position in the Public Services?—Provided they pass the requisite tests.

4840. We will come to the tests. I am asking you to assume that there are men available in that community who satisfy the necessary qualifications?—Yes, by tests.

4841. I mean if they are qualified?—Of course.

4842. Then do not you think, that for the purpose of making the administration popular, as practical politicians we ought to see that different communities and sections are represented as far as possible?—No. In this country if once we introduce a system of class representation there is no end to it. It is one of the most mischievous things we can possibly do in this country—that is my strong conviction in the matter—class representation in the Public Service. Since you have touched on this important question, and as I have strong convictions and definite views on the matter, I would like to refer to the rule in the Provincial Service, that efficiency should be given as much importance as due representation of the different communities in the Provincial Service. That rule is applied also to the subordinate service. The result of the rule is that although members of different communities are not fit for certain places they still come forward, hankering after them, and saying, "We belong to this caste or that caste; this caste is not represented in the service; please give us appointments." So also in the case of promotion. They say "I belong to such and such a caste and my caste is not represented and another caste is, please give me promotion." This question of class representation is brought forward and officers are unconsciously swayed by these considerations, and I know as a matter of fact that this has been causing a good deal of mischief in the Public Service.

4843. If you will confine yourself to answering my questions we shall get on better?—Since you opened the subject I thought it best to explain.

4844. I do not want to discuss details; I only want answers to my question. Do not you think, subject to qualified men being appointed, that if you could possibly secure representation of the more important provinces and of the communities that would certainly promote the popularity of administration more than if we had a theoretical test, whatever the value of such test?—I cannot conceive of any plan or scheme by which, in this vast country, you could get qualified people from different classes and different communities to represent the Public Service, and I am strongly of opinion that the Public Service should be kept clear of these class distinctions.

4845. I said provided you get qualified men do not you think it is desirable to have the communities represented?—If a scheme could be devised by which it could be managed I should welcome it.

4846. I am not committing you to any scheme at all. Now do not get frightened at what I am going to put to you; we will see to the scheme afterwards. I simply want to test what you have said. You have said it is not possible to devise any scheme?—I have not been able to do it.

4847. I will give you one with which you are perfectly familiar, the selection of District Munsifs. That is not by open competition but is made by a body of gentlemen sitting together and selecting the officers from their own knowledge of them. That is a system which prevails here and which I take it is a very successful system of selection?—That is your opinion.

4848. Do you deny it is a successful system?—The selection, I would say, is fairly good, only it gives rise to this class hankering for office again. One man says "I belong to a certain caste. . ."

4849. Please do not let us go into all that over again?—It is the point you are on.

4850. I am perfectly sure you understand the whole drift of my argument. I am testing your position that the setting up of an open competition is the best of all methods to arrive at national ideals. Do you say that the selection of a District Munsif is satisfactory or not?—It is fairly satisfactory; I would not say it is entirely satisfactory.

4851. Is the subordinate Judicial Service as popular as the subordinate Executive Service in this Presidency, or less popular?—It is more popular, I should say.

4852. As an alternative scheme you are willing to concede, if driven to it, a certain irreducible minimum of Europeans?—It is not a question of irreducible.

4853. A minimum we will call it?—It is not a minimum either. It is purely open competition, open to all the subjects of His Majesty in England, in India, and elsewhere.

4854. It is a better opportunity for Indians than simultaneous examinations? Shall I put it that way?—No. It gives equal opportunities to Indians in India and Englishmen in England so that they are practically in the same position.

4855. You are dividing the thing into two halves?—No, I am putting the examination at two different places on two different occasions.

4856. Fifty per cent. recruited in India and 50 per cent. in England?—Yes.

4857. In the 50 per cent. recruited in England you expect there will be a fair amount of Indian representation?—Yes.

4858. That is the reason for it, is it not? Otherwise there is no difference between that and the simultaneous examination?—Quite right.

4859. If in your opinion a simultaneous examination is such an absolute test of fitness . . . ?—I do not say that at all.

4860. Would you say the best practicable test?—Yes, under the present circumstances.

4861. Then why do you make this concession?—Because there is the fear expressed by Englishmen that Indians would swamp them in the service.

4862. Supposing the fear is expressed by certain communities of India that if this absolute test is rigorously enforced they will be out of the higher service, would you pay attention to that sentiment?—No, for this reason; it is said that a high standard of administrative efficiency would be maintained by having a British element in the service, and that such a standard would not be maintained by any element belonging to any community in this country, and it is for that reason that I provide for an examination in England with 50 per cent.

4863. Do you subscribe to that opinion?—Yes, under the present conditions I do subscribe.

4864. That a British element is necessary?—Yes, under the present conditions.

4865. That the administration would be all the better for a certain quantity of the British element?—Certainly.

4866. Then in what respect does the competitive examination fail to secure that character which you want to supply by a minimum of British element? If you have a simultaneous examination there is a risk of the British element being excluded; supposing that happened at the present moment you would not consider it a happy result or a result beneficial to the administration?—I am sorry I have not understood you.

4867. If simultaneous examinations are adopted there is a risk of the British element in the service being utterly excluded?—There is.

4868. Then do you think it would be detrimental to the interests of the administration to exclude the British interests at the present moment?—I have already said that under the present conditions the British element is necessary to carry on the administration.

4869. Then in so far as this simultaneous examination recruits only Indians, you must admit that it is defective in certain points where the presence of the British element is necessary?—I do not know what the point is you are driving at. I do not quite follow your question.

4870. Very well, I will leave it there. As regards the constitution of the Civil Service, have you considered that the young men recruited to that service are assured that they will be gradually promoted, in the ordinary course, to Judgeships and Collectorships?—I suppose so.

4871. And would you subscribe to the fact that certain members of the service do not rise to the standard expected of them?—I suppose so.

4872. Do you think it necessary in the interests of the service that there should be such an assurance given to the new recruits? The men who are recruited by open competition at the present moment are given to expect that in the course of gradual promotion they will rise to be District Collectors and District Judges; do you think it is in the interest of the service and administration that they should have that assurance from the very start?—Yes.

4873. Supposing they fail to rise up to the standard?—Then they will not be promoted or put into those places.

4874. How would you eliminate such men?—They would be invalidated or they would stop where they are.

4875. Then you would not give them any such assurance?—I have said already that prospects would be opened out to them that with good conduct they would rise to the higher places in the service.

4876. You were asked a question about the High Court Judges recruited from the Civil Service, and I understood (you will correct me if I am wrong) that you did not intend to deny that the Civil Service has produced highly capable and learned Judges in times past and at present?—Yes, it has.

4877. Your objection is to the method of recruitment?—Yes.

(Adjourned for a short time.)

4878. (*Mr. Madge.*) You have spoken of the people of this country becoming homogeneous at some time?—Yes.

4879. Do you think, considering that for the past thousand years there has been no impulse in that direction, that it is likely to arrive within any measurable distance of time?—I do not agree with your premises. Within the last 50 years, especially during the last five years, there has been such a change in the spirit and feeling of the country that one can easily conceive the time when the country will be animated by one spirit and moved by one impulse.

4880. Considering the extent to which that opinion dominates, do not you think that very much as people are moved by ideas to depart from realism, some of your opinions offered here may be too idealistic?—So far as opinions are concerned they are based on facts. As regards the dream, that is a dream, and we need not take it into account at all. It was a question of all appointments being held by Indians. That is a dream which need not be considered at all so far as practical politics are concerned.

4881. (*Mr. Macdonald.*) You moved the resolution at the Imperial Legislative Council, I understand, which to a considerable extent produced this Commission?—Yes.

4882. In moving that resolution you made a speech in which there were a good many statements in support of your resolution, about the inequality in the employment of Indians, and so on?—Yes.

4883. Does that speech still stand?—Yes.

4884. It has not been contradicted, so far as you know?—No.

4885. We may take the statements which you made in that speech as expressing the views which you hold to-day?—Yes.

4886. You have been for a long time identified with this movement for a simultaneous examination?—Yes.

4887. Not only simultaneous examinations, but examinations that impose an equal test upon Englishmen and Indians?—Yes; give them equal opportunities and fair play.

4888. In your written answers you propose that of the vacancies to be filled during any year one-half should be filled through examinations held in London, and the other half through examinations held in India?—Yes.

4889. You propose that the London examination should be held, say, in January, and that the Indian examination should be held, say, in July?—Yes.

4890. Is that a simultaneous examination?—Not so far as time is concerned; but, so far as the subjects and examiners are concerned, it would be so.

4891. You propose, on the other hand, that the tests should be the same?—Yes.

4892. You are not in favour of a very stiff examination in England, and a less stiff examination in India?—No.

4893. The examination papers cannot be the same if one is to be used in January and the other in July?—No, they must have different examination papers.

4894. You have admitted that Indian candidates at the moment will not register the same number of marks as English candidates?—Yes.

4895. So that the equally stiff examination in London may result in men getting in with, say, marks over 3,000, and men getting in in India with marks over 1,500, ploughing candidates in England who register 3,000 marks, and putting them in in India if they register 1,500?—I do not say that I have any objection to a minimum being fixed.

4896. But if you fix a minimum, and you do not get your number of vacancies advertised for in India, how would you fill them up?—I would fill up the vacancies with those who pass. I give it as a suggestion, and not as a pronouncement in the matter. For instance, in the previous examination there are those who have marks above the minimum—those who are considered to have passed the examination, but who are not selected because the required places are filled up—places may be given to them. That is one way; or the vacancies standing over may be filled up at the next examination.

4897. Still, in order to work your system you have got to modify it?—Yes, it has to be adjusted to other considerations.

4898. But still you contemplate the possibility of the number of marks registered by a candidate in England, and failing to let him in, being sufficient if registered by a candidate in India to secure him a position?—If there is no minimum.

4899. Is not your equal test merely words?—Therefore a minimum has to be fixed.

4900. But a test, I take it, is not a question of a minimum, but it is a question of the relative number of marks which A gets in respect to B?—All those who get above a certain minimum would be passed, subject to certain considerations.

4901. Would you establish the same minimum test for the English candidates, and let everybody who gets over that test go to England?—There will be a minimum, and whoever gets below will not be allowed to go into the "passed" list. Those who get above the minimum would not necessarily get into the "passed" list because there might be no vacancies for them.

4902. When a man gets above your minimum he is then subject to the simple rules of competitive examination?—Yes.

4903. A man who has got above the minimum in England will have to gain a larger number of marks for some time than the candidate in India has gained in order to get a place?—I do not quite follow you.

4904. You say that at the present moment the educational facilities of India are not such as to enable the Indian candidate to pass the same high standard of the Civil Service Examination that the Englishman has?—Yes.

4905. Therefore, part of your reason for suggesting a double examination is to give the Indian candidate in India a chance?—The object is to allay the fear that the Indians will swamp the service, and therefore to secure a fair British element coming into the service.

4906. If that is your object, why not have simultaneous examinations and allow the same number of marks to hold good?—There would be one list whether the examination is held in England or India, and candidates will be classified in order of merit.

4907. Do you object to that?—I have no objection to it. I favour the scheme. But if it is considered that under such a scheme Indians will swamp the service, I say, take this alternative scheme.

4908. This alternative scheme, if we were to suggest it, would its effect not be to put in at the present moment 50 per cent. of Indian candidates who would not come up to the English standard?—That is the reason why I have suggested that there should be a minimum, so that all those who do not get above the minimum should not be allowed in.

4909. It is not a question of minimum: it is a question of marks?—It is a question of minimum marks I am talking about.

4910. If you fix a minimum, those who come above that minimum are subject to the ordinary rules of competitive examination?—All would be subject to the rules of competitive examination.

4911. My point is this. Even if you have got a minimum, the Indian candidate for a time, at any rate, will not be able to register the same number of marks in his examination as the English candidate?—Quite true.

4912. Therefore a smaller number of marks above the minimum will be sufficient to secure a place in the Indian Civil Service for a candidate who sits for the Indian examination?—Quite true.

4913. If these things are so how can you say you favour a simultaneous examination and an examination which imposes the same standard of test?—I do not see any difficulty.

4914. (*Mr. Sly.*) You have expressed the opinion that a separate examination for a fixed proportion of posts restricted to the Natives of India would be illegal, because it would be contrary to the Statute of 1833, and to the Queen's Proclamation of 1858?—Yes.

4915. Do you consider that the present system of open competitive examinations is open to that same objection, or not?—In letter it is not; in spirit it is.

4916. If there were a separate examination in India open to all classes, would that be contrary to the Statute? If you retain the present system in England, and also had a separate examination in India for a fixed proportion of the posts open to all natural-born subjects of His Majesty, would that be contrary to the Statute or not?—I do not like to express an opinion upon that.

4917. Do you think that the Statute of 1870 was contrary to the Statute of 1833, and the Queen's Proclamation of 1858?—I should not like to express an opinion upon that at present.

4918. Of course, you know that the Statutory Rules of 1879 restricted recruitment to Natives of India?—Yes.

4919. Was that contrary to the Statute of 1833, and to the Queen's Proclamation of 1858?—It is simply a remedial measure.

4920. Was it, or was it not, contrary?—I am inclined to think so.

4921. The present rules of recruitment to the Provincial Civil Service lay down that recruitments shall be restricted to Natives of India except in special cases, when a European may be appointed with the sanction of the Government of India. There is that special exception. Is that contrary to the Statute of 1833 and the Queen's Proclamation of 1858?—I have not considered that aspect of the question.

4922. You recently, at the Indian Congress which was held, proposed a resolution, one clause of which recommended that Government should bar all residents of Colonies from competition for the services in India; that is, residents of Colonies which did not open their services to Indians?—Yes.

4923. Is that contrary to the Statute of 1833, and the Queen's Proclamation?—I do not think so.

4924. Why not?—Because it is intended to be a retaliative measure against the Colonies.

4925. But it is a disability upon a particular caste; a particular race?—It is merely a proposition which has to be carried into effect. It is simply an expression of opinion by a body of people, which, if carried into effect, would be placed upon the statute book.

4926. Would it be a breach of the Statute of 1833, and the Queen's Proclamation?—If a Statute were passed by Parliament, then it would be perfectly legal. It is not a Statute by itself, it is a resolution passed by the Congress.

4927. If you consider it from that point of view it is desirable to amend the Statute of 1833 and not to enforce the Queen's Proclamation; if it should be proved to be in the interests of India to have a separate examination, which, at present you state would be illegal, would it not be open, also, to amend the Statute?—Yes, there is no doubt about that.

4928. With regard to the Statute of 1833, upon which you place such great reliance, you will remember that when it was interpreted by the despatch to the Court of Directors, they used the phrase that "fitness is henceforth to be a test of eligibility," did they not?—Yes.

4929. That you still adhere to?—Yes.

4930. We have had a certain amount of evidence in which it is stated that Indians make much better Judges than Europeans, that they are more fit to man the Judicial service, and on that account we have had proposals that the Judicial service shall be recruited from the Indian Bar: do you consider that that would be permissible under the Statute of 1833?—Yes.

4931. That the Judicial service shall be recruited solely from members of the Indian Bar?—There is nothing to prevent it.

4932. That would not be a breach of the Queen's Proclamation, the excluding of Europeans from that service?—There is no excluding of Europeans. My opinion is that Europeans would not be excluded when you say that you would recruit them from the Bar. It is open to all classes of His Majesty's subjects.

4933. Then again, with regard your alternative scheme for a separate examination, is not that quite contrary to the Statute of 1858?—No.

4934. Does not that Statute of 1858 state that there shall be an examination, and that candidates shall be admitted to the Indian Civil Service according to the order of their proficiency?—The word used is "examinations." It is the plural. That is why I made this proposal,—to, as far as possible, conform to the Statute.

4935. You think that two separate examinations are not barred by the Statute of 1858 at all?—No, not at all. That is my opinion.

4936. In your answer to question (8), you have said that you are against the representation of classes and communities?—Yes.

4937. We had evidence given by the Diwan of Travancore this morning to the effect that the Travancore State Service is restricted to residents of Travancore?—Yes. I know that.

4938. You also know that for Mysore the rules governing entrance to the Mysore State Service restrict admission to Mysoreans?—I do not know that. I thought they held a competitive examination until two years ago, when His Majesty's subjects competed for this examination and obtained entrance. As a matter of fact, in the Mysore Service they have a number of Madrasis serving in that State.

4939. Do you not remember that a strong agitation was carried on, and headed in many places "Mysore for the Mysoreans?—Yes, there was an agitation.

4940. But you do not know that the rules restricted their entrance?—My own belief is that the rules did not restrict them.

4941. Have you heard recently, also, or seen in the papers, that there has been another agitation—"The Andhra country for the Telugus."?—Only a few people have set up the agitation. It is not shared by any large class of the people, or leaders of the community. I, for one, have not joined it and I have expressed my opinion, and written saying that the community ought not to hanker after offices and after political privileges, but that they should confine themselves to religious, social and economic activities. It is only then that they can have real progress in the country, otherwise they will be creating bickerings, jealousies, and discord, and retard the healthy progress of the community. Only recently I sent a letter to the editor of a paper called the *Andhra* to that effect.

4942. That is your own opinion?—Yes.

4943. At the same time there has been a public agitation in favour of "Mysore for the Mysoreans" and "The Andhra country for the Telugus" and others?—As regards public agitation in favour of "Mysore for the Mysoreans" there has been no agitation in the sense that people meet and pass resolutions. There is no such thing. But there has been an agitation by some people that the Madrasis should not find entrance into the Mysore Service. It is the agitation of some people, but it is nothing else.

4944. In your speech in Council, you referred to the open competitive examination held for the Accounts Department?—Yes.

4945. You are aware, I suppose, that in that examination 17 out of 33 successful candidates were residents of Southern India?—I knew that, and I referred to that in the pamphlet which I issued. With regard to the Government of India's resolution on simultaneous examinations, they pointed out that if simultaneous examinations were held the Bengalis would swamp the country. I quoted that to show that Bengalis would not hold their own, and that therefore they would not swamp the country. You will get people from other parts of the country as well. I pointed to that specifically.

4946. Taking that as some guide, do you think that the Civil Service of India would be swamped by Madrasis?—No, I do not think so, because here the subjects are of a peculiar kind. Here the subjects are different, and arranged on a different footing altogether It is an experiment, and we do not know which province would be most successful in this examination. After all, supposing some few more people from one province did come into the service, no danger would happen to the efficiency of the service.

4947. "Some few," being more than half?—Even assuming such a contingency as you point out, seeing that this is for the whole of India, I do not see any danger to the efficiency of the service if a few more candidates from one province got in. The educational facilities are fairly good in almost all provinces, and there would be an equal field for all, as far as I can see. It is difficult to express an opinion as to what would happen in the peculiarly English examination which is going to be instituted.

4948. Do you think it would be acceptable to Northern India that a large proportion of successful candidates in the service should be Madrasis?—I do not see why they should not accept it in the Indian Civil Service. You find Bombay people serving in the United Provinces.

4949. If there was a large proportion of Madrasis, do you think it would be really for the good of the country?—It would certainly be for the good of the country.

4950. You think it would?—There is no doubt about it.

4951. There is one question I wish to ask you with regard to your reply to question (10). It is simply as a matter of explanation. You apparently recommend the abolition of listed posts?—Yes.

4952. At the same time, you suggest that a maximum of 10 per cent. of the posts should be reserved for the Provincial Civil Service?—Yes.

4953. Can you tell me what your point is with regard to that answer?—The point is that the Provincial Service comes up to the highest post which carries a salary of about Rs. 800. It is not right that a man of exceptional abilities should be restricted to that service. It is to the good of the service that picked men should find their way up higher in the service. That is the reason why I have suggested that 10 per cent. of the posts reserved for the Civil Service should be given to people of exceptional merit.

4954. That is already done by the system of listed-posts, is it not?—Under the system which I have suggested the listed-posts would go. There would be no listed-posts. Now the listed-posts are one-sixth, but the listed-posts would go under my scheme. I have proposed a system of simultaneous examination, or separate examination.

4955. The present listed-posts are roughly 10 per cent. of the posts?—It ought to be one-sixth.

4956. Why do you want to abolish listed-posts and fix the maximum at 10 per cent.? I should like the interests of the Provincial Civil Service to be safeguarded. If you give away one-sixth, the number of posts available to the Indian Civil Service will become less, and some portion of those posts will be taken up by Indians.

4957. You do not wish to give the Provincial Civil Service one-sixth of the posts?—No.

4958. With reference to your reply to question (31) do you think that the social life of the English people can be learned from books?—No. I have advocated residence in England, and a period of probation.

4959. What course of studies do you want in that matter?—I have not sketched it out fully. I suggest that, so far as Englishmen are concerned, they should get an intimate knowledge of India and the people; and that so far as Indians are concerned, they should get a knowledge of England and her people. It is a matter of detail as to the selection of the subjects. My main idea is that Indians should get into touch with English life, and that Englishmen should get into touch with Indian life, so that they may start fairly in the administration of the country.

4960. You think that they should all go to England for a course of study?—So far as Indians are concerned, I think they should all go to England. That is one of the conditions that I have laid down.

4961. You propose a certain change in the syllabus so far as the subjects of the examination are concerned?—Yes.

4962. I have gone through those changes and, as far as I can judge, if these changes were accepted, it would be possible for an Indian candidate to be successful in the examination almost without taking up any English subject of any kind or description, if he confines himself purely to Indian subjects. On the system which you recommend the Indian candidate might be successful in the examination without touching an English subject at all. If these changes were made, according to you, Sanskrit and Arabic would be put up to the full value of marks?—They are already there. The change I propose would give the same marks as are allotted to Latin and Greek.

4963. If the history of India is added to the lists of subjects and changes of that kind made, it would be almost possible for an Indian to be successful at that examination by taking up subjects which solely appertain to India; do you think that is a desirable thing?—I do not suggest that the subjects should be solely confined to India.

4964. (*Mr. Gokhale.*) Do you remember the wording of the section of the Statute of 1833 which is under discussion?—I read it some time ago.

4965. I will give it to you. The wording is this: "No Native of the said territories" (that is India) "nor any natural-born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour, or any of them be disabled from holding any place, office or employment under the said East India Company." This constitutes a promise to the people of India, not to everybody in the Empire. So far as your own opinion is concerned, to whom is this promise given?—To Natives of India.

4966. It was not necessary at that time to give such a promise to the people of England or to those of the Colonies?—No, of course not.

4967. Supposing that owing to the exigencies of the service, rules such as those of 1879 are

framed, is that inconsistent with the Statute?—No. The wording was not brought to my notice.

4968. I will turn now to the Proclamation of 1858. Here, again, the promise is to the people of India by the Queen. It is addressed to the Princes and People of India: "And it is our further will so far as may be our subjects of whatever race or creed be freely and impartially admitted into office in our service the duties of which they may be qualified by education, ability and integrity duly to discharge." The promise is to the people of India and not to the people of the Colonies, nor even to the people of England, because no promise to them was necessary?—That is so.

4969. Do you remember the despatch of the Court of Directors when forwarding the Statute of 1833?—Yes.

4970. They say that the object of the Statute is to remove all disqualification?—Yes.

4971. There is nothing in what Government have done in any action taken under the Act of 1870 which is in contravention of the spirit or reading of the Statute of 1833, or the Queen's Proclamation. Is not that your opinion?—That is quite right.

4972. You are in favour of simultaneous examinations: you have no fear that under a scheme of simultaneous examinations the service will be swamped by Indians?—I have no fear whatever.

4973. But this fear is entertained by several Europeans, is it not?—Yes.

4974. And you would like to allay that fear, would you not?—Yes.

4975. Therefore you propose your scheme of examination, which is not a different examination, but only an examination held at a separate time?—The time is the only difference.

4976. The examination is to be the same in quality?—Yes.

4977. And conducted under the authority of the Civil Service Commissioners?—Yes.

4978. A question was put to you by Mr. Ramsay Macdonald suggesting that a scheme like this would operate unequally in the two countries. Your scheme is that you would have a minimum of marks in both countries?—Yes.

4979. Out of 6,000 successful candidates must get above a certain minimum?—Yes.

4980. In England that condition would probably at once be satisfied?—Yes.

4981. But in India that may not be satisfied for some years to come?—That is so.

4982. The residue of Indian vacancies would be added to those offered next year in England?—Yes.

4983. Mr. Ramsay Macdonald pointed out to you that a man who gets lower marks in India may get in because he satisfies the minimum, whereas the man who gets a higher number of marks fails in England, because, although he satisfies the minimum, there is no vacancy. Does not that happen now in the examinations held in any two years?—Yes.

4984. A man who gets 3,000 marks one year may get in, and a man in another year who gets 3,500 may not get in?—Yes.

4985. Therefore the position will be the same?—Yes.

4986. Except that it will be six monthly instead of yearly?—Yes.

4987. There is no difference except that?—No.

4988. Lastly, I come to your dream. Your dream of a day when the entire Public Service of this country will be manned by Indians is like the dream of a day when all classes, creeds and races of this country will be thoroughly united and will have no differences?—Yes.

4989. It is like your dream of a day when our Imperial Legislative Council will be a Federal Parliament, when the Secretary of State for India will be like the Secretary of State for Colonies? Is it not a most distant dream?—It is a dream of Lord Macaulay.

4990. It need not frighten anybody to-day?—No.

4991. (*Lord Ronaldshay.*) You say that a scheme under which a fixed proportion of the vacancies in the Indian Civil Service cadre would be filled by Natives of India recruited by means of a separate examination in India would be illegal?—Yes.

4992. Would you say such a scheme as this were legal or illegal, namely, a scheme under which an examination should be held simultaneously in England and in India, open in each case to Europeans and Indians, but qualified by this restriction, that 80 per cent. of the vacancies were to be filled through the examination in England, and 20 per cent. through the examination in India? Would that scheme contravene the Statute of 1833 and the Queen's Proclamation of 1858, or not?—There is this to be considered. I think another Statute says that they should be arranged according to the order of merit.

4993. That is another Act altogether. You are talking of the Act of 1853: I am talking about the Act of 1833?—The Act of 1833 has nothing to do with this. It is the Act of 1858 which has to do with this, and by which these examinations are instituted. They are repeated from the Statute of 1853. It is by that that the question of legality or illegality has to be decided.

4994. The Act which we have been discussing this morning is the Act of 1833 which reads as follows: "No native of the said territories nor any natural-born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office or employment under the said East India Company." That is the Act which gives promises to Indians of equal chances of employment?—I am inclined to think that it does not contravene the Act. Allow me to add that as far as the Act of 1858 is concerned it appears to contravene it.

4995. I did not ask you that. I only wanted to know your opinion with regard to the Act of 1833. The only other question I want to ask you is this. You say that you approve of the arrangement under which officers of the Provincial Service who hold listed-posts should draw pay at approximately two-thirds of the rate of pay drawn by members of the Civil Service holding similar posts. Would you tell me on what grounds you approve of that?—Because there must be what I consider to be gradual promotion. The highest pay which members of the Provincial Civil Service get is about Rs. 800. The pay of the Collectors and District Judges would be more than Rs. 2,000. Therefore there must be a graduated scale in this matter. The rises in the

Provincial Service should not at once jump up to those high places carrying the same salary. They should have a salary which is fairly higher than what they have previously been getting.

4996. Are you influenced by the belief that the expenditure necessarily incurred by a member of the Indian Civil Service in this country is greater than the expenditure incurred by a native of India?—I have already answered that, so far as certain classes of appointments are concerned, the salaries of Indians and Englishmen should be the same; but that, so far as Englishmen are concerned, they should have extra allowances for serving in this country.

4997. You do not agree with the evidence which was given, I think two days ago, to the effect that the Indian holding superior posts in this country incurs as heavy expenditure as the Englishman does: you do not agree with that?—I am not sufficiently acquainted with the matter as far as Englishmen are concerned; but, as far as Indians are concerned, I can say that they do incur more expenditure when they get to higher places. But what the proportion is I do not know. It must be adjusted by investigation and further consideration.

4998. Do you not think that on the whole the Englishman serving in India must necessarily have greater expenses than the Indian serving in India?—I have already said that he must have extra allowances for coming and serving in this country and for other reasons.

4999. (*Mr. Oldfield.*) With reference to the proclamation and Mr. Gokhale's question that England was in need of no promises, and that the Colonies needed no promises, in what way are the Colonies not in need of promises when England is not in need?—It was entirely confined to the Natives of India so far as that was concerned.

5000. It was put to you by Mr. Gokhale that England needed no promises?—There is no occasion for it, because Englishmen occupied all places here in those days. It was a monopoly for Englishmen.

5001. Was there any occasion for it in the case of the Colonies?—There is no occasion, so far as I can see.

5002. (*Mr. Subrahmanyam Pantulu.*) You are rather hard against listed-posts?—Is it?

5003. The Public Service Commission and the simultaneous examination would allow one-third of posts to be listed, and Government has accepted one-sixth as the proper limit. We hope that Government will raise the limit to one-third, but you want that it should be put down to one-tenth?—You are mistaken. What I said was that by instituting simultaneous examinations the listed-posts would go. And when they are abolished, I allow 10 per cent. to the Provincial Service, which is a very liberal allowance.

5004. You do not advocate the entire abolishment of the listed-posts. You still want to retain the one-tenth?—Yes.

5005. How do you reconcile your present position with the position you took up when you moved the Public Services resolution? You made much of the difference and inferiority and stigma attaching to the lower service according to your resolution, and on that ground you wanted the Provincial Civil Service and the Indian Civil Service joined?—Yes.

5006. You advocate that the listed-posts might be abolished, but you want the listed-posts to be retained and yet their position and their pay might be kept inferior to the Civil Service. How do you say that you have been able to remove the presence of inferiority? You still retain it?—It is in this way. Once you institute simultaneous examinations, you allow Indians to take a place side by side with Englishmen in the Indian Civil Service, whereas as at present constituted the Indians have no place in the higher offices and they are all shunted to the lower places. The widest door which is open to them is the Provincial Service, and they cannot rise to the top, and that is why it is called the inferior service. By the scheme I am advocating, Indians would get into the higher service. That is the difference.

5007. So that you have no objection to the inferiority being retained; yet one may have the higher place, and the other officer may exercise lower duties: you still want to maintain that difference against which you fought so much in your resolution?—I am afraid I am not clearly understood. Under my scheme the Indian Civil servant would exercise the same kind of duties as the European Civil servants. The Provincial Civil Service officers do not exercise the same duties, and if listed posts are allowed to them it is by grace. One-tenth is only to men of exceptional ability and merit. That is entirely a different matter.

5008. Men who are admitted to these posts as a matter of grace may be kept to the lower grades. You want to retain some for men who rise from the Provincial Service as a matter of grace. Although they exercise the same functions and duties you want them to be kept as inferior servants as regards pay?—Not inferior at all, except in the matter of pay: that is all. In all other matters they will be on the same footing.

(The witness withdrew.)

Yakub Hasan, Esq. (on behalf of the Madras Presidency Muslim League).

Written answers relating to the Indian Civil Service.

5009 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment in England by open competition for the Indian Civil Service is not wholly satisfactory. It does not ensure a selection of the best men available, either European or Indian, whilst it puts Natives of India at a great disadvantage.

5010 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Excepting in the case of the few who stand very high in the order of merit at the examination, competition cannot be considered a satisfactory test even in point of literary and intellectual capacity. There cannot be much difference in point of intellect among people whose results show only a difference of a

few marks. We would suggest that the order of merit may be considered only in the case of the appointments of the first few candidates. The other successful candidates may all be grouped together without any particular regard for their respective marks and out of them selections might be made for appointments, taking into consideration the moral and physical qualifications of the successful candidates as well as the proper representation of important provinces, classes and communities.

5011 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not equally suitable for the admission of Natives of India and other natural-born subjects of His Majesty. Simultaneous examinations in England and India under certain conditions mentioned in answer to question (2), followed by a course of practical training in India for Europeans and in England for Natives of India, will give equal opportunities to both the classes for admission into the Indian Civil Service.

5012 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination of the competitive examination for the Home and Colonial Services with that for the Indian Civil Service is not to the advantage of Indian interests nor is it practicable or desirable under the system proposed in our answer to question (2).

5013 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—As we said under question (2), we would not make all appointments on the results of the open competitive test strictly in accordance with the order of merit. The first few appointments we would give to those that stand highest at the examination, and from the others who have been declared to have passed, we would make a selection having due regard to the necessity of giving fair representation to the various provinces, classes and communities of India. This would not be "favouritism," as there could not be much difference in point of intellect among candidates whose results vary only by a few marks.

5014 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—We are in support of such a system provided that all the appointments made are not altogether based on the order of merit at the competitive test.

5015 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—We are not in favour of an examination in India different from that in England, nor would we have separate examinations in different provinces.

5016 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—As already explained, we are in support of a system by means of combined examination and selection.

The first few from among the successful candidates will get their appointments as a matter of right, whilst from the rest selection should be made, keeping in view the necessity of giving representation in the public service of important provinces and communities.

Yes, we do consider class representation as absolutely necessary. We would secure it in the way we have suggested under question (2).

5017 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes. "Natives of India" should be eligible for appointment in England?

5018 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—In our scheme, as it will be seen from the sequel, the Provincial Civil Service would cease to exist, the present listed posts we would reserve for deserving men from among the subordinate officials, who should have some scope to rise to higher appointments on account of their merit.

We would have only two services, the Indian Civil Service and the Subordinate Service, the former including all the offices now divided into the Indian and the Provincial Civil Services carrying a salary of Rs. 350 and more, and the latter all the appointments carrying a salary of less than Rs. 350.

5019 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—We would entirely separate the judicial service from the executive service. For the judicial service we would recommend a method of recruitment by competitive examination and selection on the same principles as the one advocated for the executive line. But we would allow to appear for the Judicial Service examination only such candidates as have had a good grounding in law either in India or in England. For example, graduates in law of Indian and English Universities and barristers of the different Inns of Court. Exchanges between the two services should not be permitted.

5020 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any

"person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there "for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—Yes. We are satisfied with the present statutory definition of the term "Natives of India."

5021 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—We believe that the present age limits 22–24, are satisfactory.

5022 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five years.

5023 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—As stated above, we are satisfied with the present age limits, 22–24. We do not recommend any differentiation between the age limits of "Natives of India" and of other natural-born subjects of His Majesty.

5024 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—We would include in the authorized syllabus of subjects for the open competitive examination, Indian History and Geography, and put it on the same level as English History. Persian should be put on the same level as Sanskrit and Arabic. In other respects we think the syllabus now current may be left unaltered.

5025 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation in the subjects for the competitive examination in England and in India is desirable between the candidates who are "Natives of India" and others.

5026 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—No such reservation is necessary in our scheme because all appointments over Rs. 350 would be held by Indian Civil Service men.

5027 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Yes, we think it necessary that a minimum proportion of Europeans should be employed in the Indian Civil Service. We would fix this minimum at 50 per cent. It may be reduced to 33 per cent. if our scheme of amalgamating the Indian and Provincial Civil Services is adopted. The present proportion of Europeans and Indians in the Indian Civil Service and the higher grades of the Provincial Civil Service (carrying a salary of Rs. 350 and more) is almost equal.

As the total number of appointments in the different grades of the amalgamated service will remain almost the same as it is at present, this amalgamation will not involve any additional financial strain. Take for example the following figures for Madras:—

	Indian Civil Service posts.	Provincial Civil Service posts.	Total.
Rs. 900 to Rs. 1,500 ...	36	0	36
Rs. 700 to Rs. 900 ...	16	9	25
Rs. 500 to Rs. 700 ...	53	37	90
	105	46	151

5028 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—We are not aware of any special arrangement in India of recruiting Indians in the Indian Civil Service as supplementing the appointments made on the results of the open competitive examination in England, excepting the appointment of Provincial Service officers to the listed posts. We consider that the latter system is generally satisfactory.

5029 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No, we would not recommend the creation of any new service.

5030 (22). If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—We would not recommend the appointments of Military officers for posts in the Indian Civil Service cadre.

5031 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—In the present system of the Indian Civil Service and the Provincial Civil Service, the reservation of certain higher appointments as the listed posts is absolutely necessary in sheer justice to the merits of the men in the Provincial Service.

5032 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—No. The listed posts are not sufficient in number to satisfy both the officers of the Provincial Civil Service and the Statutory Civilians and those Natives of India who do not belong to either.

5033 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—No.

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5034 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes, the period of probation is absolutely necessary in the case of all candidates appointed in the Indian Civil Service.

5035 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. To the course of study already in force, we would add a study of Indian Geography (Physical and Economic), the Indian Constitution, and of manners and customs of the different Indian communities (Indian sociology) and the Revenue Regulations of the province to which the candidate is assigned.

5036 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Europeans should be brought to India and placed under experienced officers, Indians by preference, to learn practical administrative work, and the Indian probationers should be sent to England.

5037 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Natives of India should spend their period of probation in England, and European and other natural-born subjects of His Majesty should spend theirs in India.

5038 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

5039 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes, such an arrangement is desirable.

5040 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. The deterioration is due to the more extended social intercourse amongst themselves, now available to Europeans. They scarcely avail themselves of the opportunities they have of mingling with the Indians, and when they do mingle they speak English in preference to the vernacular.

European members of the Indian Civil Service do not generally possess an adequate knowledge of Indian languages, and if they do, it is soon forgotten after the necessity for passing the vernacular examination is over. The examination should be more exacting and should be conducted by a Board of Indian Examiners.

5041 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—There will be no necessity for any steps to improve the proficiency in the knowledge of law of members of the Indian Civil Service if the Executive is separated from the Judicial service and the latter is recruited on the result of a separate competitive examination.

5042 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—According to our suggestion every member selected for the Judicial branch of the Indian Civil Service will already be well grounded in law and will not require any special course of study after appointment.

5043 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—All officers selected for the Judicial branch of the Civil Service should begin as Deputy Magistrates or District Munsifs, and rise in course of time to be Joint Magistrates and District Magistrates, or Subordinate Judges and District and Sessions Judges respectively. This does not apply in the case of High Court Judges, who do not now belong to the Indian Civil Service. These officers may be selected from distinguished members of the English and Indian Bar as at present.

5044·(40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes, we would, as described in the sequel, send "Natives of India" recruited in India for a year's study and training to England and the Europeans recruited in England to India.

5045 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The Natives of India recruited in India for appointments in the Indian Civil Service should be sent up to England for a year. For the first six months they should attend some English University, say, Oxford or Cambridge, and be made to learn the English social system, History and law of the constitution, and Political Economy. The next six months they should spend at the India Office learning the official routine there. By this time, they may be expected to become thoroughly acquainted with English life and manners and be imbued with English spirit. We attach great importance to training in England. We look upon this stay, however brief, amidst cultured English society, as in itself constituting a liberal education essential in an administrator. Financial considerations need not affect this course, as the probationers' salary of Rs. 4,200 a year will cover the expenses of his passage and stay. The probationers may then come back to India and spend one more year in learning administrative work under experienced Civilians.

5046 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No. I would give to the members of the Indian Civil Service who are Natives of India, whether they are of unmixed European descent or mixed European and Indian descent, the same training that we would give to those who are of unmixed Indian descent, *i.e.*, we would send them all to England for a year, making them spend the first half year at Oxford or Cambridge and the second half at the India Office. They should spend the second year in India in learning administrative work.

5047 (44). Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—Under our scheme, which does away with what is now called the Provincial Civil Service, the various grades of the Civil Service would be increased. All officers would begin on Rs. 350 a month and go up to the highest appointments now open to them in the executive line.

5048 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—There should be no exchange compensation allowance for anybody.

5049 (47). Turning now to the case of Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—They must get the full salary of the posts when held by members of Indian Civil Service.

5050 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—There should be no difference in leave rules applicable to the Civil Servants and others who are now called Statutory Civilians or Provincial Civil Servants holding listed posts.

5051 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—While we advocate the same salaries for "Natives of India." and other natural-born subjects of His Majesty holding the same appointments in the Indian Civil Service, we have no objection to the European members of the Indian Civil Servicebeing given a special allowance in recognition of the extra expenditure they have to incur in a foreign country.

Written answers relating to the Provincial Civil Service.

5052 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions governing the recruitment to the Provincial Civil Service as contained in the Government of India Resolution No. 1046-1058, dated 19th August 1910, are generally suitable; but we should like that the clause prescribing the preliminary standard of general education be made more definite. As it is, the men selected by the Local Governments are of too varying educational attainments.

5053 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes, as far as possible people of other provinces being appointed only when in no other way it is possible to secure class representation.

5054 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No, not quite. We do consider it absolutely necessary that all classes and communities should be duly represented in the Provincial Civil Service. We would have the Government make more frequent use of the power of directly nominating qualified men of classes and communities requiring better representation.

5055 (56). Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—No. We would have a larger number of officers put in higher grades.

5056 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Yes. It is desirable that executive and judicial functions should be separated entirely. A separate set of officers should be appointed to administer criminal law.

5057 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—No. We would merge the present Provincial Civil Service into the Indian Civil Service.

5058 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—No. We would entertain men of this service on the same terms as we would the present Indian Civil Service, though we have no objection to the Europeans receiving a special allowance in consideration of their extra expenditure in a foreign country.

5059 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. The salaries are quite insufficient to attract the best men available to the Provincial Civil Service, nor are they enough to enable the officers to keep up the dignity of their position. As it is, the ablest men either go to the Bar or seek employment in the Native States. We would give them the salary and grades as the Indian Civil Service's.

5060. (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed-posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Certainly not. They should draw the full salary of their office.

5061. (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The differences are invidious, specially as regards furlough.

5062. (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—No. We would absorb the Provincial Civil Service into the present Indian Civil Service and make their grades range from Rs. 350 upwards.

5063. (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—We would reduce the maximum period of service for pension from 30 to 25 years. We would allow to the Civilian officers who are "Natives of India" the same travelling allowance as is allowed to a European officer holding the same office.

Mr. Yakub Hasan, called and examined.

5064. (*Chairman.*) You are Honorary Secretary to the Madras Presidency Muslim League?—Yes.

5065. Do you speak on behalf of that body?—The written answers submitted to you are the results of the deliberations of the Council of the League.

5066. Have you occupied any position in the Indian Civil Service?—No, I have not.

5067. Have you been in a position to become intimately acquainted with the practices of the service?—Yes. As Secretary of the League, I come into contact with officials, both Indian and European. I make it my business to study the requirements of the Indian Service.

5068. In your answers, you lay stress on the importance of having communities duly represented in the Service?—Yes.

5069. You realise that open competition, as such, cannot make sure of that adequate representation?—I realise that it cannot.

5070. I gather, therefore, from your answers, taken together, that you propose a simultaneous examination; that the first few candidates coming out at the top of the list should receive a guarantee of appointment, and that the remainder should be grouped together irrespective of their marks, and then appointed by some body in accordance with your principle of representation of communities?—Yes.

5071. Does not this scheme which you propose occur to you as being somewhat an arbitrary method of appointment?—No.

5072. You do not apprehend any difficulty?—No.

5073. You do not apprehend that there might be dissatisfaction amongst those who had qualified, but who were not selected?—If they were previously told that so many candidates would be selected—so many from such and such a community, and so many from such and such a province—I do not see why they should be dissatisfied if they were not selected. If their numbers were not published they would not know where they stood; and all of them could not expect to be selected. They would previously be told that everybody would not be selected.

5074. Am I right in interpreting your answer as meaning that there should be one examination in England and one in India, or a group of examinations in the various provinces?—The same examination should be held in England as in India.

5075. Supposing the qualifying number exceeded the available vacancies, do you not think that a system of arbitrary elimination would be fruitful of discontent amongst the rejected ones?—No, I do not think it would, because the mere passing of an examination would not be the only qualification.

5076. You think they would be quite satisfied?—I think so.

5077. I notice you propose the extinction of the Provincial Civil Service as such?—Yes, or merging it into the other.

078. In other words, the absorption of the Provincial Civil Service into the Indian Civil Service?—Yes.

5079. Do you suggest that all future officers who are going to occupy positions in this merged service are to pass the same examination?—The present officers who are in the Provincial Civil Service need not pass any examination; but in future nobody should be recruited except by the results of examination.

5080. So that officers who are to occupy positions in the Provincial Civil Service, would first have to qualify in this single simultaneous examination: am I right in that inference?—The Deputy Collectors of the Provincial Civil Service, according to my scheme, would be placed on an equality with Sub-Collectors.

5081. I am asking with regard to the examination. It will be one examination for the whole of the candidates going up for this merged Civil Service—the same examination as is held in England?—Yes.

5082. In your proposal, would the examination be kept up at the same high standard as it is now for those who compete in the Indian Civil Service, or would you suggest an examination somewhat lower in standard for those officers who, in the ordinary course, would be filling inferior posts in the Provincial Service?—I would have the same examination, and I would not call the other "inferior posts."

5083. Has it not occurred to you that it might be a somewhat difficult examination for some of the candidates?—No, because the duties are the same now in the Provincial Civil Service as in the Indian Civil Service. I do not see why there should be a different class of people for one than there should be for the other. They should be recruited from the same source.

5084. You suggest that the initial salary of the Indian Civil Service should be Rs. 350?—Yes.

5085. Do you think that by reducing it to that amount you will be assured of getting the same class of candidate as you get under the present conditions with a higher minimum salary?—There is no higher minimum salary now?

5086. Is not the initial salary of the Indian Civil Service higher than Rs. 350? In that case they would all be receiving in their early days the same salary?—Yes.

5087. Therefore in the early years an officer would be receiving a lower salary than he is now in the Indian Civil Service?—Yes.

5088. Do you suggest that all qualified officers who are elected should go home?—Yes, Indians should go to England.

5089. And they should spend part of their time either at Oxford or Cambridge, and part of their time in the India Office?—They would learn the routine work there. The very stay in England is itself an education. Even if they do not learn anything else, the stay itself will have a great educational value.

5090. I can understand the stay in England being good, but it will mean that a very large number of Indians would have to go to England, —a great many more than go to England at present?—Yes, it might double the number.

5091. I do not quite follow what particular object is to be gained by sending the probationers for six months to the India Office?—They will know the method of work there, and that will, of course, be useful to them.

5092. (*Lord Ronaldshay.*) I see that you are not altogether satisfied with competitive examination, because you think other qualifications, besides merely scholastic qualifications, ought to be taken into consideration?—I am not satisfied with it and I do not think it necessary that other qualifications should be taken into consideration.

5093. Your scheme, therefore, is that after candidates have passed their examination they should be selected after the first few, the other qualifications besides merely scholastic qualifications being taken into consideration?—Yes.

5094. Have you ever considered how this test, so far as these other qualifications are concerned, is to be imposed: What would be the nature of this test, who would decide upon these qualifications?—There may be a Board of Selectors appointed.

5095. And then a candidate who has passed the examination might be informed by this Board that he could not be selected on some other ground?—He need not be informed upon what ground he is not selected.

5096. Would he not have a very legitimate grievance, if, after having passed his examination, he was to be told by the Board, without any reason being given by them, that he was not to be selected?—The reason given to them will be this, that more people have passed than there are appointments for, and that it is necessary that the best men should be selected, and that if some are not selected, of course they must consider that they have not come up to the standard.

5097. But does it not occur to you that it would be very much fairer to those men that they should be selected by this Board before they go up for their examination?—In that case everybody who passes will have to be selected.

5098. But the candidates would be selected with regard to these other qualifications before they went up for this examination: would not that be a more satisfactory method of selecting?—I think it will be much easier if the selection is done afterwards and not before, but that would be more arbitrary. You will have a larger number to select from, and if you do not select some persons the disappointment will be greater than would be the case if you did not select until after the examination.

5099. I cannot agree with you there. I understand that you attach great importance to the representation of different communities in Government service?—Yes.

5100. What are your main grounds for attaching so much importance to representation of communities?—Efficiency is not the only requirement. There should be popularity also, and sympathy of the officials.

5101. When you say "sympathy of the officials," do you mean sympathy between the officials and the people they are governing?—Yes. As it was pointed out before by some other gentleman, there are certain interests which we cannot lose sight of: when we ask that the examination should be held in India, simultaneously with the one in England, the object is that more Indians should get in. That means that we advocate the case of a class: we want a certain class to get in which does not get in now. I would, indeed, go a step further, and say that when that principle is recognised it should be stretched a little further and the claims of all classes should be recognised.

5102. Your reason for desiring to recognise the claims of all classes is, in your opinion, that there would be greater sympathy, for instance, between a Muhammadan administrator and the Muhammadans than there would be between, say, a Hindu or Christian administrator and a Muhammadan population?—No. I do not mean the personal popularity of Muhammadan officials among Muhammadans, but the fact that there are certain Muhammadan officials in the service will give satisfaction to the community. If there are not a sufficient number of Muhammadan officials in the service it will bring about discontent of the community.

5103. It is merely a sentimental grievance on the part of Muhammadans that they are not sufficiently represented in the service, do you say? Is it nothing more?—It may be called "sentimental," our other grievance is sentimental that there are not sufficient Indians in the service.

5104. Generally speaking, in your opinion a Hindu administrator would be quite satisfactory to a Muhammadan population and a Muhammadan administrator to a Hindu population?—Yes.

5105. Is that your view?—Yes.

5106. In answer to question (57) you say, "It is desirable that executive and judicial functions should be entirely separated. A separate set of officers should be appointed to administer criminal law." Is this set of officers who is to be appointed to administer the criminal law to be a part of the existing Judicial side of the service?—Yes, the judicial side of the service. Of course I advocate the separation of both services, and that will be the part of the Judicial service.

5107. How are these officers who are to administer the criminal law to be recruited?—Through the same system I have advocated for

the judicial service—those who pass the competitive examination.

5108. They are to be recruited by competitive examination?—Yes.

5109. And as soon as they have passed the examination, and been selected, are they at once to enter upon magisterial duties, or are they to pass a period of training?—I do not think any period of training is necessary for judicial officers because they will be only, according to my scheme, graduates in law, and only those would be allowed to appear for that examination.

5110. Would it not be an advantage to have some experience of the habits and customs of the people before they are called upon to exercise important magisterial functions?—It would be an advantage but I do not advocate it.

5111. Then you are in favour of a disadvantageous proceeding.

5112. (*Sir Theodore Morison.*) I understand that you are engaged in business?—Yes.

5113. On a considerable scale?—Yes, pretty large scale.

5114. Therefore you are familiar with the business world of Madras?—Yes, I think so.

5115. Can you tell me whether the business of Madras is conducted to any large extent by Indians?—Yes, it is.

5116. Indians manage and control some large concerns, do they?—They do.

5117. Perhaps you would be good enough to tell me a little more about that. Are there large concerns managed by Indians; manufacturing, commercial or banking, or all three? Are there any manufacturing concerns managed by Indians?—A very few.

5118. In so far as there are any, are some managed by Indians?—Yes, there are some.

5119. And commercial, buying and selling; are there any commercial concerns managed by Indians largely?—Yes.

5120. And banking?—Yes, banking.

5121. By Indians?—Yes.

5122. On a considerable scale?—Yes, on a large scale.

5123. In the administration of these large concerns, I presume administrative ability is necessary, is it not?—Yes, it is essential.

5124. Is the business which is conducted by Indians prosperous?—There are many businesses which are prosperous.

5125. Therefore, I conclude that they are conducted with efficiency?—Yes.

5126. And therefore there actually is here administrative efficiency displayed outside Government service by Indians?—Yes, there is.

5127. What classes are there; in whose hands are the various businesses here?—The skin and hide trade is mostly in Muhammadan hands, as is also the wholesale piece-goods business. The majority of the merchants are Muhammadans. The small retail traders, the petty merchants, are mostly Hindus. At banking, of course the Marwaris are more expert than others.

5128. There is another name for it besides Marwaris, is there not?—Yes, Komptis and Notkoti Chettees. I may mention that there is an Indian Bank here.

5129. Therefore you have banking on a large scale, and a certain amount of manufactures, and large commercial businesses in the hands of Indians, and you have especially mentioned certain classes like the Marwaris, who are Hindus and Muhammadans: do these people get into Government service?—No.

5130. Neither of these classes?—No. Of course a few may have done so, but that exception only proves the rule. As a rule they do not go in for Government service.

5131. To that extent, then, Government loses administrative ability which is available in Madras?—Yes, that is so.

5132. I suppose they do not compete at examinations because the prizes in their own calling are larger; or is it because they do not feel that they could pass the examination?—They do not take to higher education at all, and therefore they cannot go in for the examination.

5133. Is it your opinion that persons who shew this efficiency in administration would be useful Government servants?—Yes.

5134. To that extent, then, representation of classes might improve the efficiency of the administration?—Yes. If any of those went into Government service they would prove useful.

5135. You have suggested, in answer to Lord Ronaldshay, that the communities were gratified when one member, or some members, of that community were in Government service?—Yes.

5136. And that is the reason, I understand, particularly, why you press for the representation of the different communities in Government Service?—Yes; I think it would be an injustice to the communities that it should not be so.

5137. Do you know, as a fact, that communities which are not represented are dissatisfied at the present moment?—They are not satisfied.

5138. Can you tell me what communities are dissatisfied in that respect about their representation in Government Service?—The Muhammadans for example.

5139. The Muhammadans are dissatisfied that they are not represented in Government Service?—Not adequately represented.

5140. (*Mr. Chaubal.*) I should like to clear up one point with reference to your answers. What was the procedure by which the League adopted these answers to the interrogatories?—The Council of the League met and went through the draft of the replies, and approved of them.

5141. The replies were already drafted, and they were submitted to the Council at their meeting?—Yes.

5142. And the replies were approved?—Yes, they were unanimously approved.

5143. I thought so. Turning to question (42) I see you use the pronoun "I"? I suppose you missed to turn that "I" into "we"?—That is the only case in which "I" appears. Throughout I have written "we."

5144. With regard to your reply to a question which was put to you by Sir Theodore Morison, supposing there were a proposal made to Government that as the wholesale trade in Madras is monopolised by the Muhammadan community there ought to be an adequate representation of the other classes in the wholesale trade, how would you regard that proposal?—I would say that Government has nothing whatever to do with the wholesale trade, and that it should not interfere.

5145. That is one way of looking at it. What I mean is this. If you want an adequate representation of the classes, may not this be said to be an adequate representation: that one community takes to a particular kind of business for which it finds it is particularly suited, whilst another community takes up a business for which it finds itself otherwise fitted?—Yes, that is so.

5146. And I suppose if things are left to themselves the natural intelligence of each community adjusts itself to the vocations for which they are fitted?—Yes.

5147. In your scheme of having only two services, the Indian Civil Service, and the Subordinate Service, all posts below Rs. 350 would belong to the subordinate services, and all posts of Rs. 350 and upwards would belong to the Indian Civil Service?—Yes.

5148. I understand that you corrected the word "two" into "few." Will you tell me what you consider to be "few"? In your scheme of examination is it a varying number for each year, or is it a certain fixed number, say 1, 2 or 5 per cent.?—There may be 5 per cent.

5149. Five per cent. would be recognised by order of merit?—Yes.

5150. No marks to be specified for the rest?—No.

5151. Is that the scheme?—Yes.

5152. You stated in answer to the Chairman that if a person appearing at the competitive examination came lower down in the list, but was selected for other considerations, that would not cause discontent amongst the people who were above him?—It will not be known that he is lower down in the list, and that others were above him.

5153. It would not be possible for him to know it?—It should not be possible for him to know it.

5154. In your scheme for the manning of the Judicial service, you first have an examination to which you have given the name of "simultaneous examination" for the interests of the Civil Service?—Yes.

5155. Every candidate would go through that examination?—Yes.

5156. In qualifying for the Judicial service—Rs. 350 and upwards—is he to appear for that examination? I want to know as I do not quite clearly understand it from your answers. What is your proposal? If all the services above Rs. 350 are to be the Indian Civil Service, I wish to know whether your scheme contemplates that those who join the Subordinate Judicial service, those who are called Munsifs, those who begin on Rs. 350, have to appear for this examination?—Munsifs will not come in: they will be the subordinate Service.

5157. You mean such of the Judicial posts as are valued at Rs. 350?—Yes, and above.

5158. That portion of the Judicial service which begins at Rs. 350 and goes onwards, those would have to submit themselves to the simultaneous examination, which you call the Indian Civil Service examination?—Yes.

5159. Therefore it would naturally follow that the District Munsifs, who are employed at Rs. 200, or Rs. 250, have no scope upwards?—Those in the listed posts can rise. There will be some posts which are called listed posts even in the Judicial service.

5160. What is the object of having this examination: I suppose it would be too much to expect that a Collector should rise from Rs. 150 a month?—There will be an Indian Civil Service. I would have two services in the Indian Civil Service, one Executive and one Judicial

5161. Those are two branches. Your great division is the Indian Civil Service, and the Indian Subordinate Service?—Yes.

5162. I want to know whether your scheme contemplates persons holding posts in the Subordinate service having a chance to rise, whether they are in the Judicial department or the Executive department?—There is a chance for them through the listed posts.

5163. They can rise?—Yes, through the listed posts.

5164. When you hold your examination, how would you arrive at the number of vacancies? Would you take into account all in this vast service in both departments, Judicial and Civil, at Rs. 350 and upwards?—Government would know how many vacancies there are.

5165. And it must previously be determined how many from the lower service they will fill up. After arriving at a conclusion that they will promote 20 men from the Subordinate Service in the Indian Service they will put the balance in the other service?—They might do that sometimes.

5166. Supposing a person gets into the Rs. 350 Judicial grade: he passes your simultaneous examination and he has again to pass his examination for the Bar: has he any chance of getting a post above Rs. 350?—No, this examination is quite enough.

5167. In answer to question (11) you have recommended that bachelors of law and barristers should be admitted. You say, "for example, graduates in law of Indian and English Universities and barristers of the different Inns of Court." These graduates in law of Indian and English Universities and barristers of the different Inns of Court have already qualifications for filling Judicial posts; therefore, why do you want them again to appear for the Indian Civil Service examination? Do you understand my difficulty?—Yes. But the number of these people available will be very large, and you will have to select them. I would say, select them by examination.

5168. You say that the number of graduates in law and barristers would be so vast that in order to make a selection from them for the Judicial branch of the service you must hold an examination, which examination is going to be in subjects not Judicial?—No, Judicial, of course.

5169. Would you change the syllabus for the Civil Service examination?—It should be quite different from the present syllabus for the judicial branch.

5170. In answer to question (12), when you say that you are satisfied with the present statutory definition of the term "Natives of India," what is the feeling of your League with regard to that: do you wish to exclude persons born in the Native States, or do you wish to include them?—I would include them.

5171. If the present expression "Natives of India" is not construed as including them, your League would support the definition as far as the definition includes subjects of the Native States?—Yes.

5172. In your answer to question (15) you say, "We are satisfied with the present age limits, 22–24. We do not recommend any differentiation between the age limits of "Natives of India" and of other natural-born subjects of His Majesty." If the age limit were decided to be lowered, I suppose you would recommend two different age limits, would you not?—No, I would not.

5173. Even if the age limit is lower?—Even then I would not have a different age for Europeans and Indians.

5174. Do you not think that that would practically debar Indians from any University career, and from appearing at the examination, supposing the age limit was, as it was at one time, 18 or 19, or 20?—Yes, I think it would. It is on that basis that I would not advocate a reduction of the age. But if it is decided to reduce the age I would not have any difference for Europeans and Indians: I would have the same age.

5175. Even if the age limit were lowered?—Even if the age limit were lowered.

5176. What are your reasons?—If there are any disadvantages they will be the same for Europeans as they are for Indians. If they want equal advantages they should suffer equal disadvantages too.

5177. The idea of your League is to equalise ages, is it not?—Yes.

5178. Are you contemplating equal advantages for an English student at the age of 19 and an Indian student at the age of 19 when they appear for the examination?—I would give equal advantages if the examination is held in India.

5179. If the examination is held in India the examination is to be of the same stiffness and difficulty?—Yes.

5180. In that case it would not matter whether the age were lowered to 19?—It would matter; but if it is to be lowered I would have the same age. It is because now we have to send boys of tender age to England for study that the lower age limit would be a disadvantage.

5181. Do you approve of the two-thirds and the one-third principle with regard to payment?—No, I do not.

5182. In answer to question (50) you say, "While we advocate the same salaries for 'Natives of India' and other natural-born subjects of His Majesty holding the same appointments in the Indian Civil Service, we have no objection to the European members of the Indian Civil Service being given a special allowance in recognition of the extra expenditure they have to incur in a foreign country" . . .—I would qualify that by saying, "only so far as the lower grades are concerned." That was some how omitted.

5183. My question is this. At present it is two-thirds and one-third. Do you consider it is wrong in principle that the real salary of the post should be two-thirds of the pay which the European gets—that is the real salary—and an additional one-third is supposed to be paid to the European on account of the special disadvantages which he has in coming to this country?—I would make the salary the same. When I recommended this allowance I had this in view: I suggested that the Provincial Service should be merged into the Indian Civil Service, and I would start upon Rs. 350. I consider that Rs. 350 is too low a salary for a European to live upon, and I would therefore give a special allowance to them, but only below the Collector's grade. Unfortunately that one sentence was left out. I meant that it should be only for the lower grades of the Indian Civil Service: not for all. If I am allowed I should like to add that to my printed answers.

5184. (*Mr. Macdonald.*) You told us that your community has taken some interest in the Public Service, and is asking for a better representation?—Yes, a more adequate representation.

5185. Are you trying to improve the education of your children so that they may compete on terms of equality with other communities?—Yes, we are.

5186. And do you not think that on the whole that is a better way to get better representation?—Your question takes it for granted that we are backward, and that we have not a sufficient number of people to represent us in the Government service. That is not so. We have got a sufficient number of people, we have got a sufficient number of educated people to fill all the posts that are due to us in proportion to our population, and we have more to spare.

5187. Then why do you not get better representation?—One of the reasons is that there are some people of the other classes already in the service, and there is a tendency to keep others out, naturally. When there is a vacancy, people will get in who have some friends in the service to recommend them.

5188. But if the only door were the door of competition, and if there were enough sufficiently well-educated people to take their chance in getting through that door, then do you require nomination as well?—I do not want nomination: I want examination with certain modifications—selections on the result of examination. I do not want any other nomination.

5189. After the examination has been held, you desire that selections should take place, not only in accordance with the numbers of marks that have been given, if I understand you aright, but also in proportion to the various communities?—Yes.

5190. Why do you want that second provision if you are able, from an intellectual point of view, to get your fair share without that provision being in at all?—Muhammadans will be able to pass the examination, but we are not sure that they will top the list, because the special faculty which certain classes have of assimilating knowledge and reproducing it in a manner satisfactory to examiners, will bring those classes to the top of the list, and not only Muhammadans, but Englishmen will be swamped out.

5191. Have not some of your boys done quite as well as Hindus have done at Cambridge?—Yes, some of them have.

5192. Do you think there are exceptions; and that there must always be exceptions?—I do not say that. As far as their ability for securing marks is concerned certain classes have got that capacity in a greater degree than Muhammadans have; but the Muhammadans, on the other hand, have other qualifications which should be taken into account when these appointments are made.

5193. (*Mr. Madge.*) On behalf of the Muhammadan community, you think there ought to be class representation?—Not on behalf of the Muhammadan community; I say all communities, even Englishmen. Under my scheme the Englishman can also be appointed in due proportion.

5194. Do you think at the present time, or at any time, that that need be taken into account just now? There is, is there not, a unification of the interests of classes all over the country?—There is unification, but I fail to see what that has to do with this class representation. As long as classes do exist they should be represented.

5195. (*Mr. Abdur Rahim.*) As I understand your scheme, you take it for granted that efficiency, and a certain minimum of qualification, must be the test?—Yes.

5196. Subject to that, you desire that the important communities and provinces should be duly represented?—Yes.

5197. You do not think that a mere difference of some few marks (I think that is your language) makes all the difference between one candidate and another, as far as their capacity for administration is concerned?—It should not do so, because sometimes you see that it is quite likely that even a professor who sits for an examination will be lower in the results of the examination than his own pupils. That is quite possible. That, however, will not shew that the teacher is in any way less efficient than the pupil.

5198. As regards what you said, that if the classes are represented the administration will be more popular, I understand your answer to mean not that an officer of one particular community will not be sympathetic towards other communities, but that the entire administration will be more popular among the communities?—Yes, that is so.

5199. Can you tell me, apart from education in English schools and colleges, what is the state of education amongst the Muhammadans in this Presidency?—The Muhammadans have their own system of education at the Arabic and Persian Colleges. Those who have received education at the Colleges are, I think, quite as much cultured as those who have received an English education; in fact, as far as I am personally concerned, I think they may receive a better education. There are many Muhammadans, the product of the Arabic College, whose education is much better than that of those who have been educated at English colleges. Of course they do not know English.

5200. Do you think it would be correct to suppose that the standard of culture amongst the Muhammadans of this community is lower than the standard of culture of the communities who receive more English education?—No, it is not lower.

5201. Are you aware that Urdu is excluded from departmental tests of the vernaculars?—Urdu is not on the list of those vernaculars recognised by the department.

5202. Do you know how your League, or how the Muhammadans generally in this Presidency, regard this exclusion of Urdu from the list of vernaculars?—It has been a long-standing grievance. We have been agitating about it.

5203. Is Urdu widely known and spoken amongst the Muhammadans in this Presidency?—Yes, it is.

5204. There are certain sections of the Muhammadan community here, as I understand, who do not speak Urdu, at home?—Some do not, but they understand Urdu. They would like to learn Urdu, and they are learning Urdu. Urdu is their national language, and it has more religious literature than their own vernacular.

5205. Do you think the non-recognition of Urdu throws any additional obstacle in the way of Muhammadans desiring to enter the Public Service?—It does in this way,—that they are required to pass two vernaculars; whereas the Hindus will take up one of their own vernaculars, and one other vernacular. On the other hand, both the vernaculars will be new to the Muhammadan, because his own vernacular, Urdu, is not included.

5206. That does not apply universally, does it; there are some sections of the Muhammadans whose vernacular is not Urdu, the language they speak at home?—Except a few people, the Mappillas, and some others in southern districts, Urdu is the vernacular of the Muhammadans.

5207. Are there any districts where Urdu is the vernacular of the Muhammadans?—In Madras and in all the northern districts.

5208. The assigned districts?—Yes, in the ceded districts.

5209. Is Urdu spoken amongst the Mappillas, and in Malabar?—To a certain extent, not much.

5210. In answer to a question put to you by Lord Ronaldshay, I think you said that though a knowledge of the habits and customs of the people would be an advantage to a magistrate, you would not desire to secure that advantage: did I understand you to mean by that that a person appointed to discharge the duties of a magistrate, would, by the exercise of those very duties, come to know the habits and customs of the people?—The question put to me was that if they undergo a good practical training, would it be of any advantage; and I said that it would be to their advantage, but that I did not advocate it. But, of course, you know that the very practice of the duties appertaining to a Judicial post will be an insight into the manners and customs of the people.

5211. As far as you know, and as far as you represent the Muslim League, is there a very strong feeling that the Muhammadan community should, as far as possible, consistently with efficient service, be properly represented in the Public Service of the country?—Yes.

(The witness withdrew.)

M.R.Ry. Khan Bahadur Muhammad Aziz-ud-din Sahib, I.S.O., Collector of South Arcot.

Written answers relating to the Indian Civil Service.

5212 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination is not, in my opinion, altogether satisfactory. It no doubt provides India with men possessed of sufficient literary abilities, but generally not with that type of men which India of the present day seems to require—Men endowed with more administrative tact and capacity capable of drawing Indians nearer to them by more sympathetic treatment, thereby impressing on the Indian mind

to a greater degree the excellence of the British race and British rule.

5213 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I find the present system of open competition faulty because it is open to all sorts of men regardless of personal character or breeding. I would suggest the selection of candidates by the Secretary of State in consultation with the authorities in Universities before they are admitted to the competitive examination, preference being given in such selection to the descendants of old retired Civilians and members of respectable families in England.

5214 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system of recruitment is faulty for the reasons stated in my answer to question (1) to the same extent in the case of Natives of India as in the case of Europeans. The alteration I would recommend is first selection by the Secretary of State in consultation with the authorities in Universities, and then admission to the competitive examination.

5215 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No differentiation is, in my opinion, desirable between the Natives of India and other classes of natural-born subjects of His Majesty.

5216 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do not consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is disadvantageous to Indian interests. The competitive examination is merely a test of the intellectual capacity of the examinees, and considering that the Indian Civil Service is the best service in the Empire, there are no reasons for demanding from the Indian candidates a lower standard of intellectual efficiency.

5217 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose? Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—*vide* answer to question (2).

5218 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not against a system of simultaneous examination in India, in England and in other Colonies comprised within His Majesty's Dominions, provided the candidates furnish proof as to their stay in England for two years after completing their educational career in India. If, however, such a stay were to be dispensed with and examinations were to be simultaneously held in India, in England, and in other Colonies within His Majesty's Dominions, then a proportion of the vacancies in the Indian Civil Service to be filled by Natives of India should be fixed, as otherwise the probabilities are that the English element will gradually disappear from the Indian Civil Service, which I consider, in the interests of India, undesirable. In my opinion, the time has not come for dispensing with the English element from the Indian Civil Service. India cannot get on for a very long time to come without the English element in the Indian Civil Service. Apart from this, it will be unfair on the part of the Indians if they were to attempt to shut the gates of India against the descendants of the English people. The present intellectual progress of India is chiefly due to educated Indians coming in contact with the educated Europeans.

At the same time it has to be borne in mind that Indians have made great intellectual progress, and as such it is only reasonable that their legitimate aspirations should be satisfied and they should be allowed a reasonable share in the administration of the country. I would therefore propose that recruitment should be so regulated as to reserve one sub-division in each district for a European Civilian officer and two-thirds of the appointments in the Collectors' and Judges' posts for the European Indian Civil Service men. The posts of two Members of Council, two High Court Judges, three Members of the Board of Revenue, the Chief Secretary, the Revenue Secretary, the Inspector-General of Police, the Resident of Travancore, the Commissioner of Coorg, the Secretaries to the Commissioner of Land Revenue, Salt and Abkāri Revenue, Registrar of the High Court and the Private Secretary should be left open to be filled on merit either by Indian or European Indian Civil Service men. The post of Local and Municipal Secretary and the remaining one-third of the Collectors' and Judges' posts should be apportioned between the Native Indian Civilians and Indian Provincial servants, five Collectors' posts being set apart for the former and four for the latter. Of the remaining Judges' posts, namely, 7, three should be set apart for the Native Indian Civil Service men and four for the Provincial Civil Service men. One Membership of the Board of Revenue should be listed for the Provincial Civil Service.

5219 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—*Vide* answer to question (7).

5220 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am not in favour of a separate examination in India either in each province or group of provinces.

5221 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend.? In particular, do you consider it desirable

that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of nomination to the Indian Civil Service as it may lead to favouritism. Whatever the system, it is desirable on political and administrative grounds that all classes and communities should be represented in the service as far as possible. The standard of intellectual efficiency should not, however, be lowered in order to enforce the principle when selecting candidates for admission to the competitive examination.

5222 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—In case part recruitment of the Indian Civil Service by "Natives of India" in India is had recourse to, I consider it unnecessary that Natives of India should still be eligible for appointment in England; that right may be restricted to other natural-born subjects of His Majesty.

5223 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The listed posts are posts of great responsibility which require men of character and ability. The present system of filling such posts by deserving men from the lower division of the Provincial Service is best suited for the purpose.

5224 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not think that a separate method of recruitment for the Judicial branch of the Indian Civil Service is necessary, but separate training is desirable in order to better equip the Indian Civilians intended for the Judicial branch with a better knowledge of the Indian Civil Law. At the commencement of an Indian Civilian's career, it is difficult to find out whether he is cut out for administrative work or is fit only for judicial work. The Civilian himself at an early stage is not in a position to determine what line will suit him best. By the time he reaches a second-grade Sub-Collector's post, the Government can come to some understanding as to whether he will make a good Judge or a good Collector. Those who may be found fit to be Judges should at this stage be differentiated and they should be given a preliminary training in the civil branch of the judicial work. This can be done by making them work with selected Sub-Judges. Such a training and the general culture already possessed by them will enable them to satisfactorily fill the judicial posts to which they may be appointed.

5225 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of the term "Natives of India" as defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3).

5226 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons.? Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—Whether the system of recruitment by *open* competition is retained or not, the age limit for admission to the competitive examination should be 24 years to enable the candidates to complete their University course.

5227 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17–19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21–23 or 22–24 years, followed by one year's probation)?—Candidates who now come out as Indian Civil Servants certainly possess better merits than those selected under the system in force when the age limits were 17 to 19 years.

5228 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—*Vide* answer to question (1).

5229 (18). What is the most suitable age at which junior civilians should arrive in India?—At the beginning of 25.

5230 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty?—Twenty-four years, as that will enable the Natives of India to complete their higher education either in India or in England. I do not recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty.

5231 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of "such a nature that no candidate who may fail "shall, to whatever calling he may devote himself, "have any reason to regret the time and labour "which he had spent in preparing himself to be "examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854.

5232 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable,

differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—Though the study of Greek, Latin, Sanskrit and Arabic may be good for certain purposes, knowledge in these languages serves no great useful purpose in India. Hindustani or Urdu, which is spoken almost throughout the whole of India, may with advantage be added to the syllabus.

5233 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

5234 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3) reproduced as Appendices II and III to these questions?—*Vide* answer to question (7).

5235 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service adre do you consider that "Natives of India" might, under present conditions, properly be admitted?—*Vide* answer to question (7).

5236 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept as generally satisfactory in principle the present system in which Natives of India are recruited, partly through the medium of an open competitive examination in England, and partly by special arrangement in India in accordance with the rules framed under the provisions of section 6 of the Government of India Act, 1870, or with the provisions of the Indian Civil Service Act, 1861.

5237 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—Yes, as far as ability is concerned.

5238 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No. The present system of recruitment to the listed appointments by the promotion of Provincial Civil Service men of approved merit and ability seems to have worked satisfactorily.

5239 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—The introduction of the system of recruiting military officers for the Indian Civil Service posts is undesirable.

5240 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—*Vide* answer to question (31).

5241 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your Province?—The following listed appointments have been declared to be appointments to which members of the Madras Provincial Civil Service can properly be appointed:—four posts of District and Sessions Judges, two posts of Collector and District Magistrates, one post of the Secretary to the Board of Revenue and one post of Under Secretary to Government.

The figures given in Appendix V for the Madras Presidency do not seem to be correct. No two Sub-Collectors' posts have been listed to be filled by the Provincial Civil Service men and no five posts of Joint Magistrates, or Assistant Commissioners, or Assistant Collectors, have been listed and declared open for the Provincial Civil Service.

5242 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—The two posts of Collectors, four posts of District Judges, one post of the Secretary to the Board of Revenue and one post of Under Secretary to Government are now filled by the Natives of India. The post of the Under Secretary to Government is being filled only of late by a Native of India.

5243 (35). To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service and (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—(*a*) All listed posts mentioned in answer to question (34) have been filled by members of the Provincial Civil Service; the post of the Under Secretary to Government has also been of late so filled.

5244 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The question is vague. It is not understood what is meant by the term "the inferior listed posts." If it means Deputy Collectors, District Munsifs, etc., posts, then the system has given satisfaction both to the members of the Provincial Civil Service and to the public interested in the question. The arrangement possesses the advantage of allowing the educated Natives of India an ample opportunity of participating in the administration of the country.

5245 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—If the question refers to the posts of Deputy Collectors, District Munsifs, etc., then the answer is in the affirmative. A sufficient number of superior posts is not, however, at present listed for the Provincial Civil Service which causes dissatisfaction not only to the Provincial Civil Service but also to the public.

5246 (39). Have the officers of the Provincial Civil Service, selected to fill listed-posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—Yes.

5247 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The abolition of the system is desirable. The probationary course can be more advantageously undergone in India than in England.

5248 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—Under any system, the probationary course can be more advantageously undergone in India than in England.

5249 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—For reasons given in answer to question (2), I would recommend that admission to the Indian Civil Service should be restricted to the University men only.

5250 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—*Vide* answer to question (45).

5251 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I consider that probationers should receive allowance during the period of their probation. The allowance should not be less than Rs. 300 a month.

5252 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—*Vide* answer to question (45).

5253 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—*Vide* answer to question (43).

5254 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854 that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—During the probationary period, the studies should be such as have a special tendency to fit the probationers for their calling.

5255 (51). Please examine the statement printed as appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—The only alteration I would propose is that the Code of Civil Procedure may be made a compulsory subject and that Hindustani may be made optional for candidates assigned to all provinces in India.

5256 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I am in favour of the probationary course being undergone in India. The details of the course may be left to be arranged by the local Government according to local requirements.

5257 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The probationer's course of instruction can best be spent in India.

5258 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—The proposal is good.

5259 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am not in favour of the proposal. After one year's probation is spent in the college proposed to be established in India for the training of probationers, they should be attached to districts for being trained by Collectors.

5260 (56). In the report of the treasury committee appointed to consider the organisation of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—The objections are all theoretical and they can be met by a suitable scheme of instruction in India.

5261 (57). If you have recommended the introduction of any scheme of direct recruitment in

India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—*Vide* answer to question (7).

5262 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—*Vide* answer to question (7).

5263 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

5264 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—No. Under the present system, the junior members of the Indian Civil Service do not come sufficiently in contact with the Indians. They make themselves exclusive from the very beginning and generally associate with the Anglo-Indians at the head-quarters. Their first impressions about Indian men and matters are derived from the clerks placed at their disposal by the Collector and are therefore naturally faulty and unsatisfactory. Unless they throw off their exclusiveness and mingle with the people more freely, the erroneous feeling which now prevails that Indians are treated with contempt by Europeans cannot be removed. The Indians are not able to understand that Englishmen are, by nature, reserved and exclusive. Whatever this may be, political and administrative exigencies require that European Civilians should mingle more freely with the Indians.

5265 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—Yes.

5266 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—Members of the Indian Civil Service do not generally possess a sufficient knowledge of the Indian languages. The superficial knowledge they acquire is practically useless. The main causes are—(i) They do not take sufficient pains to learn the languages as the very few Indians with whom they come in contact are able to converse in English. (ii) In spite of the rule that junior members of the Civil Service should not dispose of papers on the office-notes put up in English by their clerks, they nevertheless do so, dispensing with what is known as the Sunavuni system or the reading of the vernacular papers by the clerks concerned. (iii) The instruction they receive in the Indian languages during the probationary period is at present very meagre. (iv) Especially in this province, there are so many local vernaculars that it is impossible for the Indian Civilians to acquire sufficient proficiency in any one of them. (v) The rule which requires that Indian Civilians should learn not less than two vernaculars of the province works injuriously in that it results in neither language being studied properly. (vi) The frequent transfer of the junior Civilians from the Tamil districts to the Telugu districts, and *vice versâ* again from these districts to the West Coast districts, where Malayalam and Canarese form the chief vernaculars.

Remedies.—(i) For the junior Civilians there should be a periodical examination by the Collector in the languages which they profess to know and a report should be submitted on the result of the examination to Government. (ii) Office-note system should be dispensed with except in the Collector's offices. (iii) The instruction given in the vernacular languages during the probationary period of the Civilians should be sufficiently good. (iv) Junior Civilians appointed to Telugu districts should be kept in such districts till they have attained the rank of a first-grade Sub-Collector. The same principle should be observed with regard to junior Civilians appointed to the Tamil and West Coast districts. (v) Only one vernacular language should be prescribed. Those that take Telugu being posted to Telugu districts, those taking Tamil to Tamil districts, and those taking Malayalam or Canarese to the West Coast districts. The choice of selection should not be left to the probationers but regulated by Government according to local requirements.

5267 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—The encouragement at present awarded is sufficient.

5268 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—In the case of Civilians who are selected for the Judicial branch, examination leave should be given to pursue the course of study for a call to the Bar if they apply for the same. During such leave they should be permitted to draw three-fourths of the salary of the posts they hold.

5269 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No.

5270 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—They should be made to work for at least three months with Sub-Judges.

5271 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

5272 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

5273 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation necessary.

5274 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The present system is sufficiently good.

5275 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alterations would you suggest, and for what reasons?—I propose no alteration in the existing system.

5276 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am not in favour of compulsory retirement of inefficient officers unless before such retirement charges are formulated regarding the inefficiency and the explanation of the officers concerned is taken and considered by the Secretary of State.

5277 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Yes.

5278 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—When officers of the Provincial Civil Service are promoted to the listed-posts, they should draw the same salaries as the Indian Civil Servants holding such posts. These listed appointments are very few, and considering that the duties and responsibilities of officers appointed to such posts are exactly the same as those of the Indian Civilians, there is no reason why they should not be allowed the same salaries also. The pay of the Provincial Collectors is not adequate enough to enable them to maintain their position and to make future provision for their families. A first grade Provincial Judge draws a salary of Rs. 2,000 a month, whereas a first grade Provincial Collector, the head of the district and the representative of Government, whose life is exposed to greater danger than that of a Judge, who has to bear greater responsibilities than a Judge, and who has also to attend to many social functions, is allowed only a salary of Rs. 1,600. Of this salary, Rs. 50 is deducted on account of income-tax and as he has to live in a decent house to keep up his position, he has to spend another Rs. 150 on house-rent. The net salary left to him is therefore Rs. 1,400 or Rs. 600 more than what a first-grade Deputy Collector gets, viz., Rs. 800. His position as a Collector and the social functions he has to observe consume a large portion of this amount, and in effect his financial position is only a little better than that of a first grade Deputy Collector. The reason for fixing the pay of a first grade Provincial Judge at Rs. 2,000, and that of a Provincial Collector at Rs. 1,600 is difficult to understand. It may be said that a first-grade Civilian Collector gets a salary of Rs. 2,500 a month, while a first grade District Judge draws Rs. 3,000 per month. In this connection it has to be borne in mind that a first grade Indian Civil Collector has many higher appointments thrown open to him, such as, the membership of the Board, the post of the Secretaries in the Government, the Inspector-Generalship of Police, the membership of the Executive Council, etc., whereas a Provincial Collector has no such openings for him. A Provincial Judge stands also a very good chance of being promoted to the High Court Judgeship, as some seats on the High Court Bench are practically reserved for Indians.

5279 (105) Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—*Vide* answer to question (104).

5280 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Yes. Due to easy communication between England and India.

5281 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—No. The pension allowed to officers of the Provincial Civil Service holding listed posts is altogether inadequate. A first-grade Provincial Collector at present is entitled to draw almost the same pension as a first-grade Deputy Collector. The same remark also applies to a Provincial Judge. The pension of first-grade Collectors and Judges should not be less than Rs. 600 a month.

5282 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—It is unfair that Natives of India should be excluded from the benefits of the Indian Family Pension Fund. Natives of India, I think, should be admitted to the fund under the same conditions as other Indian Civil Servants. The main differences between their social conditions and those of

the European members, if closely examined, will be found to be more imaginary than real.

5283 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—*Vide* answer to question (129).

5284 (131). Do you recommend that such admission should be optional or compulsory?—The admission should be compulsory.

5285 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—For Natives of India who are members of the Indian Civil Service, the formation of a separate family fund is unnecessary.

5286 (134). Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians; (*b*) to members of the Provincial Civil Services holding listed-posts; for providing for their families against their decease?—The existing system for providing for the families of the Provincial Civil Servants against their decease are altogether inadequate. Some system by which they could secure the same benefits, though on a lesser scale, as the families of the European Indian Civilians should be organised for the Provincial Civil Service also.

Written answers relating to the Provincial Civil Service.

5287 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Yes.

5288 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules are suitable.

5289 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—For Deputy Collectors' posts officers promoted from the Tahsil-grade have proved the most satisfactory. For direct recruitment, I would recommend the present system of nomination.

5290 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Only residents of the Province should ordinarily be recruited.

5291 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No. The following statement shows how the several communities are represented in the Provincial Civil Service of this Presidency:—

Name of the community.	Population.	Number of appointments held.
I.—Deputy Collectors—137.		
Brahmans	1,310,350	72
Non-Brahman Hindus ...	35,919,684	30
Muhammadans ...	2,764,467	16
Native Christians and Eurasians... ...	1,167,595	19
II.—Sub-Judges—18.		
Brahmans		15
Non-Brahman Hindus		3
III.—District Munsifs—128.		
Brahmans		91
Non-Brahman Hindus		26
Muhammadans		2
Native Christians and Eurasians.		9

These above figures show that all classes and communities are not duly represented especially in the Judicial branch of the Provincial Civil Service. The Brahmans predominate, but this is partly due to the fact that they have made much greater progress in education than other communities. On political and administrative grounds, it is desirable that all communities are duly represented. If the Government and the High Court were to exercise a proper discretion in making the appointments a fair representation of the several communities can be secured.

5292 (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—Most officers are recruited from the subordinate service and as such do not require special training. Those directly recruited undergo training and probation almost similar to that prescribed for the Indian Civil Servants. I recommend no alteration.

5293 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Yes.

5294 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I would recommend that the post of the Inspector-General of Registration may best be included in the Provincial Civil Service.

5295 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Appointments to the higher grades are made by selection. No change of practice is required.

5296 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects

of selection for higher appointments and of the compulsory retirement of inefficient officers?—Yes. There is no objection to the compulsory retirement of inefficient officers, but charges should be formulated regarding the inefficiency, explanation taken and considered by the Government of India, who should pass final orders.

5297 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction? Executive and Judicial branches are not differentiated in the Provincial Civil Service. No change is desirable, as the separation of the executive from the judicial will interfere with the proper administration of the country.

5298 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Yes.

5299 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Yes.

5300 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—There is nothing in the name. The present designation is good enough, provided the status of the Provincial Civil Servants is raised by increasing their pay and pension.

5301 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

5302 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Not adequate. The pay of the Provincial Collectors should be raised as suggested in the answer to question (104) of the Indian Civil Service section.

5303 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. Acting promotions should be given.

5304 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of a time-scale of salary.

5305 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

5306 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—I do not recommend a time-scale of pay.

5307 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not approve of the arrangement—*Vide* answer to question (104) of the Indian Civil Service section.

5308 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—No.

5309 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Not taken. The chief reason for not taking the leave is that the officer who takes the leave always fears that, on the expiry of the leave, he may be transferred to some other station, which means a lot of inconvenience and expenditure to him. Apart from this, article 338 (*b*) (iii), Civil Service Regulations, which refuses furlough within 18 months of the return of an officer from privilege leave of over six weeks' duration, operates as a bar to an officer taking full privilege leave. The rule is hard and may be rescinded.

5310 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—(i) Yes, whenever necessary. (ii) Yes. (iii) No change.

5311 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Articles 340 (*b*) and 341 (*a*), Civil Service Regulations, fix the maximum but not the minimum allowance for gazetted officers. Half the salary should be the allowance in the case of listed appointments and other officers.

5312 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—*Vide* answer to question (34).

5313 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The total leave that can be obtained on medical certificate (article 336, Civil Service Regulations) is three years but not more than two years' leave can be taken at a time. The allowance given is half the average salary for the first fifteen months and a quarter of the average salary for the remaining period. Half the average salary may be allowed for the entire period.

5314 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?—No.

5315 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—There is a fear of transfer if leave of any kind is taken. It should be ruled that unless an officer takes long leave exceeding six months he should not be transferred from the station.

5316 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—No.

5317 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes, but officers who have put in a service of 25 years may be permitted to voluntarily retire without the production of a medical certificate.

5318 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—(i) All leave with allowances taken during the service may count towards pension. Article 408, Civil Service Regulations, may be modified accordingly. (ii) Voluntary retirement should be after 25 years' service at which an officer becomes entitled to full pension. (iii) As pay seems to have been fixed with a deduction already made for contribution towards one's own pension, some provision should be made to pay the pension due to an officer who dies without having received that amount of pension, to which he might be entitled, to his wife and children.

5319 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—No officer should be retired solely for incompetency without specific charges being framed.

5320 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—The pension is altogether inadequate for officers of the Provincial Civil Service holding listed posts. It compares unfavourably even with the amount admissible to the Collectors of the Imperial Customs Department, the Inspectors-General of Registration, Police and Prisons and several other offices—*vide* article 475, Civil Service Regulations. The minimum amount of pension should not be less than Rs. 600 a month.

5321 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Satisfactory as to compulsory retirement but not satisfactory as to voluntary retirement, which should be allowed after 25 years' service without a medical certificate.

5322 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—A Family Pension fund should be organized as in the case of the Indian Civil Service.

5323 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes, as regards the organization of the Provincial Civil Service in the inferior grades but not in the superior.

Khan Bahadur M. AZIZ-UD-DIN SAHIB, I.S.O., called and examined.

5324. (*Chairman.*) You are now Collector and District Magistrate, are you not?—Yes; and also Political Agent for the French Settlements in India, Cuddalore.

5325. How long have you occupied the position of Collector?—I have occupied the position of Collector for about eight years.

5326. Is there a large Muhammadan community in your district?—Yes, there is a fairly large Muhammadan community in my district.

5327. What communities are there, generally?—Brahmans, non-Brahmans, Native Christians and Mussalmans.

5328. Have you any Muhammadan officials under you?—Yes, I have.

5329. I see that you say that recruitment for the Indian Civil Service in England should be by competition among candidates selected by the Secretary of State in consultation with the University authorities?—Yes.

5330. Is that a scheme you propose in order to get a representation of communities?—No. That part of the question does not refer to representation: it is in order to secure a better type of men regardless of communities.

5331. Does that mean that you are not satisfied with the present candidates that are coming out?—They are good enough; but I think it would be better to have even better men.

5332. You think that that object would be attained by this scheme?—I think so: selection first; then competitive examination.

5333. You would reserve a certain number of posts in the Indian Civil Service for candidates recruited in India?—Yes.

5334. What system of recruitment do you recommend for such candidates?—I have said that I am not against a system of simultaneous examination in India, provided the proportion is fixed.

5335. You say that the probationary period should be spent in India rather than in England?—Yes.

5336. Why should the Indian Civilians have to serve a probationary period in India?—These people have to serve in India, and it is better that they should undergo probation in this country. They will know better, then, about Indian men and matters.

5337. You think that on the whole they will learn more of their work, and that it will make them more capable administrators in this country if they undergo a probationary period in this country than if they go through a probationary period in England?—Yes.

5338. You say that Provincial Civil Service officers promoted to listed posts should get the same pay as the Indian Civil Service officers?—Yes.

5339. Do you take into consideration the additional expenses attached to Europeans in this country?—Yes, there is some additional expenditure for Europeans, but there is additional expenditure attached to Indians also. That is a matter in which individuals are concerned. One man may spend more, and another less. I have known Indian Civilians who spend very little.

5340. You desire to see a uniform salary for both?—I think so, because they have to maintain their position. Then the Indian Civilians have their Provident fund. It is not necessary that they should save anything. Even if they do not save, their families are maintained; and these people—Provincial men appointed to listed posts—have no such fund. If they are not able to save anything I do not see any object in their serving.

5341. (*Sir Murray Hammick.*) With regard to question (7), there is a point in connection with it which I should like to clear up. First of all I would ask this. You would have the examination in England altered so as to introduce selection before the simultaneous examination?—The gist of my answer is that I am not in favour of simultaneous examination.

5342. Then you say here, in answer to question (27), that you propose recruitment in India. You say, "Recruitment should be so regulated as "to reserve one sub-division in each district for a "European Civilian officer, and two-thirds of the "appointments in the Collectors' and Judges' "posts for the European Indian Civil Service men. "The posts of two Members of Council, two "High Court Judges, three Members of the "Board of Revenue, the Chief Secretary, the "Revenue Secretary, the Inspector-General of "Police, the Resident of Travancore, the Commissioner of Coorg, the Secretaries to the "Commissioner of Land Revenue, Salt and "Abkāri Revenue, Registrar to the High Court "and the Private Secretary should be left open to "be filled on merit either by Indian or European "Civil Service men. The post of Local and "Municipal Secretary and the remaining one-"third of the Collectors' and Judges' posts should "be apportioned between the Native Indian "Civilians and Indian Provincial servants, five "Collectors' posts being set apart for the former "and four for the latter." Therefore, it seems that you have in your head an Indian Civil Service apart from the Provincial Service, that is to say, you want to reserve a certain number of posts, Divisional Officers and Collectors, and so on, for Indians selected in this country in some way, do you not?—No, that is not it.

5343. Do you simply wish to enlarge the present listed posts?—I am afraid my answer has not been sufficiently clear. What I intend is that on the whole in the superior posts one-third should be set apart for Indians.

5344. How are you going to recruit for that?—Partly by open competition in England, subject to selection, and partly from the Provincial Service.

5345. You would not have any examination in India for those posts at all? How would you promote them from the Provincial Service?—For the Provincial Service I am not in favour of any examination.

5346. You do not want any examination in India for filling up these Indian Civil Service appointments. I am not clear what it is that you exactly do want. Is this it, that you want a certain number of these appointments for Indians, but you do not want those appointments to be filled up by any examination in this country: you want those appointments to be filled up from the Provincial Civil Service and from Indians who pass in England through the competitive test?—*In the event* of there being a simultaneous examination, both in India and in England, I would propose that a proportion should be fixed; and that out of this proportion some appointments should go to the Indian Civilian recruited by open competition, and that some of the Provincial men should be selected as at present.

5347. But you are not in favour of a simultaneous examination in India?—I am not. If simultaneous examinations are to be held in England and India, then I want a proportion to be fixed.

5348. Therefore you would prefer to see these appointments made from the Provincial Service?—No, not all the appointments. The point is this. My proposal is that one-third of the appointments should be set apart for Indians. Some of these should be filled by recruitment after competitive examination in England, and the rest should be by promotion from the Subordinate Provincial Service.

5349. You say that one Member of the Board of Revenue should be listed from the Provincial Service?—Yes.

5350. That would leave three Memberships of the Board of Revenue, and two-thirds of those two appointments you would keep for Europeans, and the third one you would give to the Indians who pass the examination which you suggest in England?—One Membership of the Board may be listed when competent men are available from the Provincial Service. The other three may go to European Civilians, or Indian Civilians recruited by competitive examination in England,—I mean on merit.

5351. I think I understand now what you mean with regard to the recruitment. I would now like to ask you one or two incidental questions. In your district there are a large number of Pariahs or Panchamas, are there not; I think nearly 300,000?—Yes.

5352. You have had, have you not, plenty of European subordinates in your district at different times—Sub-Collectors and Assistant Collectors—Europeans?—Yes.

5353. You have never had any difficulty, have you, in getting on friendly terms with European subordinates?—I have never had any difficulty.

5354. I think you have a son in England now?—Yes.

5355. How long has he been there?—About four years.

5356. Has he been living in London, or in Oxford?—I sent him home very early, when he was about 15 or 16. He first lived at Oxford, and was under a private tutor. Then he went to Cambridge, and now he is in a suburb of London.

5357. From his letters, generally speaking, do you think his life in England is a happy one?—Yes.

5358. Are you going to send him up for the Civil Service, or are you going to bring him up to the Bar, or to a profession?—Now he is studying

for the Bar. Later on it will have to be decided what is to be done with him.

5359. From the letters which he writes to you, you gather that he gets on very well with his companions: he has several English companions, I suppose?—Yes; and he has great admiration for the English people.

5360. The Provident fund of the Government in India for the Provincial is not compulsory at present upon Indians to join, is it: it is optional, is it not?—I have not looked into that question. I believe, however, that it has been made compulsory for those who draw more than Rs. 100 per month. That is my recollection.

5361. Would you be anxious to see the Provident fund made compulsory, and that everybody should be made to join it?—That Provident fund is not better than an Insurance Company. I would prefer some fund similar to that of the Indian Civil Service.

5362. You do not think that the benefits you get from that fund are sufficient?—No.

5363. (*Mr. Abdur Rahim.*) You have been a long time in the service, have you not?—Yes.

5364. And you have had a very wide and varied experience, have you not?—Yes; I have been in the service thirty years now.

5365. I believe you have received recognition for your services from the Government from time to time?—Yes. They first gave me a Certificate of Honour, then Khan Sahib, then Khan Bahadur; and lately I have been made a Companion of the Imperial Service Order.

5366. Have you had any experience of what is called a difficult district in this Presidency from an administrative point of view?—Yes.

5367. Has the Government been satisfied with your administration of those districts?—Yes, throughout. Throughout they were satisfied, and I was openly complimented in public speeches by Sir Arthur Havelock, Lord Ampthill and Sir Arthur Lawley.

5368. Have there been occasions when you have had to deal with situations of difficulty in connection with riots?—Yes, several. I have had several years' experience of riots, of famines and of plague. For five years I was working in plague areas.

5369. Where was that?—First when I was Collector of Anantapur, and for five years I was working in connection with plague in Mangalore. I have also worked in plague-infected areas in South Arcot.

5370. Have there been any occasions upon which you have been found fault with?—I have never been found fault with; I was lucky to receive compliments all through.

5371. Have you been present at riots; have you faced riots?—Yes. I was present on one occasion in Salem, and I was in the midst of the rioters. With my own hands I arrested several Mussalmans. The District Magistrate was good enough to say that I was the only officer that had done his duty. He said that I had acted in a most plucky manner. On several occasions I have been appointed a Special Magistrate to prevent disturbances in special localities.

5372. On how many occasions have you been appointed a Special Magistrate?—On two occasions I was appointed a Special Magistrate. That was during the riots at Palkode in Salem, when there was a serious riot between Hindus and Mussalmans. Several Hindu houses were burnt by the Mussalmans, and some Hindus were killed. The European Inspector was beaten, and the Hindu Tahsildar had to escape by flight. I was appointed as Special Magistrate to superintend the conduct of the festival the next year, when a still more serious riot was apprehended. The story is a long one. I was in charge of the Kotappakonda festival in Kistna. These people were giving trouble year after year. In the year previous to the one when I was in charge of the Sivaratri festival, the Brahman Deputy Collector, a brother of the editor of the "Hindu," was about to be stoned to death. The Superintendent of Police saved his life. The next year I had the conduct of the festival. A police constable was assaulted by the rowdies from Nellore. I arrested them promptly and the disturbance was stopped. I can give more instances, if necessary, but it will be a very long record.

5373. How long have you been in Salem?—Fourteen years — since 1882.

5374. Is that considered a difficult district?—It has earned a notoriety as a riotous district. Sir Murray Hammick knows about it. In 1882 there were the Salem riots.

5375. I see you are strongly in favour of the appointment to district charges being made from officers tried in the Provincial Service?—I think so. These listed appointments, Collectors' appointments, are responsible appointments. One small blunder on occasions of emergency may lead to serious consequences. I think, therefore, that officers of tried ability and of large experience should be appointed.

5376. Supposing Indians were appointed, as in the case of members of the Indian Civil Service, after a certain period of probation,—or rather training in the lower ranks,—do you think that they would discharge their duties as satisfactorily as men recruited direct?—I would prefer men of tried ability and merit, men promoted from the lower division of the service who may have given satisfactory proof of their merit and ability.

5377. If there is direct recruitment to the higher ranks, would it not secure more literary ability? That would be a great advantage. would it not, so far as that is concerned?—Yes; there is no doubt about the advantage of literary ability.

5378. Is it not desirable, if you are in favour of more admissions of Indians into the higher ranks of the service, that there should be a more difficult qualifying test?—Mere literary ability will not help much in the administration of the country. That is my idea. Literary ability will do well for colleges, but here tact is wanted. Literary ability combined with tact is necessary. Mere literary ability, men who are Doctors of Law, and things of that sort, will not do for a Collector's post, or for executive posts.

5379. You think, then, that for executive posts you require great tact?—You require men of tact, force of character, and strength of mind.

5380. That is the basis of your suggestion?—That is the chief basis of my test.

5381. With regard to the exclusion of Urdu from the departmental examinations as a vernacular test, what is your opinion regarding that?—I am decidedly in favour of Urdu being included, not because Urdu is a Mussalman's language, but because Urdu is widely spoken. Go wherever you like, and you will find that an officer who knows Urdu can find people with whom he can converse. In the case of Tamil, it is confined only to Tamil districts. Outside that group there is no one who understands it. Take Telugu. There are five or six districts, and outside them nobody understands Telugu. On the West Coast, nobody knows either Telugu or Tamil; whereas, Hindustani can carry you from the northernmost point to the southernmost point of this Province; and that is the case with regard to the whole of India.

5382. In your experience Urdu would be useful almost all through the Presidency?—I believe so. If our civilians only knew Urdu they would know a good deal about the people of this Province, and many things connected with them.

5383. (*Mr. Macdonald.*) With reference to your answer to question (1), you say that the result of the examination is not quite satisfactory?—That is so.

5384. You want men endowed with more administrative tact?—Yes.

5385. Does that apply to officers recruited by the present competitive examination, that they want more administrative tact?—They have administrative tact, but I should like them to have a little more of it.

5386. I see you use the word "capacity." Capacity is all right, but what is wanted is tact?—Yes.

5387. You say that you want men "capable of drawing Indians nearer to them by more sympathetic treatment." You desire to see more in that direction?—I should very much like that the European civilian should draw the Indian nearer to him.

5388. Would you say that there is any deterioration in that respect compared with the time when you entered the service first?—I entered the service thirty years ago, and I certainly think that civilians of the days of Sir Murray Hammick were much better than the civilians of the present day.

5389 (*Mr. Sly.*) In answer to question (10), you have referred to the fact that it is desirable, on political and administrative grounds, that all classes of the community should be represented in the service as far as possible?—Yes.

5390. Will you tell us exactly your reason why you think that is necessary?—"On administrative and political grounds"—it is a very comprehensive expression.

5391. What does it mean, what are the political considerations involved?—"Political considerations" mean justice to all communities in all matters.

5392. Do you mean to imply that it is not secured under the present system?—It would not be fair that one community should be advanced whilst another community should be neglected. Political justice requires that all communities should be dealt with alike.

5393. What administrative grounds are there?—You appoint all the people of one class to certain offices. If you appoint all Mussalmans to an office, you may rest assured that the administration will suffer. If you appoint all Brahmans, there is intrigue. And it is the same thing with Christians. That is what I call "on administrative grounds."

5394. I see in answer to one question you say that you are against the separation of Judicial and the Executive?—Yes.

5395. What is your practical experience?—Although I know that many of my friends, both here and in Northern India, are in favour of separation, I think separation is bound to stultify Government. Sentimentally, of course, it looks very nice; but those who have to carry on administration know the desirability of not having this separation.

5396. (*Mr. Gokhale.*) I think I understood you to say that you were against simultaneous examinations?—Yes.

5397. I see in your reply to question (7) you say that you are not against a system of simultaneous examinations in India, in England and in other Colonies comprised within His Majesty's dominions, provided a certain proportion is fixed?—That is so, subject of course to conditions given by me in written answer to question (7).

5398. If that proportion is fixed, you are not against it?—No.

5399. If simultaneous examinations are introduced they might be held in the Colonies along with India and England?—It is a matter of minor importance.

5400. But you state that here?—Yes.

5401. Do you know how our people are treated in the self-governing Colonies?—That is another matter. It has nothing to do with examinations.

5402. You are not against their being held in the Colonies?—No; it is a minor matter.

5403. You would not think it was a wrong thing to do if they were not held in the Colonies?—No.

5404. Is it your wish that they should also be held in the Colonies?—No; it is not my *wish*. I attach very little importance to the centering of examinations.

5405. You say that if simultaneous examinations are introduced you would close the English door to Indian candidates; you would not allow any Indians to appear in England?—No; I do not say that.

5406. In answer to question (11) you say "In case part recruitment of the Indian Civil Service by 'Natives of India' in India is had recourse to, I consider it unnecessary that 'Natives of India' should still be eligible for appointment in England"?—I did not mean that they should not go and compete for the Indian Civil Service there: what I meant was for Home service.

5407. That was not the question?.—That was not the question. I misunderstood it.

5408. You would keep the door open to Indian candidates in England?—Yes, I would keep the door open to Indian candidates in England. I do not wish to shut the door of India against English candidates either.

5409. (*Mr. Chaubal.*) Have you any judicial experience?—I was Senior Presidency Magistrate for some years, and I was in the Registration Department, which is classed under "Judicial," I was not a Munsif or a Judge.

5410. Are you a member of the Madras Muslim League?—We officers cannot be members of any political bodies.

5411. (*Sir Theodore Morison.*) You say, with regard to the Provincial Service, that the present designation is enough, provided the status of the

13*th January* 1913.] Mr. M. AZIZ-UD-DIN. [*continued.*

Provincial Civil Service is raised by increasing their pay and pension?—Yes.

5412. And those are the only two points upon which you consider it important to insist?—I think that the Provincial Service, as now organised in this Province, is good enough. The listed appointments carry very small pay. A Provincial Judge gets Rs. 2,000, and a Provincial first-grade Collector gets only Rs. 1,600. A Collector has many social functions to attend, and he has to keep up the prestige of the Government in the district at the head of which he is placed. He is likely to be carried away unless he is a man of strong character.

5413. We have heard of complaints of the treatment of members of the Provincial Service by the Indian Civil Servants: we have been told that that causes great irritation: do you agree with that view?—I do not think that there is any ill-treatment peculiarly directed towards members of the Provincial Service. What is wanted is greater sympathy towards all Indians.

5414. (*Lord Ronaldshay.*) You say that open competition is faulty because it is open to "all sorts of men regardless of personal character and breeding". When you wrote that, had you in your mind's eye specific cases of members of the Indian Civil Service who were deficient in character or breeding?—I regret to say that I had several cases in my mind when I wrote that answer. I do not wish to specify the cases, but, without mentioning names, if you want instances I am disposed to give them, provided I do not cause any unpleasantness to my European brethren.

5415. Have you actual cases in your mind?—If our civilians would deal a little more sympathetically with the Indians, India at the present day would not be what it is now.

5416. (*Mr. Ramachandra Rao.*) When a Deputy Collector rises to a Collector's place, it is better that he should rise at the age of 45. Do you think that he would do very good work if he is much older than that?—He would do good work at any age, provided he is competent and vigorous enough. I would not lay down any age-limit. I have known persons 35 years old who are very weak and imbecile; whilst I have known persons of 50 years of age who are very active.

5417. (*Mr. Subrahmanyam Pantulu.*) You said in your reply to question (35) that all listed-posts are filled by men from the Provincial Service. Are you aware that one of the Judge's places is filled by Kumaraswami Sastri, and is filled by one who does not belong to the Provincial Service?—I was not aware of that. I do not pay much attention to civil matters.

5418. That is a Provincial matter?—The Government has power to fill one-fourth of the posts from outside.

(The witness withdrew.)

At Fort St. George, Madras.

Tuesday, 14th January 1913.

SIXTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.	ABDUR RAHIM, Esq.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.	GOPAL KRISHNA GOKHALE, Esq., C.I.E.
Sir THEODORE MORISON, K.C.I.E.	WALTER CULLEY MADGE, Esq., C.I.E.
Sir VALENTINE CHIROL.	FRANK GEORGE SLY, Esq., C.S.I.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.	JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.	M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
	M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. } (*Joint Secretaries.*)
R. R. SCOTT, Esq. }

W. O. HORNE, Esq., C.S.I., I.C.S., Acting First Member, Board of Revenue.

Written answers relating to the Indian Civil Service.

5419 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Better than might be expected. Not as good as it ought to be. No.

5420 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Because there is no test except medical soundness and the ability to score more marks in an examination than a certain number of other candidates. These are not the only or the most important qualifications for the Indian Civil Service, and

14*th January* 1913.] Mr. W. O. HORNE. [*continued.*

many of the men selected are by no means of the most suitable stamp. Competition qualified by selection.

5421 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. Because there is a distinctly greater probability that most of a given batch of British boys, selected by competition, or any other partially irrelevant test, which does not of itself ensure suitability, will possess the other qualities which are essential than that any of a batch of Indian boys, similarly selected, will do so.

5422 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise. (*b*) Selection by authorities in Universities approved or otherwise. (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State. (*d*) Combined nomination and examination. (*e*) Any other method.—I am not prepared to lay down any cut and dried method of selection. To do so would require more experience of the working of similar systems in other services, such as the Navy, than I possess. I recommend that the competition be confined to those young men who may be passed as suitable by a properly constituted selection board.

The methods of selection (*a*), (*b*) *and* (*c*) might (all or any of them) be made use of by the selection board.

5423 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I regard the proposal as outside the pale of serious discussion.

5424 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

5425 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I consider that the Indian Civil Service ought to be open to Natives of India, but it is essential that a maximum proportion of them should be fixed for each province, if the British character of the administration is to be maintained. I am strongly against the selection of the required number by open competition. I would have a stiff qualifying—no competitive—examination in India, preferably in each province, and select the required number from among the qualified candidates.

5426 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I favour (*b*)—*vide* answer to question (9). In making the selection, it would be desirable to distribute the appointments among all classes and communities so far as qualified candidates might be available from among them.

5427 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—No. The Natives of India, hitherto selected in England, have not turned out such as to give any encouragement to the continuation of the system. I would restrict the right as suggested.

5428 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Preferably supplemental, but the number selected should be so fixed as to keep the "Native of India" element within whatever might be fixed as the proper limit. The higher posts should not be closed to the Provincial Service.

5429 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The men selected since 1906 are certainly too old when they come to India. They are nearly 25, and are 27 before they are useful. A man should be doing useful work long before that. Also, they have in many cases, before they leave England, formed tastes and habits which render it unnecessarily difficult for them to adapt themselves to a new life and new conditions. A good age to arrive in India is about 22. But, generally speaking, the younger the men are caught the better. Examine the lists, and I am confident that no one can say that in this province the men of the eighties, selected at school-leaving age, are not at least as good as those selected since 1892. I am doubtful whether it is necessary that candidates should have completed a University course. These men of the eighties had not, though a few did so subsequent to selection, and I cannot see that they lost anything by it so far as their work and utility in India is concerned.

5430 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since

1891 (age limits 21-23 or 22-24 years, followed by one year's probation)?—If there is any difference in merits, the balance is certainly not in favour of the latter.

5431 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I am not prepared to say that they are less suitable than former recruits under the open competition system.

5432 (18). What is the most suitable age at which junior civilians should arrive in India?—About 22.

5433 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—I am against any such examination. Natives of India should be selected in India.

5434 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be "of such a nature that no candidate who may "fail shall, to whatever calling he may devote "himself, have any reason to regret the time and "labour which he had spent in preparing him-"self to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle.

5435 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]—Yes. The Indian Civil Service is, or should be, a *corps d'élite*. If it is to be so, it is essential that it should hold the great majority of the higher appointments.

5436 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes. Doubtful.

5437 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—No.

5438 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—Very certainly—no.

5439 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No. It was a failure.

5440 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—No. I do not think they have ever been appointed to the more difficult and responsible administrative posts. In the judicial branch it may be different.

5441 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—Good, I think, when the candidates are selected from among boys under 20; unnecessary when candidates are selected after a University course.

5442 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—Depends entirely on the age of selection.

5443 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

5444 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Yes. Because apart from mere scholarship the social life of some Universities is much more beneficial to an unformed young man than that of others.

5445 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. About £150 a year and a first-class passage to India. The present grant of (I believe) a sum sufficient to pay for a second-class passage is an unnecessary allusion to the deteriorated prospects and position of the service.

5446 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No.

5447 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854 that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. To both.

5448 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(i) Very useful. All the rest useful.

5449 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—England.

5450 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I disapprove.

5451 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I doubt the efficiency of any such system.

5452 (56). In the report of the Treasury Committee appointed to consider the organization of oriental studies in London (1909), the view is taken that the preliminary training in oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I do not.

5453 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—They should go to England for two years.

5454 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes. I think so.

5455 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes. They have every opportunity of learning their work and they generally do.

5456 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—Yes.

5457 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—No. Not in my time, rather an improvement? By no means in all cases. The South Indian languages are remarkably difficult, and I think that only a man who is naturally a good linguist can ever be really proficient in them.

5458 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I think that executive officers as a rule know quite as much law as they have any use for. I have no experience of the judicial.

5459 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—First a course of probation in England. Then the same training in India as is given to British-born officers recruited in England.

5460 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties.

To secure these objects, the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I do not consider that the system works out satisfactorily. Men coming to India at 25 are far too old—and probably married—before they attain a position of financial comfort. They are very generally in debt during the earlier portion of their service, and if misfortune supervenes, such as sickness in the family, they sometimes never recover.

5461 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you

accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons —No. It is far too uncertain. There should be a time-scale of pay for at least the first ten years of service.

5462 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I consider that the principle of selection for higher posts is not nearly sufficiently observed; at least in this province. There is far too much promotion by mere seniority. Consequently promotion is blocked, discontent is caused and efficiency suffers. Officers holding high posts in this province are frequently, if not generally, far senior to those holding high posts in other provinces. I am convinced that more rigorous selection, if soundly exercised, would be approved by the public opinion of the Service.

I am strongly in favour of the compulsory retirement of inefficient officers on a proportionate pension.

5463 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—There is a great deal of discontent in the Service owing to the very inadequate repayments by the State of the unavoidable expenses to which officers are put by transfers. The account rules on the subject are absolutely unjust and absurd. An officer should be reimbursed the cost of conveying to his new station a sufficient and necessary equipment of horses, conveyance, and camp kit.

Also Government residences are assessed to rent at far above the market rate.

5464 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Dissatisfaction is undoubtedly felt, not with regard to the pay of the higher posts, but with regard to the difficulty of attaining them and the time taken to do so. The cause of this is the block in promotion, which is again due to failure to promote by selection and to the greatly diminished value of the pension, which causes senior officers with families to cling to full pay long after they have passed their maximum efficiency and have no hope for advancement.

In the lower grades there is much discontent. A young civilian does not attain to a salary suitable to his age, position and expenses until he is at least an acting Collector, or Judge, and hardly then.

5465 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I approve of a time-scale for the first ten years of service. After that officers should take their chance of grade promotion. The minimum pay should be Rs. 500 a month. The present starting pay is too small and debt is almost inevitable. The pay should increase by Rs. 100 a month annually up to Rs. 1,500.

5466 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

5467 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—No. Because they cannot get it.

5468 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No. Because they cannot afford it.

5469 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—No. I do not. After deductions, my furlough allowance, which is supposed to be £1,000 a year, works out to under £70 a month. I cannot set up an establishment in England and keep myself and a wife and family on that, much less get any recreation out of my furlough.

5470 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—I do not see why there should be a maximum. Half pay should be half pay. The minimum is almost a starvation allowance for a married man with a family.

5471 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—As officers cannot take all the furlough which they earn, because they cannot afford it, I recommend that, instead of a given period of furlough, which has been earned, an officer be permitted to take half that period on full pay.

5472 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes.

5473 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—A non-contributory system would be preferable, but I do not see why the amount of the pensions should vary, provided that full service for pension has been completed.

5474 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—Yes. I have no means of knowing how much of his pension is supposed to be paid for by each officer by means of the 4 per cent. deduction from salary. In the case of officers of thirty years' service and over it must be a large proportion, and it has to be remembered that these officers have a shorter time to enjoy it in. The pension granted by the State to the Indian Civil Service is not greatly in excess of that granted to the uncovenanted services. I think

that the State should provide the whole pension, and that the 4 per cent. contribution should be abolished, or preferably, if retained, should form a Provident fund, supplementary to the pension. The contributions which have been made by officers now in service, or living on pension, should be treated retrospectively as a Provident fund.

5475 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—No. Because it would cause senior officers to hang on in service. This would accentuate the present block of promotion. Besides, men in the higher posts are apt to be too old and to have lost some of their energy, and this evil would also be accentuated. I do not think that any man, who has lived his active life in India, improves after 40. Deterioration is apt to set in at a varying age subsequent to that.

5476 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. Pensions proportionate to service.

5477 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—No. Contributions should not continue after retirement. This is another cause which contributes to prevent senior officers from retiring. If necessary, increased contribution during service would be preferable. The amount now drawn as pension, after all deductions, is such that, with the increased cost of living and the impossibility of a man with a family saving anything during service, officers cannot retire, and therefore hang on in service after they have passed their best. Whereby efficiency suffers and discontent is caused which further reacts on efficiency.

5478 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I see no reason why they should not be admitted.

Mr. W. O. Horne, called and examined.

5479. (Chairman.) You occupy the position of Acting First Member of the Board of Revenue?—Yes.

5480. In that capacity, I take it, you have a wide knowledge of the whole of the Presidency of Madras?—I have some knowledge of the whole Presidency.

5481. Has your service been limited to the Presidency of Madras?—Entirely.

5482. I notice in answer to question (7), with reference to simultaneous examination, you make a somewhat sweeping reply?—With regard to that question I should like to make a little explanation. I have some reason to believe that that answer gives a certain amount of offence. It is far from my intention to give offence to anyone, much less to a Royal Commission. Therefore, although that answer expresses my opinion, I recognise that I have somewhat too strongly expressed myself. Perhaps it would have been more happy if instead of saying that I considered any system of simultaneous examination to be outside the pale of serious discussion, I had said that I myself was not prepared to consider the system seriously.

5483. You are prepared to say that whilst you take strong objection to the holding of simultaneous examinations you are prepared to modify the expression which you have used, and that you realise that amongst sections of the public, it is, at any rate, a matter worthy of serious discussion?—I recognise the fact that many gentlemen are quite prepared to discuss it, and I have no desire to give offence to those gentlemen.

5484. With regard to your answer to questions (2) and (9), you are in favour of recruitment for the Indian Civil Service partly in England and partly in India?—Yes.

5485. As regards recruitment in England, you would have a system of competition qualified by selection?—Yes.

5486. And you give as your reason for that opinion that you think by selection you would be able to get a better class of candidate than under the present open system?—Yes.

5487. Have you reason to think that there is room for improvement?—Yes.

5488. Has your opinion been strengthened during recent years?—I think not, except with reference to the more advanced age at which candidates come to India, but that has nothing to do with the system of competition. There has been no other system than pure competition. I have no experience of any other system, but I feel that the system of pure competition as a means of selecting men for work in the Indian Civil Service leaves a great deal to be desired.

5489. It is the result of the system that I am asking about. You are not altogether satisfied with the result of the open system?—No.

5490. Could you elaborate that a little? For instance, is it from the point of view of deficiency of education, or deficiency of character and manner on the part of the candidate?—Not from deficiency of education. I consider that the men who join the service under the system of open competition are amply educated, but there are many other qualities, with regard to making a satisfactory officer for the Indian Civil Service which are in no way guaranteed by literary or educational competition. It takes no account of character; it takes no account of physical activity; it takes no account of other qualities which, perhaps, come under the head of "character."

5491. You think from your observation that there is very definite room for improvement with regard to character and manner?—No; I do not. I mean, that better material could be obtained. I have no fault to find with the character or with the manner of officers of the Indian Civil Service. Do not misunderstand me to that extent.

5492. I do not wish to push you in any answer you desire to make. I am only speaking of character and manner in their broad sense?—Other qualities are necessary for a position of command, and for a position of administrative responsibility.

5493. You think that a system of selection will be able successfully to realise that object which you have in view?—I see no reason why it should not, if the selected body were properly constituted.

5494. What, in your judgment, would be an ideal selecting body?—I am not prepared to say off-hand; it would require a good deal of consideration.

5495. Your proposal as regards India is a system for recruitment of nominated candidates subject to their passing a qualifying examination, is it not?—Yes; a stiff qualifying examination in India, and selection from among those who pass it, was my idea.

5496. The examination consisting of different subjects from those of the examination in England?—That point I have not considered. That is a more educational point, and I claim no skill in education.

5497. You do not say in your answers what proportion should be recruited in India?—I am very doubtful on that point. I think I said in my reply that I was doubtful.

5498. You are not prepared to give an opinion upon that point?—No.

5499. In any case, the number so recruited from that quarter must of necessity in your scheme be a small one, must it not?—It must be a considerable minority. I consider that the Indian element in the service should be considerably less in number than the British element. At present I am not prepared to say that any proportion which may be fixed should be fixed for ever.

5500. You are anxious that there should be due representation of the various communities?—Yes, as far as possible.

5501. And you would attain that object by means of the nomination of the candidate?—I would have that point kept in view by the selecting body at the time of selection.

5502. You would still leave a prospect of promotion to listed posts, provided the authorised proportion of Indians in the higher ranks was not exceeded?—Yes.

5503. Therefore, presumably, under your scheme the whole of the listed posts would be reserved for the Provincial Service: am I correct in that inference?—That is a point which I have not considered. It would be very difficult to work out the numbers of Indian candidates to be admitted by selection and competition, leaving room for a certain number of promotions from the Provincial Civil Service. It is a very difficult point. I could not solve the problem straight off.

5504. You are not prepared to go into the scheme?—Not to elaborate the scheme.

5505. You admit that the scheme presents considerable difficulties?—Yes, I think it presents considerable difficulties.

5506. In answer to question (57), I see you recommend two years' probation in England for candidates recruited to the Indian Civil Service. Could you tell us what you consider to be the specific advantages of this scheme?—To broaden their outlook upon life, to give them a little more knowledge of the world.

5507. You are satisfied that it is better to give them their whole probation in England, than to reserve a portion of it to be given in India?—I do not hold a very strong opinion upon that point. I am quite open to conviction.

5508. I notice that in answer to question (39) you speak of the Indian element of the Civil Service. In giving this answer, had you in your mind many cases?—Not many cases, because there have been extremely few officers of the Provincial Service selected from listed posts. Up to date they have not been numerous. Therefore the number of individual cases available for consideration is quite small.

5509. I see you say that, so far as your experience in the Presidency of Madras goes, Indians have only been appointed to the less difficult and responsible administrative posts?—That is my distinct impression.

5510. Is it your opinion that if they had been appointed to more difficult posts they would not have carried out their work satisfactorily?—I should hardly like to give an answer based upon pure supposition.

5511. You put the answer here rather definitely, and that is why I asked you to elaborate it?—My opinion is, no. I say in my answer "No. I do not think that they have ever been appointed to the more difficult and responsible administrative posts. In the judicial branch it may be different." I am not in the counsels of the Government.

5512. You are giving your answer from your own observation?—Yes.

5513. All those cases you have noted?—Yes.

5514. As regards the time-scale, I notice in answer to question (99), that you propose for the Indian Civil Service a substantially higher scale than that which has recently been approved for the political department?—I have no knowledge of the time-scale there.

5515. I understand it is a fact. You put that figure in your answer, but I suppose it would be quite subject, in your opinion, to modification?—I do not think that it is susceptible very much to modification, because any considerable modification would fail to effect any improvement on the present conditions.

5516. You would suggest that the time-scale for the Indian Civil Service should be on the higher grade for the Political department. That is what your answer amounts to, is it not?—If necessary, I would. I should presume that the time-scale for the political department is insufficient.

5517. And let the finance look after itself?—Yes.

5518. With regard to your answer to question (122), you say you do not think that any man who has lived his active life in India improves after 40; and that the deterioration is apt to set in at a varying age after. In view of that opinion, what age would you fix, or would you be prepared to fix any age for voluntary or compulsory retirement?—No, I would not be prepared to fix any definite age. Cases vary individually to a great extent. I said, "varying age."

5519. I suppose you know a good many officers in India who have reached the mature age of 40, and still have a little work in them?—I am 50 myself, and I do not consider myself "done."

5520. Question (109) asks, "Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?" and in your answer you give a description of your own furlough allowance, which shows a deduction of £160. That is so, is it not?—Yes, somewhere about that.

5521. Less than the nominal amount that is due to you. What do those reductions consist of?—Of contributions for our own pension.

5522. Which you are having to pay anyhow, whether you are here, or on furlough?—Yes. And there is the contribution for the wives' and childrens' pensions. I do not think that my calculation includes income-tax.

5523. But those two items which you have just mentioned are deductions which you are making in India, just as much as when you are on leave?—My point is this. When a man is on leave he cannot afford those deductions which he can afford when he is in India. He does not feel them in India, but he feels them very severely when on leave.

5524. On account of the higher cost of living?—On account of the much smaller sum at his disposal; and, of course, on account of the higher cost of living, and of the inevitable cost of setting up a temporary establishment.

5525. I notice, as a solution of this difficulty, in answer to question (117) you say, "As officers cannot take all the furlough which they earn, because they cannot afford it, I recommend that instead of giving the period of furlough which has been earned, an officer be permitted to take half that period on full pay." Now that would mean a very considerable increase of allowance, would it not, on what is at present being enjoyed?—Yes, it would, because our nominal half pay is nothing like half pay.

5526. Take an officer, for instance, on £3,000 a year, who now, you say, would be receiving £1,000 a year on leave; would he not under that proposal, if he takes six months' leave, receive for that six months half the amount?—There would be a very large increase in that. On the other hand, with a Junior Assistant Collector there would be no increase at all.

5527. Whilst on the one hand you consider the present arrangement is detrimental to the officer, probably, on the other hand, you would be fully satisfied if a sum on a lower basis than that which I have indicated was allowed hereafter?—Yes, if the period of leave is not reduced, as I propose to reduce it. I propose to give only half the amount of leave, but to give it on full pay. But if any less increase of pay were to be sanctioned, the reduction of leave should only be proportionate.

5528. The additional aggregate cost to the State would be very considerable under your proposal, would it not?—Yes, it would, no doubt.

5529. With regard to question No. (87), you complain of the discontent in the service on account of the very slow promotion?—Yes.

5530. As compared with other presidencies and provinces, do you regard the Civil Servant in Madras as worse off?—I do not know how promotion in other Provinces compares at the present time. It varies at times. It has been better in Madras than in other provinces. At other times, however, it has been worse than in certain other provinces. I only know that there is a very considerable block in promotion in certain stages in the service, and that there has been a considerable amount of discontent on that account. My answer has no reference to myself, but to those junior to me.

5531. You would like to see a much more rigorous system of selection to the higher posts?—Yes, I would.

5532. Dealing with question (89) you say, "An officer should be reimbursed the cost of conveying to his new station a sufficient and necessary equipment of horses, conveyance and camp kit." You say that on account of these constant transfers a very large out-of-pocket expense is incurred by the officer?—I do not think I refer to "constant transfers". Transfers are not now so frequent as they used to be. I refer to *any* transfer. It is a very serious fine upon any man now. The Regulations are so interpreted as to cause very serious discontent.

5533. Have you thought out anything in the nature of a scale which would adequately meet these expenses?—There is no difficulty about it at all. I would give the actual expenses of moving. Every man in the district has to keep horses. He is absolutely obliged to keep a conveyance. He has also to keep tents, and he has to keep a considerable establishment of servants. He has to move all these things when he leaves one district to go to another.

5534. Is there any allowance at all?—At the present moment, the Rules, as interpreted, say that the expense of carrying horses and camp kit and transfer will not be borne by the Government unless it is to the advantage of the State that the officer should carry those necessities by rail. It amounts to this, that almost invariably the officer has to pay for them himself.

5535. So that there is a very legitimate grievance in that direction?—Yes, there is a very legitimate grievance in that direction; a very real one. I travel round the Presidency a good deal, and mix with district officers, and I therefore know how severely it is felt.

5536. (*Lord Ronaldshay.*) You say that all the leave to which an officer is entitled is not taken now, because he cannot get it. Is the reason for that because the leave reserve is not sufficiently large?—I do not know what the reason is; but I know, as a matter of fact, that no one in the course of his service gets all his privilege leave. It is laid down in the Orders that privilege leave is not a right, but a concession; that men can only have it if convenient. Privilege leave is often refused.

5537. You were thinking, mainly, of privilege leave?—Definitely of privilege leave, because it is leave on full pay. It was referred to in a question,—it is privilege leave.

5538. I want to clear up a point as to your views with regard to the probation which is now passed by successful candidates in the examination. In answer to the question as to whether you think the system of probation is a good one or not, you say that it is a good one in the case of men who are recruited young to the service, but that you do not think it is necessary in the case of men who have passed through a University career?—Yes.

5539. But surely it is necessary, even in the case of men who have passed through a University career, in order that they may receive instructions in the special subjects which are not included in the general open competitive examination: is not that so?—I do not think it is absolutely necessary in their case, nor do I think it advisable in view of the great waste of time which occurs. They are already at a certain age; they are getting older, and it is time that they came to India if they are coming at all.

5540. Under the present system, the probationers have to pass the final examination in certain subjects, namely the principal vernacular language of the province to which they are selected, Indian History, the Indian Penal Code, the Code of Criminal Procedure, and the Indian Evidence Act. Now, none of those subjects would be studied by University candidates prior to the competitive examination. If you are to do away with a period of probation, I do not understand how these candidates are to become acquainted with these subjects?—My view is that the subjects of Indian Law and the others you have mentioned, can be very quickly acquired in this country by a candidate who has already taken a University degree,—that means by an educated and able man; and he will acquire them quicker in this country in the course of his work than by learning them in a class. As to the language, there can be no question.

5541. You think that all these subjects could be acquired in the course of the early years of his service without attending any class, or anything of that kind?—Yes, I consider so.

5542. I should like to make myself clear in my own mind why it is that you are not quite satisfied with the present system of open competition. In answer to the Chairman you said that you had nothing to say against the character, and manners, and so on, of the recruits which are at present obtained in the service; but at the same time you held the opinion that more satisfactory material would be obtained if we were to adopt a system of combined nomination and examination in place of the present system. I want to know what you had in your mind when you came to that conclusion. Surely you must have felt that the recruits which we are getting at the present time were deficient in some respects, otherwise you would have been entirely satisfied with the system?—I certainly have felt that better material might have been available. I have felt that young men who came out were not the most suitable stamp of young men for the service.

5543. Do you object to saying rather more definitely in what respects they were not quite of the most suitable stamp?—I would rather not go into details, I think.

5544. But from your own personal experience, you do hold the view that we should be likely to get a rather more suitable stamp of men if we were to adopt a system of nomination combined with examination?—Personally, I see no reason to doubt it. I cannot see how a simple literary test can possibly be a satisfactory test for selecting men for the varied duties which are required of them; a test which tests only one of the very considerable number of qualities which are essential.

5545. But that, really, is a sort of general theory. That is a theory which I can form for myself. What I want to get at is whether the witnesses whom we examine out here, from their personal experience of the service, have reason to believe, apart from any mere theory, that the present system is not wholly satisfactory?—I am quite right in saying that I have not infrequently considered, when young men have arrived in this country, that they were not the most suitable stamp of young men—not quite the stamp that we wanted; and yet I am also prepared to admit that many of them have subsequently turned out exceedingly good men indeed.

5546. I should like to know what are your main reasons for considering a system of simultaneous examination to be an impracticable one?—My reasons are very much stock ones, very much those which were given by the Government of India, and accepted by the Secretary of State in 1894. My principal objection is that I consider pure competition, whether simultaneous or otherwise, to be a wholly unsuitable method of selection and more unsuitable in the case of Indian candidates than in the case of British candidates.

5547. If the present system of open competition were given up, and the system of combined nomination and examination were substituted, that objection to simultaneous examination would be gone, would it not?—That objection to a qualified simultaneous examination, such as you state, would be gone. But that, surely, is not the kind of simultaneous examination which is advocated by those who do advocate it. That would not satisfy them.

5548. I was asking you that on the assumption that the present system was altered?—Yes.

5549. And your other main reasons against it are what?—I am a strong believer in the necessity for a minimum proportion of European officers in the service. I think that the maintenance of such a minimum proportion is totally incompatible with the system of simultaneous examinations.

5550. Then you hold the view that if simultaneous examinations were instituted in this country a large number of Indians would find their way into the service?—I should have thought so; but I heard an eminent educationist here say that he thought that would not happen at present. He was careful to say "at present." That may be right, perhaps—not at present; but I am quite sure that in a few years the demand which would arise for the education, or rather the cramming, which would enable candidates to pass the examination, would result in the supply of the kind of education which would be required, and that an enormous number of candidates would be forthcoming with very considerable percentages of success.

5551. You tell us that the Indian members of the Indian Civil Service who have got in through the English door have not proved satisfactory?—That is my opinion.

5552. In your opinion are they more satisfactory, or less satisfactory, than members of the Provincial Service who have been promoted to listed posts?—That is a very difficult comparison to make, because members of the Provincial Service who have been promoted to listed posts are so exceedingly few that it becomes almost a personal comparison; and, being so few, there is less variation among them than there is among the larger number of Indian candidates who have obtained admission to the Indian Service through

open competition. It is less possible to strike an average.

5553. It is not possible, you say, with your experience, to compare the two?—I think there is hardly sufficient material for comparison.

5554. (*Sir Theodore Morison.*) With regard to your dissatisfaction with the people who come out here, have you any reason to think that there are considerably better men in England who might be induced to come out here who are not caught by the present system; men who do not get into the Civil Service?—No doubt there are better men, but whether those who do not appear would be induced to appear by such a modification as I suggest, I do not know.

5555. In your experience in England, at Universities and otherwise, you have seen men who would like to get into the Civil Service, and they say that they will not try; is that so?—I cannot say. It is more than thirty years since I was at the University.

5556. With regard to the Selection Committee, would you tell me what instructions you would give them? We have all sorts of ideas of the kind of men whom we think would do for the service, but we have not got, probably, the same idea of the instructions one would give to the Selection Committee. What kind of instructions would you give to your Selection Committee: what sort of things would they be expected to look for?—I hardly think I could draw up instructions at a moment's notice: it would require careful consideration. At the same time, I have no doubt it could be done.

5557. With reference to your answer to one of the questions put to you by Lord Ronaldshay, do I understand that you have given your main reasons for objecting to simultaneous examinations?—Yes.

5558. The others mentioned by the Government of India you do not attach much importance to, as, for instance, with regard to the practical difficulties of introducing a system of simultaneous examination?—I am not prepared to press those; but I feel that that sort of difficulty could probably be got over.

5559. Therefore, the objections to your mind come to this, that first of all it would not secure a sufficient number of Englishmen?—That is the main reason.

5560. And, secondly, that a literary competitive examination does not give the best results?—It does not catch the best material.

5561. Either in England or in India?—Either in England or in India, and still more in India.

5562. Does your experience of the different methods of recruitment in India enable you to support that: could you give us any reasons for it?—I merely say that the old Statutory Civil Service was generally condemned, and no doubt rightly. I think the best Indian Collector I have ever known was a member of the Statutory Civil Service.

5563. You have had experience of recruiting your Provincial Service by competition and by nomination, is that so?—Personally, I do not happen to have any personal acquaintance with any of the candidates recruited from the Provincial Service by open competition. I cannot say that I know anything about it. I do not happen to have come across it.

5564. Are there any other services that you know of in which those different methods of recruitment have been employed?—Yes, the Police. I was Inspector-General of Police for five years, or more.

5565. Did you have a literary test for the Police?—No, we selected young men. It was purely by selection. We insisted upon a certain standard.

5566. Were the best men those who had the highest qualifications?—They were still too young to enable one to form a judgment.

5567. In your answer to question (93) you speak of the greatly diminished value of the pension. You say, "The cause of this is the block in promotion, which is again due to failure to promote by selection and to the greatly diminished value of the pension, which causes senior officers with families to cling to full pay long after they have passed their maximum efficiency and leave no hope for advancement"?—There is a misprint at the end of my answer there. It should not be "and leave no hope for advancement," it should be "and *have* no hope of advancement."

5568. I do not understand the value of the pension, or why men should stay on, so far as their pension is concerned, because they are contributing to it to a much greater extent, are they not?—I call the "value of the pension" the amount of necessary commodities which the pension will purchase.

5569. You mean merely the rise in prices in England; it does not mean more than that?—That is so. It does not mean that the value of the rupee has fallen. The "purchasing power" would have been a more clear way of putting it.

5570. It is that the cost of living at home has gone up, and that a thousand a year is not worth so much?—Undoubtedly.

5571. (*Mr. Chaubal.*) May I take it from your answers to several questions that you are against having the English door open to the Indian?—If the method of selection which I have advocated were adopted, I would close the door of open competition in England.

5572. I am speaking about the present examination as it stands. Supposing that the present competitive examination as it is at the present day is maintained, and that there is no change, in that case what would be your opinion?—I would not close the door of open competition unless another one were opened.

5573. Supposing the change you are thinking of is introduced, namely, of having the selection and competition combined, in that case you would shut the door to the Indian candidates for the English examination?—As I have said, yes.

5574. May I know the reason? Supposing both here and there students are selected, it may be not necessarily by the same Board, supposing you have an English Board of Selection for English students and an Indian Board for Indian students, and supposing the Indian Board selects, in that case you would have no objection to letting these selected Indian students appear at the home examination, would you?—Do you mean, if the system I advocated were adopted?

5575. Yes, with this qualification. If the competitive examination in England is changed and if the principle of selection is adopted, and if you have a stiff examination here, you do not desire that Indian boys should go up for the English

examination at all, do you?—No; I should prefer that they did not.

5576. Assuming that there was a Selection Board only, that there is only one examination in England, and you want the present system to be changed, by changing the mere open competition into competition and selection,—supposing that there is only one examination in England, and that for that examination candidates are selected by two different Boards, what would be the objection to Indian candidates going up?—It would not do, because my proposal was that in India the examination should be qualifying and the selection should be arbitrary from among the qualified candidates. My proposal for England, I think, was that the selection should be by open competition amongst already selected and passed candidates. There is a difference. They would not be under the same conditions.

5577. Is it selection for candidates to appear, or is it after the results that amongst the successful candidates your theory of selection comes in? My proposal, and my idea, is that in England there should be competition amongst the selected and approved candidates. In India, on the other hand, I would have a qualifying, not a competitive, examination, and I would select the candidates from amongst those who had qualified.

5578. With regard to the latter part of your answer, you would have a qualifying test, and amongst the students who passed that qualifying test you would have selection?—Yes.

5579. May I ask why you differentiate the two processes in the two countries? Supposing a properly constituted Selection Board selects the candidates who should appear for the examination and then permits those to appear, why do you make that differentiation between the two?—The reason why I make the differentiation is that competition is not suitable as a means of selecting Indian candidates: it is even less suitable than for selecting English candidates.

5580. I admit the force of what you say if it were an open competition; but if it is to be a competition between selected candidates only, do you still think that?—I still do think so; but of course the force of it is diminished.

5581. Now with regard to this question of simultaneous examinations. Of course you do take into account the grounds which are urged upon the other side as to why there should be a simultaneous examination?—I have seen the grounds urged, but I have never seen any that I have considered valid.

5582. Have you tried to ascertain for some years past the number of candidates who go from India, and appear at the competitive examination, and fail?—I do not know. I have not enquired into it.

5583. You give among your reasons against simultaneous examinations two grounds: that a minimum of the European element in the Indian Civil Service is incompatible with simultaneous examinations . . .—I give two main grounds, but I have other objections.

5584. I am taking your main ground. As regards this first ground, supposing—I do not say, for all time—but supposing a variable minimum of the European element in the Indian Civil Service is fixed, beyond which there can be no possible recruitment from the simultaneous examination results, would not that objection disappear?—I do not see how you could fix a minimum and combine it with the simultaneous examination: I fail to see how it could be done. It would be impossible.

5585. It may be done in this way. If you fixed one-fourth, one-fifth, or one-sixth for the Indians, and the rest European, in any proportion you may fix, then you ascertain the exact number of Indians who are wanted in the service; and if you once ascertain that, would it be impossible to arange matters in a way so that you could get that number by an examination, whether it be qualifying or competitive, or otherwise?—It seems to me to be quite impossible.

5586. Do you consider that the present system really affords equal advantages to candidates from both countries?—No, it certainly does not.

5587. Supposing your suggestion were adopted, of having in India an examination, with a qualifying test, and with subsequent selection, would you put those men who passed that test into the Indian Civil Service, or would you constitute it a separate service?—The Indian Civil Service; *vide* answer to question (9). It is merely another door for entering into the Indian Civil Service.

5588. With regard to this examination in India which you are proposing, would you confine it to Indians, or keep it open to all the natural-born subjects of His Majesty?—I would confine it to the Statutory "Natives of India."

5589. As regards your answer to question (39), have you satisfied yourself that there is no hasty generalisation about that answer?—I hope not.

5590. (*Mr. Gokhale.*) Am I right in understanding that you withdraw your answer to question (7), namely, that you regard the proposal for simultaneous examinations "as outside the pale of serious discussion," and that in its place you answer that there are insuperable objections to the system?—I said that I could wish that I had worded my answer differently. I feared that I might have given offence.

5591. You said, I think, you wish that you had worded the answer differently, because you are afraid you might give offence to certain classes in this country who were advocating simultaneous examination?—I did not say that.

5592. That is what I gathered?—I said to the Commission.

5593. Whether the class I speak of is offended does not matter?—I should be very sorry to give offence to anyone.

5594. Do you know that so far back as 1859 the Secretary of State for India appointed a Committee of his own Council, consisting of five retired distinguished ex-officials, to consider this question, and that the Committee unanimously recommended that simultaneous examinations should be instituted?—No, I did not know it.

5595. If the fact is as I have stated it, you will not say that that Committee was playing with a great question?—I should not say so. It would be a very disrespectful thing to say.

5596. Twenty years ago the Government of Madras favoured a system of simultaneous examination, did it not?—I am aware of it.

5597. They, at any rate, took the question seriously?—They did.

5598. You have stated two main objections to simultaneous examinations: one is that under a system of simultaneous examinations the necessary minimum of Europeans would not be secured?—Yes.

5599. And the second is that the system of competition which is not suited to the people of England is still further unsuited to the people of India: those are your two main objections?—My two main objections.

5600. First of all as regards the impossibility of maintaining the necessary minimum. You know what the Civil Service Examination is of course?—Roughly, now. I have not taken much interest in the actual curriculum of late years.

5601. When you say that the service will be swamped by Indians who will pass a certain examination, you should surely know what that examination is?—No, I do not think it is necessary. I have great faith in the ability of the educated Indian to pass examinations.

5602. You are paying us a compliment but that cannot dispose of my question. Have you any experience of university education in this country?—None, except of the product.

5603. But you do not know what is the educational standard in the various colleges, or in the various universities of this country?—No.

5604. You do not know the educational facilities which exist in this country for training young men for the Civil Service Examination at present?—No.

5605. If educational experts are of opinion that facilities do not exist to-day and will not come into existence for several years to come, would you accept that opinion?—If they were of that opinion I would not accept it, because I think they will very quickly come into operation.

5606. How are they to come into operation? If you look at the list of subjects, you will find, taking the Indian universities throughout the country, that except in a very few cases there is no provision for the teaching of Latin, or Greek, or German, or Italian?—It may be so. I know nothing about it.

5607. If you look at the list of subjects you will see that unless a candidate knows Latin and Greek, and also French and German, his chances, ordinarily, of passing are very slender?—It may be so, but I will not admit it.

5608. Unless the candidate took up Mathematics and Natural Science—because for all other subjects you will find that a knowledge of those things is required—English literature, Arabic and Sanskrit expected?—I have no means of knowing the correctness of what you say.

5609. I am quite prepared to leave it at that; that you have no definite knowledge with regard to the examination. Your second objection is that the system of competition, which you do not regard as quite suitable even to the conditions of England, is absolutely unsuitable to the conditions of India. You have expressed yourself even more emphatically about this in your answer to question (3). You say there: "With the system of competition there is a distinctly greater probability that most of a given batch of British boys, selected by competition, or any other partially irrelevant test, which does not of itself ensure suitability, will possess the other qualities which are essential than any of a batch of Indian boys, similarly selected, will do." You say there that under a system of competition, while there is a distinct probability of most British boys possessing qualities that are required, in the case of Indian boys there is a distinct probability of none of them possessing those qualities?—You paraphrase what I say. My answer is quite clear.

5610. You say: "There is a distinctly greater probability that most of a given batch of boys selected by competition, or any other partially irrelevant test, which does not of itself ensure suitability, will possess the other qualities which are essential"?—That expresses my opinion.

5611. Will you tell me what experience you have of Indian boys?—I have had the product of Indian Universities serving under me for 30 years.

5612. Were they selected by competition?—Practically none.

5613. The two must go together. Indian boys selected by competition, have you any experience of them?—I have practically none; but I have no reason to suppose that the Indian boy selected by competition is different in character and composition from the Indian boy who is not selected by those methods.

5614. Do you mean to say that in the case of Indian boys, it is the same thing whether a boy is selected by open competition or by pure nomination?—I did not say that. I said there is no difference.

5615. An Indian boy who is selected by competition is not different from an Indian boy who may be selected by nomination?—They are both Indian boys, and their general characteristics will, I suppose, and believe, be the same. The fact that one is selected by competition and another not, will not alter those essentials.

5616. Which means that practically all Indian boys are deficient in the qualities that are required?—I have not said that, and I do not mean it. It is not a fair inference from what I have said.

5617. You say here that the probability of most English boys possessing certain qualities is distinctly greater than the probability of any Indian boy possessing those qualities?—Yes.

5618. That means that if you take a certain number of Indian boys, and have a competitive test, it is a mere toss up, even amongst those who are selected, whether there will be those qualities or not?—Exactly.

5619. The probability is that there will be very few who will possess those qualities?—Among a batch selected by competition I think you would be correct in saying very few.

5620. You do not know any number of boys selected by competition in that way?—I do not think such a body exists.

5621. Therefore your opinion is not based upon any actual experience, or any actual data?—I beg your pardon. My opinion is based on thirty years' experience.

5622. But the question is with regard to Indian boys selected by competition?—I do not recognise the difference.

5623. What is your own scheme? Supposing that Indian boys are admitted to an examination in India, such as you propose, a stiff qualifying examination, and all that, would you close the English door against us supposing another door was opened to us in India?—Yes.

5624. You would have a stiff qualifying examination to begin with: would it be equal in

stiffness to the Civil Service examination?—That is a matter of detail; I am not an educationist. I am not prepared to lay down a curriculum.

5625. What do you mean by saying that it should be a stiff examination; what is the meaning of the word "stiff"?—Exactly stiff.

5626. You do not explain it any further?—It would be difficult to do so.

5627. The men who pass that are to be in the same list as the men who pass the English examination?—That is what I propose.

5628. Would they be drawing the same pay?—Yes.

5629. And would they have the same prospects of rsing to the top, and everything else?—Yes.

5630. That is not clear here, and I am glad to have your answer. You do not know what the maximum number of Indians you would propose in the service would be?—I am not prepared to lay that down off-hand.

5631. Who is to determine that?—I suppose, in the last resort, the Secretary of State.

5632. But you have come before the Commission with a scheme of your own?—I do not profess to come before the Commission with anything ready made. I have seen many people get into very serious difficulty by bringing forward ready-made schemes.

5633. This is your scheme?—That is the outline of my scheme. I have thought about it, but I have not come to a decision.

5634. Have you a vague idea in your head?—No.

5635. You would not like to express any opinion with regard to it?—I am not prepared to express it; I want to think a great deal more about it.

5636. Question (27) asks: "Have the 'Natives of India' recruited by means of open competition in England, proved on the average, as efficient as the European members of the Indian Civil Service?"; and in reply you say, "Very certainly—no"?—That is my opinion.

5637. How many Indian members have there been here now?—I think 14 or 15.

5638. Altogether there have been 16. Does that opinion apply to present members, or to members who have retired from the service?—I do not propose to go into personalities at all.

5639. It is not fair to those men that an emphatic expression of opinion should go on record, and that it should not be cleared up further?—With the permission of the Chairman I must decline to give unnecessary offence to officers in my own service, for many of whom I have the highest consideration, and for all of whom I have very great personal respect and liking. I say on the average. My answer is on the lines of the question.

5640. Without specifying names, how many do you consider are above the average, and how many below?—I would rather not state that.

5641. How many Indians have you had serving under you as Divisional officers?—None.

5642. You have no direct experience of Indian civilians as Divisional officers?—I tour round every district in the Presidency, but I grant you that no Indian competition member in the service has ever served under me as a Collector.

5643. As regards the Provincial Service men, you say that even they have not come up to the average. Question (39) asks: "Have the officers of the Provincial Service selected to fill listed-posts proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration"; to that you reply "No." Your opinion, therefore, is that the Provincial Service men who have been promoted to listed-posts have not, on the average, proved as satisfactory as Indian Civil Service men?—That is my opinion.

5644. How many are there to-day?—You will observe that I have excepted the Judicial branch. In the Executive there are two Provincial Civil Service Collectors.

5645. You have said that the number of these men is so small that it is not possible to generalise?—I think not. I said that there was no material upon which to strike an average.

5646. And yet you strike an average of two or three men, and you compare it with the average of a whole class of a large body, whatever the number may be?—I do not think I have done so. I do not think I have struck any average. The word "average" is used in the question, and I answered the question because I considered it my duty to do so. In my answer I said: "I do not think they have ever been appointed to the more difficult and responsible administrative posts."

5647. "Have they proved equally satisfactory?" that is the question?—As far as you can strike an average I am prepared to repeat my answer to the written question.

5648. We have had evidence given by Mr. Cardew, in which he says that the average of the Provincial Service men appointed to listed-posts is equal to the average of men in the Indian Civil service?—Then I differ from Mr. Cardew in that respect.

5649. (*Mr. Sly.*) You have recommended a system of selection in England to be substituted for the open competition, and you have put forward two main grounds for that, because the open competition does not so successfully test the character and the physical abilities of candidates. So far as the character is concerned, I do not wish to carry it any further; but surely a medical test is the best test of the physical qualities in a successful candidate?—I think not at all; I have known instances very much to the contrary. I have known men who were passed perfectly sound, but who were physically very weak and delicate. Delicacy is a quite distinct thing from technical unsoundness. I am not a doctor, but that is my experience.

5650. I believe that a doctor examines not only for technical unsoundness, but that he examines to see if candidates have a certain physical standard. Surely a doctor is a better man to do that than any Selection Board?—I would not propose that any Selection Board should trench upon medical questions. As far as my experience goes, in my time, men of very poor physique passed the medical examination, and some of them died within a very short time of coming to the country.

5651. And some of the strongest and best physique also died very shortly after coming into the country, did they not?—It may be so, but I do not recollect many instances.

5652. You think that selection is the best test of character in an open competition?—I would not say character only. There are a vast number of things which a Selection Board would have to take into consideration.

5653. Have you considered the very difficult task which a Selection Board would have to perform in selecting an average number, according to the present rate of recruitment, of about 50 candidates a year?—Undoubtedly it would be a very difficult task.

5654. Do you think there is any Selection Board which could satisfactorily deal with it?—Yes, I think there ought to be.

5655. You have recommended a stiff qualifying examination: do you think you could have any qualifying examination that is better than the ordinary University tests, such as those which exist at the present time in the degrees of Honours?—I heard an eminent educationist say here yesterday that the ordinary graduate of an Indian University was not in the least up to the standard of the Indian Civil Service, I do not know myself; but he is a man who ought to have known.

5656. Your object is to get the best material available in India?—Yes, my object is to get the best material available in India.

5657. As far as educational qualifications are concerned, do you think that there is any advantage to be derived from a separate qualifying examination which is not already secured by the general results of the present University test?—On the assumption that the present University test is not up to the standard, as I am informed.

5658. Even in the highest tests of the University the number of successful candidates (we heard the other day from one of our witnesses) was very small. I think that the number that come out with M.A. degrees and with Honours is merely a matter of twenty, or so, at the outside, is it not?—It may be possible that there is nothing particular to be gained by most candidates from these higher degrees, and that if there is a very distinct gain, such as passing into the Indian Civil Service, the number of candidates would be very much larger. My idea is that the average candidate is content with his B.A. degree, because that gives him a "pass" into any Government Service. That is what he is looking for. He does not want a higher degree: it is not worth his while to trouble about it.

5659. We have also been told by some witnesses that the effect of the introduction of a simultaneous examination would be very deleterious on Indian education generally. Do you not think that your stiff qualifying test examination would have almost equally deleterious results?—I think it is very possible. You cannot get away from the crammer.

5660. Then I see that you have recommended that the age of recruitment should be altered to a younger age. Do you know that the age was changed in about 1891?—Yes.

5661. At that time one of the main reasons for the increase of the age limits was in order to do away with a cramming system which was started in England. Do you not think that if you went back to the younger age you would have abuses, upon which you lay particular stress, revive again?—Possibly; but when I passed into the Service it was at the youngest age that has ever been allowable. A large number of boys passed straight from school.

5662. If statistics shew that that proportion got less and less until it almost vanished?—I was not aware of that.

5663. At that time, also, another great reason for raising the age was that India required men of greater maturity of mind and body; and, considering the changed conditions of India at the present time, do you not also think that it is desirable to have junior civilians coming out here fairly mature in mind and body?—I think a man of 22 is quite sufficiently matured in mind and body to take up his training in the Indian Civil Service. I do not think that it is necessary to have him nearly 24 or 25.

5664. Then I see you have recommended the introduction of a time-scale in certain grades of the Service?—Yes.

5665. One of the great objections urged against a time-scale is that it removes all incentive to special effort and tends to make a man indifferent to his work: is that not the case?—It would have no effect in this Province, because all promotion in the grades up to Collector or Judge is absolutely by seniority. At present there is no incentive for special effort.

5666. With regard to questions of pay, you have referred to certain information, I suppose, which has come to your knowledge with regard to junior civilians being in debt?—Yes.

5667. Can you tell us whether that debt is debt incurred in England before coming into this country, or debt incurred in the earlier years of service in this country?—I think that in many cases it is both; but the latter for certain.

5668. In dealing with the Pension Fund, you have recommended that contributions should cease after retirement: would you also be prepared to recommend that contributions should cease during furlough?—Yes, I should be very ready to recommend that, even to the extent of paying higher contributions while on duty.

5669. (*Mr. Macdonald.*) In answer to question (1), can you give your opinion on the point of the service being better than might be expected, or not so good as it ought to be: that is like most things in this life, is it not?—Not altogether. Many things in this life are better than are expected.

5670. You are more optimistic about things in general than about the Indian Civil Service?—That may be deduced, but I do not admit it.

5671. The point of my question is this, that the great test of a service like this is whether it is capable of improvement upon lines which we have already experienced?—It is a fair test of any service to enquire whether it is capable of improvement. I do not think it is necessary to adhere to the same line.

5672. I did not quite catch what answer you gave to a question put to you by Lord Ronaldshay upon that matter, and I will therefore repeat it in my own way. Do you think that recent recruits who have been coming out are better than they have been in the past?—No, I see no difference.

5673. You see no deterioration?—No, I see no deterioration.

5674. And you see no marked improvement?—I cannot see any difference.

5675. How long ago; is it since you were in the more active mufassal service; when you were personally responsible for the work in a particular

district ?—Since I was Collector, that is, about twelve years ago.

5676. And since then you have been more on the Secretariat side ?—Not in the least. I have never been a Secretary in my life. I have been an executive officer all my life. I was an Inspector-General of Police for five years or more.

5677. What contact had you with the younger service then ?—Such contact as I obtained touring frequently in the districts, staying in their houses, seeing their work as magistrates; they are intimately connected with the magistracy. In that way I came in intimate touch with their work.

5678. Had you any responsibility for the magistracy ?—None.

5679. And you have had no responsibility since then ?—Not since 1901.

5680. Your experience, then, since 1901, upon which you have pronounced these very emphatic opinions, has not been what you would call "direct" ?—I consider that it is very direct. I am now Acting First Member of the Board of Revenue, which means that I visit all the districts in this Presidency. I am one of the body which directly controls all the revenue establishments in this Presidency, including Collectors and Divisional officers.

5681. How long is a man out before he becomes a Divisional officer ?—Perhaps two years.

5682. Not more than two years ?—It might be a little more in some cases, but I should say, two or three years.

5683. So that if a man has been here from two to three years, you would come into pretty direct contact with his work ?—I may do so, and I may not.

5684. And it is from that experience that these general answers are given ?—Yes.

5685. You told us that sometimes officers whom you considered to be bad when they came out turned out to be good ?—I did not say "bad": I said officers whom I considered not to be quite up to the stamp that we required afterwards turned out to be very good men indeed; but I never said "bad."

5686. Has the opposite taken place ?—There have been disappointments, no doubt.

5687. I suppose your knowledge of the service and its requirements would be such as to give you a pretty fair idea of the kind of man you wanted ?—I should have a very definite idea of the kind of man I wanted.

5688. And if you were a member of this Board of Selection, which you propose, you would select men who would apparently be successful men, and you would reject the men who apparently were not going to be successful ?—I will not admit that.

5689. The same sort of judgment that you exercised in coming to opinions about these men which you confess to be wrong would be a judgment exercised by the members of the Board of Selection ?—To some extent, possibly, but every human body is fallible.

5690. To whom would this Board of Selection be responsible ?—I suppose to the Secretary of State. That is merely a conjecture: I do not know what the routine is in England.

5691. Your proposal, I suppose, is that there should be a body of five or seven men ?—I have not thought of the number, but I should say such number as might be found reasonable and convenient.

5692. A body of men who would have the power of saying to the whole mass of possible competitors in Great Britain, "In our opinion you and you may sit, but you and you may not sit" ?—Exactly that.

5693. And there would be no appeal against the decision ?—None.

5694. You would have to take what they selected ?—Exactly.

5695. You would require to have some experience before you can lay down a definite scheme; so far as you are concerned it is only an idea of a scheme ?—I do not know what the distinction is. It is a proposal.

5696. Without any detail ?—I did not propose to attempt to give any detail without a much more careful study and consideration of the subject than I have had either the time or the opportunity to give it.

5697. You desire a change ?—No, not any change.

5698. You desire a change ?—A particular change.

5699. You are not quite sure as to how you would fill in the details of your idea ?—If by "details" you mean the number of members of the Board and the exact procedure by which they are to be guided, and the authority to which they are to report: if those are the details I have not considered them.

5700. I mean the composition of the Board ?—The composition of the Board I have not considered.

5701. In the Despatch to which you have referred with approval (you qualified it later on) the expression used is "The moral, social and hereditary attributes of candidates are of equal importance" ?—May I know what you are quoting from ?

5702. This is the Despatch of 1893 from the Government of India. I think you have said that you agree with it on the whole so far as it applies ?—Yes.

5703. So you think that the question of deciding the moral, social and hereditary attributes of candidates which are used as arguments against the simultaneous examinations can be considered by your Board ?—Certainly.

5704. You think that the Board can settle the moral attributes of candidates ?—Yes, I think it can.

5705. The social attributes of candidates ?—Yes.

5706. The hereditary attributes of candidates ?—More definitely, social and moral.

5707. They can solve altogether the insoluble problems of the present day; you believe that they can ?—I maintain that a properly constituted Board will be able to come to a serviceable view on most of the points.

5708. Are you aware that in our method of selecting Factory Inspectors the procedure that is adopted is on the same lines ?—No, I have no knowledge of it.

5709. You do not know that the Factory Inspector is not allowed to sit for an examination until he has been selected ?—I do not know anything about it.

5710. You do not know that, as a result of that procedure, there is an amount of uncertainty as to whether a candidate is going to be allowed to sit or not ?—I know nothing about it.

5711. You do not know either that the result of it is that men waste an enormous amount of time and a substantial sum of money in preparing for an examination for which they are never allowed to sit ?—I do not know that.

5712. You are aware that your system is, in its general outlines, similar to that adopted in the Navy ?—Yes, that is the idea I had in my mind.

5713. Did you have any experience of the system adopted in the Navy ?—I have heard extremely good accounts about it. I have such confidence in it that I am sending my own son up for it.

5714. You are not aware how actually it works ?—I have no knowledge of it, but I have heard that it is said to work extremely well.

5715. Are you aware of the system adopted in Egypt ?—I do not know.

5716. You do not know the Egyptian Civil Service ?—Now that you mention it, I believe the Egyptian Civil Service is modelled after that.

5717. You have not gone into the working of it ?—No, I know nothing of the Egyptian Civil Service.

5718. You withdraw that expression "the pale of serious discussion" ?—No, I wished to modify it. That is only my opinion about the unsuitability of the system.

5719. You think it is absolutely undesirable ?—It is so in my opinion.

5720. Then you propose that this scheme should take its place ?—Yes.

5721. You consider that competition which is ineffective so far as English students are concerned is still more ineffective so far as Indian students are concerned ?—Yes.

5722. You have a very definite opinion on that ?—Yes.

5723. You gained, in your tours, that impression of the Provincial Service in Madras as regards the unsuitability of the competitive examination ?—Yes.

5724. You have told Mr. Gokhale that you have not taken trouble to inquire into the results of the competition test ?—I did not tell Mr. Gokhale that. I said that I had not personal experience of it.

5725. Have you enquired into the results of it ?—No.

5726. And yet you disagree with what Mr. Cardew said ?—I disagree with Mr. Cardew on a different point altogether and you misunderstand that. I said that I disagreed with Mr. Cardew in saying that Provincial Service Collectors were on the average equal to Civilian Collectors.

5727. I beg your pardon, I thought it was the other way. Whichever it be, you came to this conclusion, without enquiring how it operated in Madras ?—Which conclusion ?

5728. That competition is ineffective so far as English candidates are concerned and is still more ineffective in the case of Indian candidates ?—In coming to that opinion, I have not been influenced by anything that occurred in the selection of candidates for the Provincial Civil Service of Madras.

5729. Neither one way nor the other ?—That opinion is totally independent of them.

5730. You want a stiff qualifying examination for Indian candidates ?—Yes.

5731. Would you have the same standard of stiffness for all races, creeds and castes ?—Yes.

5732. You will just have one qualifying examination for all ?—Yes.

5733. You would compile a list of those that pass that standard ?—Yes.

5734. From that list would be drawn from time to time the number of Indians required for the service ?—Not from time to time, but only for that particular occasion. I would not propose to carry that qualification on to next year.

5735. That is one of the points that I wanted to ask you. As soon as your list is prepared you will refer it to the Board ?—I will submit the list of successful candidates to the arbitrament of the Selection Board.

5736. You would allow everybody for it ?—That is a matter of detail to be considered. I have no reason at the present moment to exclude any one.

5737. As you seemed to lay particular emphasis on the matter, I thought you had some reason for it. The moment the list is prepared, it is made effective ?—Those who pass will abide by the decision of a properly constituted selection Board.

5738. And those who are not selected ?—They will be wiped out.

5739. Go out into other walks of life ?—Yes, take up some other profession.

5740. Would your qualifying examination be such a thing as to come under the description given in Lord Macaulay's despatch, that the education must be of a general character ?—Yes, decidedly.

5741. So that they would not have to waste their money and time in studying subjects which would not be useful ?—Decidedly.

5742. In answer to question (23) you say, "The Indian Civil Service is, or should be, a "*corps d'élite*. If it is to be so, it is essential "that it should hold the great majority"—that is European majority "of higher appointments"?—Yes.

5743. You have told us, I think, once or twice—I could not hear you—in answer to a question, that you did not desire to fix any proportion ?—I am not prepared to fix any proportion.

5744. You would not commit yourself to a proportion, say two-thirds ?—No, I would not.

5745. You would not commit yourself to anything on that point ?—No.

5746. In answer to question (24), "Do you consider that a minimum proportion of European "subjects of His Majesty should be employed in "the higher posts of Civil Administration? If "so to what proportion of the posts included in the "Indian Civil Service cadre do you consider that "'Natives of India' might, under present con-"ditions, be properly admitted," you say "Yes. Doubtful." When you say "doubtful," I suppose it simply means that you cannot make up your mind upon it ?—Yes. I have not given that time and consideration to the subject which it undoubtedly requires. I have not felt called upon to do so. I am a busy man and have a great many things to attend to.

5747. I was going to say that you are a busy man and other work prevented you from devoting

that time and attention necessary for making up your mind and coming to a definite opinion upon it?—Yes; it is a highly controversial matter.

5748. Then you say in answer to question (39) that the officers of the Provincial Civil Service have never been appointed to the more difficult and responsible administrative posts. I take it that you imply by the word "no" which precedes the words that I have quoted, that they are not fit to fill those posts?—I think that is a fair deduction.

5749. What is the proportion of Madras men that have gone to Simla?—I do not know. You mean the Madras Civilians?

5750. Yes, how do the Madras Civilians figure in the Imperial Service?—I cannot say.

5751. Would you be surprised if you are told that the proportion is very low?—I should not in the least be surprised.

5752. When Madras is being criticised as to its fair share in the Imperial Service, is it open to anyone to argue that "I do not think that Madras officials have ever been appointed to the more difficult and responsible administrative "posts in the Government of India"?—It will be a correct statement.

5753. So that you think that Madras has not had its fair share of the administrative posts in the Government of India?—I don't think I have said so.

5754. You don't know the figures for Madras as compared with those of other provinces?—I do not know.

5755. May I put it to you as a matter of fact that this statement which you make that Indians have not been appointed to the more difficult and responsible administrative posts may be perfectly true and yet it does not bear the conclusion at which you arrive, in consequence of that statement, that they are not fit to fill them?—It does not necessarily follow from that statement, nor is my answer "no" based wholly upon that fact.

5756. Your "no" is not based upon that fact?—No.

5757. That is not the only reason on which you said "no"?—No.

5758. Would you agree with me that one of the problems we should try to solve by the work of the Commission is how to get men with real native ability, who may or may not have been at a university and who may or may not have passed a very high standard of educational attainments; and provided you can get hold of such men, do you think that they would be better for the Indian Civil Service?—I would have no use for uneducated men.

5759. I did not say "uneducated"; I said men who did not pass those higher examinations which those who now get into it pass—I wish to know whether they should have a chance of passing successfully the Indian Civil Service?—I do not quite follow. I do not consider a university degree to be essential. I do not quite understand you.

5760. You do not consider a university degree essential?—No. I have not one myself and one can get along without it.

5761. Would you lower the standard of the Indian Civil Service examination?—Lower the standard of education?

5762. Lower the standard of the Indian Civil Service examination?—It would be competition; it is no standard.

5763. You know the standard that is required of a candidate before he can pass the examination?—There is no prescribed standard. He has to get above so many men.

5764. Is it not a standard?—No.

5765. Would you keep the present standard of the examination papers?—Yes.

5766. You would?—I would.

5767. When the probation period comes, would you advise us to consider whether it is possible to prescribe subjects of study that would increase his interest in Indian conditions and Indian problems rather than taking a mere literary or a book course of learning?—Surely that is the case at present. The period of probation that he spends is for the study of subjects supposed to prepare him for his work and not for general education.

5768. For instance?—Indian law.

5769. But I understand you to say that Indian law could be far better acquired in practice?—Yes, that is my opinion. But the study of it at home will also be useful.

5770. What about Indian sociology, general organisation of Indian life and village community?—They are useful, no doubt, and they could very well be studied in either country.

5771. They could learn it in England?—Yes, so far as that could be learnt out of books.

5772. I thought your view was that any education learnt from books is not so good as education that you get on the spot?—I do not think that anything that I have said could be interpreted in that way.

5773. Then your opinion as to the mode of acquisition of knowledge on Indian law would not hold good with reference to the acquiring of knowledge of Indian life?—I cannot follow you.

5774. I am only assuming that you are going to be consistent?—I hope I have been consistent. If you can point out where I have been inconsistent, I will endeavour to explain it.

5775. In answer to question (59) "Do you "consider that any differentiation is necessary "duringthe period of probation between the "course of study for probationers who are "'Natives of India' and the course prescribed "for other natural-born subjects of His Majesty?" you say "Yes, I think so." There you have expressed a positive opinion?—I have carefully avoided expressing any positive opinions on educational matters, as I have no special knowledge of them.

5776. The question goes on to say "Please "state the special arrangements that you recom-"mend?"—I have carefully refrained from recommending any.

5777. I thought you had overlooked it?—Not at all.

5778. In answer to question (87) you say "there is far too much promotion by mere seniority." That is with reference to the Madras organisation, is it not? Who is to blame for that?—The Government of Madras, no doubt.

5779. That is a matter which it can itself take in hand and settle satisfactorily, if it likes?—I presume so.

5780. One general question about your answers to questions regarding leave on the last page. Would it not be very much to the convenience of the service if you can simplify all these rules as to leave and furlough?—I do not know any particular direction in which they need simplification.

5781. There are so many kinds of leave etc.?—That point has never struck me.

5782. Are we right in assuming that you do not think that the present nominal amount of leave is really necessary if we can get our officers to take all the amount of leave to which they will be entitled?—I do not quite understand you.

5783. Theoretically on paper you have it that, say at the end of fifteen years' service, you are entitled to a certain amount of leave and if during that time certain contingencies had arisen such as pressing business and so on you might take still more leave?—Yes.

5784. I understand you to say that the whole of that leave is not taken?—I think very few take all the leave that is due to them in the course of their service.

5785. Would you recommend that the rules giving you a certain amount of leave should be assimilated with the actual practice as to the amount of leave that you actually take?—I would not.

5786. Would it not be convenient if you reduce the amount of nominal leave and increase the financial facilities to enable you to take the reduced leave?—I would prefer to have it optional.

5787. You would still prefer to have it optional?—Yes.

5788. My final question relates to question (120). In answer to it you say "I have no means of knowing how much of his pension is supposed to be paid for by each officer by means of 4 per cent. deduction from the salary"?—That is really a matter of calculation which I have not the means of making.

5789. Who has got the details?—I believe the details are with the India office.

5790. They have not been called for?—I have no right to call for them.

5791. So far as you know has anybody called for them, by questions in the House of Commons?—I am not aware that it has been done.

5792. (*Mr. Madge.*) Considering that you have told us that you did not condemn the actual results of the competitive examination among British students (and indeed you have met with agreeable disappointments) I gather that your objection to it is that it does not test certain necessary qualities?—Yes, I have said so.

5793. You think that the average British student possesses from heredity, from his environment and other causes, certain qualities that are useful in governing and discharging official duties generally to a greater extent than many other races possess?—I think there is probability that the average British students will possess them.

5794. I do not want to go out of the boundaries of the questions here; but a glance at the history of the French, the Portuguese and Russian foreign possessions will show us what kind of Government is secured by one race over another. Do you think that such things compare favourably or unfavourably with the British Government?—I think that it is a common-place that the British race has shown greater capacity than any other race for governing foreign possessions.

5795. You can say that without exalting them to any lofty pinnacle as compared with other races?—Yes; that is a common-place.

5796. Do you think that the competitive examination among Indian students has produced such results?—I have not seen any traces of it.

5797. Now as one who really believes that talent and character—thoroughly trustworthy talent and character—can be found in this country, if we can arrive at the right method of finding it, I ask, does your proposal of a board for English students apply to this country also?—You see that my proposal for this country is similar to the proposal for England.

5798. I would ask you how you propose to find the board in this country; of what persons will it be composed?—There again that is a matter which I have not considered—the actual composition of the board.

5799. It is a difficult question?—Yes, it is. I did not feel called upon to go into it. I was not asked to do so.

5800. In answer to question (9) you say "If the British character of the administration is to be maintained, etc." It is absolutely necessary to do so, is it not?—Yes. I said that if the British character of the administration is to be maintained, the proportion of Indian admissions should be fixed.

5801. Do you or do you not consider it necessary that the British character of the administration should be maintained?—I do, if the county is to be governed for the greatest happiness of its inhabitants.

5802. For the benefit of its inhabitants?—Yes.

5803. You look at it more from the point of view of the interests of the voiceless masses rather than from any other?—From the point of view of the inhabitants of India and not from the point of view of the interests of any limited class.

5804. Do you think that that character could be maintained by or through the machinery of scientific rule or the personality of persons who carry it on? Suppose a perfect machinery for the scientific Government of the country was set up and any class of persons was chosen to carry it out, do you think that the success of it would depend upon the personality of the officers or upon the machinery?—Upon the combined effect of the personality and the machinery working as a whole.

5805. Do you think that if the machinery were defective in any respect, the character of the personality might tend to correct those defects?—Yes.

5806. In answer to question (12), you say "the number of men selected should be so fixed as to keep the 'Native of India' element within whatever might be fixed as a proper limit"?—Yes.

5807. Would you have the proper limit arbitrarily fixed from year to year, or would you leave it to the responsible Government at any period to decide from year to year what was necessary?—I think that if the proportion were laid down, it should not be required to be varied annually or anything like it. I would say that the proportion should not be fixed for all time, but it should be open to revision when it is found necessary to do so.

5808. But my point is to draw a distinction between having a rule fixing the proportion for whatever period it may be and leaving it to the choice of a responsible Government to fix the proportion, because it will then be able to meet any crisis or a public need which may arise. But if we have a fixed rule, you may not be able to alter it, without doing injustice or raising

questions. Whereas if you leave to the responsible Government the choice of fixing the limit, even though the limit may not be varied from year to year, still it would have the power to vary the limit in any crisis that might arise?—I should deprecate the power to vary the limit from year to year.

5809. You say in answer to question (15) that "the men selected since 1906 are certainly too "old when they come to India." I gather from other remarks of yours that, as they get along in life after a certain age, they lose some of their freshness and vigour?—Men who come to India at 25 will have to serve till 50 before they can draw their pension, though they can go on serving up to 60, which is too old an age for most men in this country to serve at.

5810. Do you think that amongst Indians and the members of domiciled Anglo-Indian community, that is mixed races, that age is the proper limit?—As regards the domiciled community, I am not prepared to dogmatise. I am certain that an Indian, as a rule, decays earlier than a European is found to do in this country.

5811. You have heard of the truth spoken in jest that pensioners in inferior services never die?—I am not talking of their death.

5812. When you go about the country you come across men working at 60?—Quite so; but that does not show that they are fit for work.

5813. Pensioners very often take up other employments? The charge against the Government is that they unnecessarily incur double charges, one by giving pensions to these men and the other by employing others to fill the place of the pensioners though the latter are quite able to work. Have you any opinion to offer on that matter?—My opinion is that any man in this country, whether an Indian or an European, is too old at 60 to do work. I think the average Indian is old enough at 50.

5814. You say in answer to question (64) I "think that Executive officers, as a rule, know "quite as much law as they have any use for." Do they acquire substantial knowledge of the law during their executive work?—Not the sort of knowledge that would be of use to them in court. But they acquire knowledge sufficient to enable them to find their way about.

5815. I should like to know whether you think that the Judicial officers in the early years of their career as Executive officers acquire a knowledge of the country, of the people and of their habits by knocking about in the mufassal, that will become useful to them on the Bench?—I have no experience of the Judicial. But I should say undoubtedly that such experience must be useful.

5816. In that case would not that fact be against the separation of executive and judicial functions at an earlier period?—It would be one argument against it, no doubt.

5817. Have you any opinion to offer as to the period in a man's career when the separation ought to take place, if you think that it ought to take place?—No, I have no definite opinion.

5818. Have you heard instances in which the Government have thought it necessary and desirable to exchange officers from one kind of post to another in the interests of the country?—I have known men transferred from the executive to the judicial or from the judicial to the executive; but I am not aware of the reasons for these transfers in any particular case.

5819. You would assume that a responsible Government must have some reason for what it does?—Some reason no doubt; but I could not assume what the reason is.

5820. I think you said that you have no idea as to the period at which the separation should take place?—No; I have no definite opinion.

5821. Have you heard of any scheme that has been formally proposed with reference to the dissatisfaction that retired men feel when they go home as to the struggles they meet with and also with reference to the effect that that might possibly have on securing the right sort of men for the service; have you heard any scheme seriously proposed in which the retirement was sought to be limited to after 15 years' service?—I have not heard of any definite scheme; but I have heard that point several times discussed.

5822-3. If you will allow me to finish the question you will understand my point. I am referring to the scheme that has been published by a Civilian in the *Pioneer* and which has been the subject of discussion all over Bengal? (*Chairman.*) I do not think you can go into any other scheme—a scheme which is not dealt with in the witness's answers. You can ask any question you like with reference to the witness's scheme, but do not diverge from it, please.

5824. You refer to the periods of retirement, amounts of salary and so forth. Do you think that it would give us a better class of men, if the majority in the service were allowed to retire after 15 years on suitable pension and with prospects of seeking further careers at Home and reserving just the sufficient number required for higher administrative posts?—I should oppose any such scheme.

5825. You speak of the block in promotions in answer to question (93). Do you think that that block occurs in this Province in any measure owing to the absence of the system of commissioners of divisions which they have in Bengal?—No. This has nothing to do with it.

5826. (*Mr. Abdur Rahim.*) I would like you to give me your reasons in some detail for suggesting a different mode of selection in India from that prevailing in England for the Indian Civil Service?—For suggesting a different Board?

5827. For suggesting a different method of selection?—I think that Mr. Gokhale asked me about it. I said that my reason was that I considered the method of selection by competition to be less applicable to Indians than to Englishmen and therefore I would further limit its application in the case of Indian candidates.

5828. I should like to know why you make this distinction between English and Indian candidates?—I thought I made it clear in my answer to question (12).

5829. Will you mind telling me it again shortly?—Because I consider that there is greater probability in the case of British-born candidates, selected by competition or any other partially irrelevant test, that a considerable number of them will possess other qualifications which are required and which are not possessed by Indian candidates.

5830. Do you suggest that the types of character vary more in India than in England?—I do not say that the types vary. What I mean is that certain qualifications which are required for a profession which entails the administration or the governing to a certain extent of a foreign country are more commonly found among English boys than they are to be found among Indian boys.

5831. As regards the method of selection, what you have suggested would be more suitable for the Indian boys?—Because competition plays a smaller part in it.

5832. You think that by the principle of selection you might be able to ascertain those qualities which are rarer in Indian boys?—I think that by selection you would be more likely to get hold of a better material than you would be able to get hold of by competition. There is better material in India and the question is how to obtain it.

5833. As regards the examination, do you retain the same syllabus as the present Indian Civil Service Examination has?—I have not considered anything about the syllabus of the examination.

5834. On principle would you not have it more suitable for Indian conditions?—I have not considered that point, I am sorry to say.

5835. With reference to your answer to question (10), do you consider it desirable that different classes and communities, so far as they can produce qualified candidates, should be represented in the service?—Yes.

5836. What is your reason for saying that?—Because I consider it undesirable that any one class or caste should monopolise the appointments.

5837. Do you mean in point of fairness?—To some extent in point of view of fairness, but largely in point of view of good Government and contentment of the people.

5838. You say that it will make for good Government?—I am well aware that the Indian population would distinctly object to be governed by men of one class to the exclusion of others.

5839. You say that from the experience of the country?—I say it from my experience of the country; and further there is no doubt at all that they would object even to Indian officers from other parts of the country. One does not need to look at any distance to see it. One has only to look at the daily papers, where one will find "Andhra for Andras," "Mysore for the Mysoreans," "Travancore for the Travancoreans," 'Orissa for the Uriyas."

5840. As regards your experience of Indians in the Indian Civil Service and the Provincial Civil Service, do I understand you to say that you have not had much experience of these men in the service holding the position of District Collectors and District Judges?—There have not been many District Collectors and I have no experience of Judges.

5841. You had no experience of Judges?—No, not official experience.

5842. Therefore I take it that you are not competent to pronounce any opinion on that point?—No; I have not attempted to do so.

5843. As regards Collectors, I mean, Indian Collectors, what is your experience?—I have met some of them.

5844. Did you have any experience of them?—Officially I have met them in their districts.

5845. Have any Indian I.C.S. men been Collectors for any length of time?—I think not.

5846. Are you in a position to pronounce any opinion regarding them?—I don't think I confine the answer to Collectors; but it refers to executive officers such as divisional officers.

5847. Do I understand that the Indians in the Indian Civil Service holding lower appointments or inferior posts are not up to the average?—That is my opinion. I consider that by selection of Indian candidates by open competition in England we do not get anything like as good a material as we should get by a proper method of selection in India. There is so much better material available here.

5848. You mean Indians of literary ability?—No.

5849. But also of character?—Yes.

5850. Have you had many Indian I.C.S. men acting under you?—I have not had Indian Divisional Officers of the Covenanted Service in my district.

5851. What experience have you had of them?—I have had experience as an officer who has had to tour about the country and to supervise administrative posts for the past 10 or 12 years.

5852. What administrative posts are you referring to?—I have been Inspector-General of Police and as such I have come in close touch with the District Magistrates while touring about the districts. Subsequent to that for nearly five years, I have been a member of the Board of Revenue which directly deals with Collectors, Divisional Officers and their establishments.

5853. How many of them are Divisional Officers—Indians; how many of them are in charge of divisions?—Except those who are Collectors and Judges and excepting the last joined one, all are in charge of divisions.

5854. May I take it that among them there are some good men?—Yes, there are.

5855. And the number of the whole is very limited?—The number is limited.

5856. Is that very limited number sufficient to base any safe generalisation upon?—The number is 13, so Mr. Gokhale said. I thought it was 14 or 15. The number of those of whom I have had experience is somewhat more. That is enough to form an idea of not Indians generally (and I do not claim it) but of Indians selected by open competition in England.

5857. Now as regards the separation of the judicial and executive functions, I understand you to say that, in your opinion it is not desirable to have such separation on the ground that it would weaken the authority of the district authorities such as the District Magistrate, etc.?—I have not been asked any question about the separation of the executive and judicial functions nor have I answered any.

5858. I am sorry. I must have, then, mixed up somebody else's answer. But what is your opinion?—I should be against such a separation.

5859. What will be your main reason for it?—My main reason would be that no harm is done by the present combination of these functions; it works very well.

5860. Will any harm be done by this separation?—I do not think that the Collector who is the executive head in the district will be to the same extent the head of the district if he is entirely dissociated from the magistracy.

5861. You mean he will not have the same authority?—The same authority or the same influence.

5862. I do not know whether you have noticed that Mr. Cardew is of different opinion?—He may be so; but that would not alter mine.

5863. That would not lead you to reconsider that opinion of yours?—No.

5864. I understand that you have not any definite opinion regarding the recruitment of the judiciary?—No; I am not prepared to express any opinion.

5865. (*Sir Valentine Chirol.*) I only want to elucidate one point. You said, Mr. Horne, that you believed that if simultaneous competitive examinations were introduced of a higher standard than that which generally obtained in the University, the students would, within a very short time, adapt themselves to the requirements of that examination, and therefore you might expect a considerable amount of success among them?—Or rather their instructors would adapt themselves; yes.

5866. That is an inference based upon the conspicuous success which they have, since the introduction of western education, gradually achieved in the various examinations which have been thrown open to them?—Yes.

5867. Just as you would infer that a class which has shown great capacity in financial business would continue to show that great capacity in any development of it?—Yes, exactly.

5868. And it is absolutely unnecessary to go into the question as to what is the particular test to be applied, because whatever be the test, the probabilities are that they or their teachers will adapt themselves or them to it?—That exactly expresses my opinion.

5869. (*Sir Murray Hammick.*) I only want to ask, Mr. Horne, whether you have seen enough of successful candidates who are chosen by the Selection Board of the Police as to judge as to whether that Selection Board was fairly successful in choosing good candidates?—I do not think I have.

5870. You don't think you have seen enough of them?—I don't think I have.

(The witness withdrew.)

The Rev. A. Andrew, United Free Church of Scotland Mission, Chingleput.

Written answers relating to the Indian Civil Service.

[The reply is general, and given chiefly in the answer to question (25).]

5871 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—So far as my observation goes it may be regarded as generally satisfactory in principle.

5872 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I do not recommend any change in the system.

5873 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am of opinion that it would be detrimental to the highest interests of the Indian Empire to have a system of simultaneous examinations in England and in India, open in both cases to all natural-born subjects of His Majesty.

5874 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of this scheme.

5875 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I am of opinion that all the very highest posts should be in the hands of European officers recruited to the Indian Civil Service. My reasons may be ascertained in the answer to question (25).

5876 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—The principle of appointing "Natives" of India to one-quarter of the listed posts has been conceded in the Government of India Notification No. 1128 of 26th August 1910. The concession of this principle may be viewed as of doubtful expediency, as it breaks up the homogeneous nature of the highest element in the Government and in the administration. As it has been already conceded, it seems to me that any further concession is unnecessary for very weighty reasons.

In theory one may be inclined to favour the devolution of responsibility for the administration of the country upon the people of India. But the time has not yet come for this. At present, with the exception of the few highly-paid administrative and executive posts, practically all the posts are already in the hands of the "Natives" of India.

The British Raj may be viewed as the most brilliant achievement ever made in the history of the world in ruling diverse races and combining them into one grand empire. It is quite unique, and has been carried out by a consistent and gradual evolutionary process in accordance with the principles of truth, justice and righteous dealing. Misrule and anarchy have been put down with the result that peace prevails on every side, and modern civilization with all its educative, humanizing and industrial development has become an accomplished fact.

The British Raj has been very sympathetic towards Indian sentiment and aspiration, and has gradually opened up some of the higher posts to the Indian people. It has also done a very noble act. It has upheld and protected the Indian Princes in their respective States, of whom there are 694, and has even magnanimously restored territories to them which they had lost.

That it is a powerful and remarkably successful administration, without a parallel in history, is understood by the mass of the population; for they feel that so long as it exists, as presently constituted, order, justice and equity will continue to exist.

The Charter Act of 1833 declared that no British subject resident in India, or Indian subject, "shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office or employment under the Company."

In 1834 the Court of Directors emphasized this policy and declared that all Indians should be held competent for any appointment which they were personally fit to hold.

In practice, however, they kept all the highest appointments in the hands of the Covenanted Civil Servants nominated in England. Queen Victoria in 1858 confirmed the Charter Act of 1833.

The Indian Civil Service Act of 1861, the Government of India Act of 1870, and the notification of the Government of India, No. 1128 of 1910, however, confirm the principles of employing the "Natives" of India of proved and marked ability in some of the higher posts ordinarily held by members of the Civil Service.

Repeated attempts have been made by certain Indian leaders to get concessions made, admitting them to the highest posts. But Government has only yielded in some cases when marked ability was shown. Education is helping to produce a larger number of able men, but it should be borne in mind that education alone cannot of itself produce the requisite ability to govern and administer a province, or to occupy the position from which a mighty empire is directed for the good of all its subjects. Other qualities, which can only be got from heredity and suitable environment, are necessary. Character, mind and heart have to receive a special impress before a man is suited for such responsible and statesmanlike work. Mere technical knowledge is of little avail.

The Public Service Commission of 1886 divided the Civil Service into three branches, namely: The Indian Civil Service, the Provincial Service, and the Subordinate Services. The Civil Service was to be recruited in England and intended to furnish the majority of the highest posts from those of Collectors and District Judges upwards. The highest posts in the Technical departments—the Police, Forests, Educational, and Public Works—were to be recruited in the same way.

The Provincial and Subordinate Services are almost an Indian monopoly. Steps have been taken to train Indians in the practical administration of district boards and municipalities, where they largely predominate. The enlargement of the Legislative Councils, and of the Executive Councils of Bombay, Bengal and Madras is having the same effect. The Imperial Executive Council in India and the Indian Council in London have been opened up to Indians. These are great concessions about which many doubt the expediency, when the Indian Empire with its vast population is concerned, and when viewed in the light of its stability and industrial and economic evolution. Care must be taken to preserve inviolate the high standard of efficiency which has existed since the creation of the Covenanted Civil Service by the Parliament Act, 33 Geo. III, c. 52.

My reasons for calling a halt in opening up more than a fourth of the highest listed-posts in the Civil Service to "Natives" of India are as follows: Special training and special qualities of mind are required in the management of such a vast empire. There are not only the different provinces throughout the Indian Empire to look after, but the vast frontier line with its numerous wild tribes and States to keep in order. Diplomacy of the highest kind is essential to maintain a pacific control all round these outskirts. "Natives" of India are not yet capable of directing and governing such a vast territory, and are unable to fully represent all the races and creeds contained in it without a very effective British element of control in the administration. The powerful aid of the British army and navy is needed, and such can only be brought into play by an adequate British administration. The late Hon'ble Mr. V. Krishnaswami Aiyar, who was appointed a Member of the Madras Executive Council, said a few years ago "If we have *Swaraj* to-morrow, in the quarrel as to who should govern and who obey, chaos will reign supreme, or we shall submit to a despotism worse than any that has been our lot to bow to."

This is true, and hence, if the European element in the highest branch of the administration be reduced, a mere symbol of power will remain with all its attendant dangers and drawbacks.

The ruling classes in Britain are full of energy and possess the ability to manage men, and have the advantage of being trained in statesmanship. Many have gone forth as Governors to the British colonies and dependencies in various parts of the world, and gained valuable experience. In this way a governing *esprit de corps* has been produced, as well as a governing talent. Every "Native" of India who aspires to fill the highest administrative posts in the Indian Civil Service should spend a good portion of his time in Britain, and see for himself what are the British qualities of character and mind, and gain some of the energy and spirit of the British people. This cannot be got in India. Even Europeans in India feel that they must send their children to Britain for their education in order that they may imbibe the home spirit. They believe that a proper home education is a real passport to promotion to the highest posts abroad.

Another argument is connected with the administration itself. The Imperial Government in Britain has governing representatives in all the colonies and dependencies abroad. These form the link between the Imperial Government and the dependencies, and by means of this link the might of the British forces is brought to bear on them with a view to maintain order and justice, and to grant security to every citizen. The local administration in each of these dependencies is largely drawn from the "Natives" resident in them, much as it is in the Indian Empire, where, out of about three million posts under the Government, all but a few thousands are staffed by "Natives." Sir T. W. Holderness in his "Peoples and Problems of India" remarks that the Indian Civil Service consists of about 1,250 members of whom 65 are Indians; and that in 1903 there were 28,000 posts carrying salaries of £60 and upwards of which only 6,500 were held by Europeans. This number, out of about three millions posts, represents about all the posts held by Europeans in the different services. The European element in the highest posts cannot therefore be further reduced without serious danger arising.

I would suggest that a new constructive policy be introduced, which would be in harmony with the practice in the British colonies and dependencies scattered throughout the world. Each dependency is ruled by a Governor, appointed by the Imperial Government. If we take Gibraltar,

Malta, Cyprus, Hong-Kong, the Straits Settlements and Newfoundland, we find that the average number of people ruled over by the Governor, or Imperial Representative of the King, is 238,226 in 1901. In the Protectorates of United South Africa the number is 177,416. In British West Africa it is 5,330,696, but, if South Nigeria be omitted, as the number put down is but conjectural, the average number is 1,663,370. In West and Central Africa it is 1,987,044 and in the British West Indies it is 226,565 persons.

With regard to the Australian Commonwealth in which there were 3,836,154 in 1901 under the rule of the Governor-General, we find that the average number of persons under each Governor was 639,692. In New Zealand it was 816,214. (See Appendix III.)

My point is this, each district in each of the Indian provinces should be regarded and treated as a small presidency, or state, and placed in charge of an administrator, or Lieutenant-Governor who would in turn be under the Governor of the province. In the Madras Presidency there are 25 districts, each of which, with the exception of the Nilgiris, is large enough to be formed into a Lieutenant-Governorship. The majority of the districts are densely crowded. Vizagapatam with the agency has 3,189,821 and Malabar 3,015,119 persons. The average number for each district is 1,656,216 persons—a number which exceeds that in most of the dependencies in other parts of the world, which are ruled over by Governors, or Imperial Representatives (See Appendices I and III).

The designation of *Collector* for the head of each district is largely a misnomer, and should be abolished. It does not connote the full extent of the powers placed in the hands of the head of the district. If my suggestion is carried out he should always be a Senior European Civilian of ripe experience, and should receive the powers of an administrator, or Lieutenant-Governor, and be viewed as the King's Representative in his district. Much of the work, which he has to submit at present to the Madras Government for disposal, should be placed in his hands. He might be in charge alone as Representative, or might be assisted by an Executive Council of two members, one being a European Civilian of the status of a Collector of the first grade, and the other being a leading Indian of the Provincial Civil Service, or a non-Civilian of marked ability and ripe experience. The administrator, or Lieutenant-Governor of the district, should be appointed for five years, and draw the pay of a member of Council or High Court Judge. The staffing of the different divisions of each district would remain much as they are at present, or be increased, if necessary, to deal expeditiously with the business of the administration. The tendency of the present system is the accumulation of arrears of work.

This would give a dignity to the occupant of the office and bring the *British Raj* into closer touch with the village population who in reality form the great bulk of the people of India. It would also enable the business of each district to be expeditiously and efficiently done, and give a continuity to it, which it lacks under the present system, mainly through the frequent transfer of those in charge. Each district, or minor state, would form a compact administrative unit, and relieve the strain on the Government of Madras as presently constituted. Other presidencies throughout the Indian Empire should be organised in a similar fashion, and all would be under the general control of the Viceroy and Imperial Government of India (See Appendix II).

Another advantage that would accrue from the proposed change is that each state would be able to give more attention to the fostering of representative institutions, and to the development of its resources than is at present possible. It would also have a more direct control of education and all the technical branches of the administration, and concentrate its energy more fully on the area set apart for its direct control.

The judicial branch of the work could also be improved by the creation of a state court in each district which should have at least two Judges, one a European and the other an Indian. The subordinate courts could be strengthened correspondingly in order that the judicial side of the work may be expeditiously and efficiently done. The mass of the people believe in the impartiality and incorruptibility of the European officers, a belief that has a good foundation in fact, and hence the continuance of the European element will give tone to the whole administrative and judicial system.

But all this no doubt will cost more money to carry it out properly. It, however, would be money well spent, and worth all the extra expense, and do more to satisfy the reasonable aspirations of the people, and deepen their loyalty than almost any other plan for the improvement of the administration and the constitution.

It is remarkable that the majority of the different states, which go to form the United States of America, had on an average in 1900 in each 1,522,987 persons. In 1910 it had risen to about 1,800,000 persons. The average for each of the districts in the Madras Presidency in 1911 was 1,656,216 persons. Hence the suggestion to form each of the Madras districts into a separate state, with increased powers, is in accordance with our Imperial practice in other parts of the world.

Appendix I.

Statement showing the size of the districts in the Madras Presidency according to the census of 1911.

District.	Population.
Ganjām	2,221,292 *
Vizagapatam	3,189,821 *
Gōdāvari	1,652,859 *
Kistna	1,997,535
Guntūr	1,697,551
Nellore	1,328,152
Cuddapah	893,998
Kurnool	935,199
Bellary	969,436
Anantapur	963,223
Madras	518,660
Chingleput	1,406,008
Chittoor	1,238,742
North Arcot	1,960,960

* With agency.

Appendix I—*cont.*

Statement showing the size of the districts in the Madras Presidency according to the census of 1911—*cont.*

District.	Population.
Salem	1,766,680
Coimbatore	2,116,564
South Arcot	2,362,566
Tanjore	2,362,689
Trichinopoly	2,107,029
Madura	1,932,862
Rāmnād	1,658,453
Tinnevelly	1,790,619
Nilgiris	118,618
Malabar	3,020,691
South Canara	1,195,227
Average for each district ..	1,656,216

Appendix II.

Statement showing the population of each province in India, and the average number of people in each district according to the census of 1901.

[From "Statistics of British India" for 1906–07 and preceding years. Part IX, Miscellaneous, pages 6–11, published by the Government of India.]

Province.	Population.	Number of districts.	Average number of people in each district.
Bombay ..	18,515,587	25	740,625
Central Provinces ..	11,970,201	22	544,100
Punjab	20,340,372	29	701,393
United Provinces ..	47,675,772	48	993,245
Bengal	50,772,469	34	1,491,839
Eastern Bengal and Assam.	30,503,669	27	1,129,765
Burma, Lower ..	5,405,967	20	270,298
Burma, Upper ..	3,846,908	17	226,288
Madras	38,209,436	23	1,661,280
Madras (1911 census).	41,405,404	[25]	1,656,216
		245 in 1901.	

Appendix III.

[Taken from the Report (with summary and detailed tables for the several colonies, etc.) of the census for 1901 which was presented to Parliament in 1906.]

Australian Commonwealth.	Population in 1901.	Governor (names from *Daily Mail* year book for 1912.)	Commonwealth Governor.
1. New South Wales	1,359,133	Lord Chelmsford.	
Victoria	1,201,341	Sir John Fuller.	
South Australia	389,727	Admiral Sir Day Bosanquet.	Lord Denman.
Queensland	503,266	Sir W. Macgregor.	Governor-General.
Tasmania	172,475	Major Gen. Sir H. Barron.	
West Australia	189,385	Sir G. Strickland.	
	3,815,327	Average for each Governor, 639,692 of population.	
2. New Zealand	816,862	Lord Islington.	
3. Canada	5,371,315	H. R. H. the Duke of Conaught.	
4. United South Africa	6,000,000	Lord Gladstone, Governor-General.	
5. Cyprus	237,022	Sir H. G. Goold-Adams.	
Fiji	120,124	Sir E. H. May.	
Gibraltar	27,460	Sir A. Hunter.	
Hong-Kong	297,212	Sir F. J. D. Lugard.	
Malta	207,890	Sir L. Rundle.	
Newfoundland	220,984	Sir Ralph Williams.	
Straits Settlements	556,887	Sir A. H. Young.	
	1,667,579	Average for each Governor, 238,226.	
6. Provinces of United South Africa—			
Basutoland, 1904	348,848	H. C. Sloley.	
Bechuanaland, 1904	120,776	Lt.-Col. F. W. Panzera.	
Rhodesia, 1904	605,764	Sir W. H. Milton.	
	1,075,388	Average 358,462.	

APPENDIX III—*cont.*

	Population in 1901.	Governor (names from *Daily Mail* year book for 1912).
7. British West Africa—		
Gambia	13,456	Sir H. L. Gallway.
Gold Coast Colony	1,486,438	J. J. Thorburn.
Sierra Leone	76,655	Sir E. M. Merewether.
South Nigeria (no census)	20,000,000	Sir W. Egerton.
North do.	5,000,000	Sir H. Bell.
	26,576,549	Average for each Governor is 5,325,309 but if South Nigeria be excluded, it is 1,305,309 for each of the remaining four Governors.
8. East and Central Africa—		
Somaliland (no census)	153,018	Col. H. A. Byatt.
East Africa (no census)	4,000,000	Sir E. P. Girouard.
Uganda (no census)	1,808,116	F. J. Jackson.
	5,961,134	Average 1,987,044 for each Governor.
9. British West Indies—		
Jamaica (no census)	755,730	Sir S. H. Olivier.
Bahamas	53,735	Sir W. G. Wilson.
Barbadoes (no census)	195,588	Sir Leslie Probyn.
British Guiana (no census)	295,896	Sir F. Mitchell Hodson.
British Honduras	37,479	Sir E. J. E. Swayne.
Bermuda	20,961	Lt.-Gen. F. W. Kitchener.
	1,359,389	Average 226,565 for each Governor.

APPENDIX IV.

STATEMENT showing the population of each of the States, or Political Divisions, of the United States of America as in 1900.

[Taken from the 1908 edition of Chambers's Encyclopædia, Vol. X, page 373.]

State.	Population.
Alabama	1,828,697
Alaska territory	63,592
Arizona do.	122,931
Arkansas	1,311,564
California	1,485,053
Colorada	539,700
Connecticut	908,420
Delaware	184,735
Colombia district	278,718
Florida	528,542
Georgia	2,216,331
Idaho	161,772
Illinois	4,821,550
Indiana	2,518,462
Indian territory	392,060
Iowa	2,231,853
Kansas	1,470,495
Kentucky	2,147,174
Louisiana	1,381,625
Maine	694,466
Maryland	1,188,044
Massachusetts	2,805,346
Michigan	2,420,982
Minnisota	1,751,394
Mississippi	1,551,270
Missouri	3,106,665
Montana	243,329
Nebraska	1,066,300
Nevada	42,335
New Hampshire	411,588
New Jersey	1,883,669
New Mexico territory	195,310
New York	7,268,894
N. Carolina	1,893,810
N. Dakota	319,146
Ohio	4,157,545
Oklahoma territory	398,331
Oregon	413,536
Pennsylvania	6,302,115
Rhode Island	428,556
S. Carolina	1,340,316
S. Dakota	401,570
Tennesse	2,020,616
Texas	3,048,710
Utah	276,749
Vermont	343,641
Virginia	1,854,184
Washington	518,103
W. Virginia	958,800
Wisconsin	2,069,042
Wyoming	92,531
	76,149,386,

being an average for each of the fifty States of 1,522,987 persons.

Note.—In 1910 the population of the United States of America was about 90 millions. The average for each State was about 1,800,000 persons.

This is slightly higher than the average for each of the districts in the Madras Presidency in 1911, which was 1,656,216.

The average density of the population per square mile in 1900 in the United States was only a little over 25; whereas it was 269 in the Madras Presidency in 1901

The Rev. A. ANDREW, called and examined.

5877. (*Chairman.*) You are the resident Missionary of the United Free Church School at Chingleput?—Of the United Free Church of Scotland, Chingleput.

5878. You have been in Chingleput for 33 years?—Yes, as such.

5879. In your answer to question (25) you say that the Government conceded the principle of appointing Indians to one-quarter of the higher offices, in the Indian Civil Service?—Yes.

5880. I think you will find, if you read the memorandum of 1910, to which you allude there, that the one-quarter to which you refer is not in the direction that you suggest, but is merely a restriction on the number of recruits to listed-posts other than the members of the Provincial Service: do you follow me?—Yes.

5881. I take it you assume that Indians are now being admitted to one-quarter of the higher posts, *i.e.*, in the Indian Civil Service. Is that a proportion that you would be prepared to accept in future?—Yes; but I would go no further than that.

5882. But you would be prepared to go to one quarter?—Yes.

5883. In your residence during the past 33 years you have had wide and long experience of the country districts throughout this Presidency and of the people who reside in those districts?—Yes.

5884. I should just like to ask you from your own personal experience and observations in your country residence and country travels, whether, during the course of your work, you have been brought into close touch and contact with the Panchama community?—Yes, oh yes, for many years.

5885. You have been brought into individual and close contact with many of that community?—Yes.

5886. You feel that in that contact you have been able probably to get them to talk to you without reservation?—Yes.

5887. Now you have seen districts where the control has been in the hands of Indian officials as also districts where the control has been in the hands of Europeans?—My experience is confined to the Chingleput district.

5888. But in the course of your experience, during 33 years, have you been in districts where the control was in the hands of Europeans and also in other districts where the control has been in the hands of Indians?—As I have been residing all these years in the Chingleput district, I can only speak for that district.

5889. In that district in whose hands has the official control been?—It has always been in the hands of Europeans, except on one or two occasions, when Indian officials officiated and acted.

5890. In what capacity?—Once as Collector; and once or twice as Sub-Collector.

5891. But in that district, although during this long period the chief control has been in the hands of Europeans, the subordinate control has been in the hands of Indians and the minor offices have been occupied by Indians?—Yes.

5892. What would be your opinion, if you are prepared to give one, as to the relations between the Panchama class and the European officer, and the Panchama community and the Indian officer?—I think the European officer is always sympathetic towards the lower class, the Panchama class; and it is doubtful whether an Indian official is sympathetic.

5893. That is a very broad answer, is it not?—I think it can only be broad.

5894. As a result of your close and intimate observation of this community and of your personal conversation with them, can you not give us something definite?—An Indian officer may be connected with the Hindu community. Of course he is imbued with caste spirit and it is very difficult for him to be personally in touch with the Panchama community. As a matter of diplomacy he may appear to be so; but the caste system upon which he has been reared, I think, prevents him as a person from being actively sympathetic towards that class.

5895. I put it to you in this way; have you observed yourself or heard directly that among Indian officials the intervention of any caste prejudice has directly militated against the proper discharge of their work in their district?—I think it is almost impossible to express an opinion, although you may have an impression; and it is often impossible to give actual details of your opinion on the matter. You may have an impression that such and such is the case and yet you may not be able to give detailed reasons.

5896. You cannot tell me that administrative work on the part of Indian officers has in any way been adversely affected by caste prejudice?—I cannot say that.

5897. (*Mr. Abdur Rahim.*) I take it that what you said about the Indian officers and the Panchama community is more or less a matter of theory, of conjecture on your part?—If you take the structure of the society, there is no conjecture there, because the Panchamas are really held down in a way that they should not be.

5898. What I mean is this, that you really make certain deductions from certain institutions—caste institutions generally?—Yes.

5899. You cannot say that you know of cases of officers belonging to certain castes who failed to discharge their duties properly because of this caste system?—No. It is almost impossible to tell that and yet it may go on all the same.

5900. I suppose you know, Mr. Andrew, that there are communities in India who have no caste system?—I am quite aware of that.

5901. Can you mention any?—The Muhammadan community.

5902. So your reference will have no application to them even theoretically?—Other reasons may come in.

5903. May I ask you whether educated Indians of every community, whether they be Hindus or Muhammadans, generally rise above any such prejudices?—The tendency is to rise above such prejudices.

5904. (*Mr. Madge.*) From your experience, Mr. Andrew, do you say that the detachment that a British officer possesses amongst conflicting local interests and castes is shared or not shared by the better class of our Indian officials?—I do not quite follow the question.

5905. A British officer is generally supposed and even believed to possess a certain amount of detachment from local prejudices, inter-caste prejudices, and purely local influences. Do you think that the better class of Indian officials does also in some measure possess that detachment?—The tendency among the better class of Indians is so. There is a great improvement in them, and their character and the way they look at things. From their education and the official position they occupy, they are expected to do a certain thing and to a large extent they try to do it.

5906. I will only ask you one more question. Probably you read last year of a case in which a Madras money-lender of a particular class ill-treated shamefully his debtors and their women. You think that all official classes, high and low, are free from that gross form of partiality?—I believe that public opinion is growing against doing such actions as a whole.

5907. (*Mr. Macdonald.*) There is just one question that I should like to ask you, Mr. Andrew. Do you find that when the members of those castes which divide the community into water-tight compartments become educated, their actions respond to their Western education or to their caste feeling?—There is a general upward movement among the educated men; but there is a general downward movement in connection with their social relationship. Their families are as a rule uneducated, their women folk are uneducated and so are the members of their family. Their social conditions and environments hold them down. There is a constant conflict between the education they have received and the higher moral and social principles. There is constant conflict between their education and the social environment in which they live; but this is a transition period which will be corrected by and by. But they are in that period just now.

5908. (*Mr. Sly.*) Can you tell us anything about the state of higher education among the Panchamas; is it progressing?—It is not progressing amongst the general mass of the Panchama people. It is generally primary education of the most elementary type that is progressing just now. But those few boys and girls who become Christians and are brought into Christian schools (boarding schools) rise to a higher level and some of them are attending the High School classes and are competing with most of the intellectual classes in the High School, and competing successfully. We have instances of that in Chingleput and various other schools.

5909. Do you know that any Panchama boy has passed the B.A. degree examination?—Not that I am aware of.

5910. Have any of them passed the Matriculation examination?—I believe they have. We have them reading in the third and fourth forms in the high school at Chingleput.

5911. (*Mr. Gokhale.*) You say, Mr. Andrew, that the concession already made to Indians in the matter of employment in the higher ranks of the public service is one of doubtful expediency?—I do.

5912. And that any further extension of the concession would be unnecessary?—I think so.

5913. Suppose, at any time, a question arises as between the expediency of a measure and the right of a measure, which would you prefer?—I do not think that the question should arise at the present stage in the evolution of India.

5914. I am putting a general question. If, at any time, in considering any matter, there is a conflict between what is right and what is expedient, as a missionary I am sure you will prefer what is right?—Yes.

5915. You say you are against simultaneous examinations?—Yes.

5916. You have assigned no reason. I take it that one of your reasons is that the service would be swamped by Indians and the necessary number of Englishmen would not enter?—That is my opinion.

5917. That means that the Indians are capable of passing that examination in large numbers as a mere examination?—I don't think that they would pass it in large numbers.

5918. In such numbers as to reduce the English element below the point where you would like to have it?—That would happen by and by.

5919. If the present door remains open; and if funds are started in the different parts of the country, as has been done in some provinces, to send our best men to England to compete for the examination and Indians get in in large numbers or in such numbers as you think to be too large, by that door, would you close that door against Indians?—I think I would, at the present stage in the development of the country, because we have to deal with—and we have to take a very broad and statesmanlike view of India,—315 millions of people. There must be British supremacy and we cannot have British supremacy unless we have the British at the head of it. I am perfectly convinced that is correct. So if you appoint a certain number representing the British Government and the Imperial Government, then I do not care how many Indians get in; the more, the better. I am in favour of devolution of responsibility towards the Indians; but I think that the time has not yet come for it. I believe it will come.

5920. I see your point. If by any means an excessively large number of Indians went to England, competed there, and got into the Civil Service by that door you would close that door?—How?

5921. If there is a statutory limit put down, that door will be closed to that extent. You would put a statutory limit?—Yes. In my paper I proposed to open a door to bring in more Indians, but we must have a limit, I think, a British limit in the service, so as to give a tone and efficiency to the whole administration.

5922. I quite see what you mean. I am talking of the higher offices which are filled by men passing through the London door. You will have a statutory limit in that case. If that statutory limit that you propose was inconsistent with the promises that have been given to the people of India would you still insist upon the statutory limit being put for the reasons you give?—I think there must be British officers in the service.

5923. Excuse me, Mr. Andrew, I should like to have an answer to my question. My question is that, assuming that an undesirably large number of Indians got into the Civil Service through the English door, would you place a statutory limit on the number of Indians that would so enter?—I would; but any extra officials that would be required might be appointed under the new system.

5924. But I am talking of the existing system. Would you put a statutory limit on the number of Indians that would enter by the English door?—I would.

5925. If the imposing of such a limit is inconsistent with the promises made to the people of India by the Sovereign and the Parliament, even then you would insist upon putting that limit?—I want the system developed.

5926. I am talking of the existing system. If the statutory limit that you propose was inconsistent with any promises given to the people of India in the past, would you put aside all those promises and impose your limit?—If those promises are going to interfere with the stability of the British supremacy in India, I would say, "Keep the door closed."

5927. Then you would disregard the promises?—The promises are on a sandy foundation, if that is the case.

5928. (*Mr. Chaubal.*) In quoting from "Peoples and Problems of India" you say that "in 1903 there were 28,000 posts carrying salaries of £60 and upwards, of which only 6,500 were held by Europeans." Is that £60 a year or a month? Will you kindly look into that part of your answer and tell me?—I understood it to be for a year. I was only quoting from a book. I understood it to be a yearly salary.

5929. In a previous paragraph on that page you say "that the Provincial and subordinate services are almost an Indian monopoly." Am I to understand by Provincial service, you mean the service the highest appointment in which carries a salary of Rs. 800 a month?—That is outside the Indian Civil Service. That is the Provincial Service.

5930. I am putting a question to you about the Provincial Service. You say "the Provincial and Subordinate Services." By that, you mean all posts below Rs. 800 a month?—Yes, just so.

5931. Suppose Englishmen were told to come out to this country to serve in positions in which they can never rise above Rs. 800 a month, do you think there would be Englishmen coming out to accept these posts?—I do not think so, not in any large number.

5932. How many do you think you could get of the same ability and the stamp required to fill these posts?—The tendency would be not to come out to this country, because everything has risen in prices and the salaries fixed some years ago are not sufficient.

5933. You kindly understand the spirit of my question. When you make it a point that the Provincial and Subordinate services are almost an Indian monopoly, I ask you for a moment to consider whether it could possibly be otherwise. What I mean is if you included the posts of Police constables and bailiffs, they must be filled by Indians in the nature of things?—Yes.

5934. So it is not a great point that all posts below Rs. 800 are filled by Indians?—My point is that, as far as I can make out, there are only 1,185 Europeans in the Indian Civil Service and they are, to a large extent, responsible for the administration of this great Empire, and you could not reduce that number; and all the other posts are practically in the hands of the Indians.

5935. They must be?—Yes, they must be.

5936. It is not anything that you have done for Indians; that cannot but be the state of things. The whole agitation of those persons who wish for employment in the higher positions is that posts on above Rs. 800 are kept as a close preserve for Europeans, which ought not to be so. That is the general point of view from which they approach the question. You say you are against it and you say, Go to posts below Rs. 800?—I do not quite follow the point.

5937. I won't press it. When you took the average of £60, have you tried to see how appointments above £60 have been held? Have you tried to analyse how many posts above a certain amount are held purely by Europeans?—No. I have not had the time nor the materials for it.

5938. (*Sir Theodore Morison.*) You are a Tamil Scholar: you know Tamil well?—I passed the examination in the Tamil language.

5939. And something more than that. The passing of an examination does not mean Tamil scholarship. You read Tamil?—Yes.

5940. You are familiar with the Tamil literature and you can tell me approximately the extent of the Tamil literature. I am quite ignorant about it and I do not know whether it is of yesterday or of 2,000 years?—I know a little about it.

5941. The question that I wanted to ask you is whether you would like to see Tamil placed in the Indian Civil Service Examination on the same footing as French, German or Italian?—I think that would be a very good thing; but it would only suit those officials who would be serving in a Tamil country.

5942. I mean the open competitive examination, the conditions of which are that it must be a test of good general education; without which it should not qualify for service?—Is that examination to be held in England?

5943. Yes. I am considering this examination as it is held now. A suggestion has been made to us that the Indian vernaculars or a certain number of them should be added and marked as highly as French, German or Italian, the European vernaculars which are not known to the boys. I want to know your opinion on it?—My opinion is that Tamil is a most difficult language not only to master colloquially but to master the intricacies of it. It is a life-long study to master the grammar connected with it. So that if you include it, I do not see how a British-born person would be ever able to take to the higher branches of it.

5944. He need not take it if he does not like it, as these are optional subjects?—As an optional subject, it will be all right.

5945. You think it is a hard language and therefore will form a suitable basis of study for general education?—Yes.

5946. You referred to Boarding schools, did you not?—I beg your pardon.

5947. You referred to schools under your charge or schools conducted by the Mission?—Just now, I did.

5948. You spoke of Boarding schools?—Yes.

5949. In those Boarding schools, do you develop that side of life which is a marked feature of English public schools,—games, social life, clubs?—Yes, we do.

5950. Has it any effect upon character?—I think it has. We have our boys living in a hostel and they are superintended night and day. Our Christian moral principles are instilled into them and we see a great advance in character during the years they live in these hostels.

5951. You think that the character of Indian boys who live in residential schools and colleges is higher than the average in India?—I am referring to our own Christian boys. I think there is a great improvement over those who do not live in these boarding schools.

5952. Community for community, it effects great improvement?—Yes, great improvement.

5953. (*Lord Ronaldshay.*) You have, I understand, worked for 33 years amongst the masses of the people in the district of Chingleput?—Yes.

5954. You have, therefore, had opportunities, which very few Europeans can have had, of making yourself acquainted with opinions which these people hold with regard to those who exercise authority over them?—Yes.

5955. You have said something about greater sympathy being shown by a European administrator than by his Indian colleague, to these lower classes, generally termed Panchamas. You have said that greater sympathy is shown by the European?—That is my impression from observation; we have some exceptions too.

5956. I understand that that is a general impression. Have you any reason for supposing, with the personal knowledge, which you have of the masses of the people—have you any reason for supposing that, generally speaking, they have preference for being governed by Europeans?—Yes, I decidedly say so.

5957. (*Mr. Oldfield.*) You know the Panchamas in the Chingleput district. Did they find any difficulty in getting land?—There was a time when they found great difficulty; but through the representations made to Government, the Government became very sympathetic and was ready to give them land for house-sites and also assign land to them when it was necessary and wherever it was possible to do so.

5958. What was the general difficulty about their getting land?—These were the agricultural labourers in the district and there was a general fear amongst the Hindu community lest by any improvement in their status and condition they might get out of hand. I believe that is the impression.

5959. By the Hindu community in the district, you mean the caste Hindus?—Yes.

5960. You say that the Government intervened and came to the assistance of the Panchamas. Did the Government do so in consequence of public agitation or anything of that sort?—I think so. To some extent it was myself that began the agitation in the year 1883 and I sent a representation to the Sub-Collector and also to the Director of Public Instruction and then began the movement towards the realisation.

5961. Was that agitation promoted by caste Hindus or assisted by caste Hindus of the Presidency to any substantial extent?—When, please.

5962. I mean the agitation you have been talking of?—I am very pleased to see that there has been certain sentiment growing in that direction in different places in this country.

5963. I am speaking of the agitation which began in 1883 and which resulted in something being done to the Pariahs. Was it promoted or assisted to any substantial extent by any of the caste Hindus?—Not at first.

5964. When did they come in at all?—It is just beginning in the different parts of South India within the last few years.

5965. Not until you have won your victory in the 1883 troubles?—No, I may mention that just now the Hindu community is looking with great favour towards the elevation of this class in the Chingleput district. About two years ago, no less than 300 people sent small offerings to our annual harvest festival to testify their appreciation of our work for the elevation of that class; about 300 Hindus and a few Muhammadans. So that there is a movement in that direction amongst caste Hindus.

5966. (*Mr. Subrahmanyam Pantulu.*) You must have had some experience of judicial work done by Indian District and Sessions Judges, Indian Munsifs and Sub-Judges?—To some extent.

5967. Have you reason to think that on account of caste prejudices justice suffered in any appreciable degree at their hands?—I don't think so. I believe that Sub-Judges and Munsifs are of a higher class than they were 20 or 30 years ago. They are better educated, and I believe that a high moral tone has been created in them in a way that it has never been before. I believe we get better justice than we ever got before.

5968. You said, in reply to one of the questions, that the masses have a preference for an English officer over an Indian officer. Does that remark apply to the Judicial service?—I think that it applies to that service, too.

5969. (*Sir Valentine Chirol.*) Do you think that Tamil is a language, from a study of which a student preparing for the Indian Civil Service as a test of general education is likely to derive as much intellectual advancement as from a study of French, German or Italian?—It depends very much upon the individual. An Englishman would not perhaps derive so much from it as from any home language.

5970. Do you think that the literature of Tamil offers the same field for intellectual improvement as German, or French, or Italian literature?—As an intellectual test, Tamil is a much more difficult language than any of these languages.

5971. As a purely linguistic test?—Yes.

5972. But the idea of the Indian Civil Service examination is to test general knowledge, general education. Do you think that an Englishman studying Tamil will have enlarged his outlook into the world, will have acquired fresh opportunities for gaining historical, literary and scientific knowledge, and that Tamil would offer him the same chances as German, or French, or Italian does; whether Tamil would offer the same field for improving his mind in history, in science and in Literature as German, or French, or Italian?—I have no knowledge of German, or French or Italian, but of Latin and Greek I have.

5973. But you have second-hand knowledge of them; you know what those countries have done for the development of civilisation?—Yes.

5974. May we not presume that their influence will be of potent use for the general intellectual advancement, apart from linguistic development; and for generally enlarging one's outlook?—I think Tamil ought to be added to the list, because it would give a different set of ideas altogether from one which a man may get from a study of European languages.

(The witness withdrew.)

(Adjourned for a short time.)

J. C. FERNANDEZ, Esq., District and Sessions Judge, Guntūr.

Written answers relating to the Provincial Civil Service.

5975 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I consider the general conditions suitable. I have no recommendations to make for their alteration.

5976 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—These rules are, in my opinion, suitable. I would, however, like to point out that, so far as the judicial branch of the Provincial Civil Service is concerned, they are in one matter in conflict with the Madras Civil Courts' Act III of 1873. Rule 3 of the Rules framed by the Madras Government for admission to the Madras Provincial Civil Service sets out the classes of persons who are eligible for the posts of Sub-Judges, but under Madras Act III of 1873 the appointments of Sub-Judges are not restricted to the classes referred to in the said rule 3, but can legally be made from a much wider range. It is desirable that this conflict should be avoided by bringing Madras Act III of 1873 into line with the said rule 3 in this respect.

5977 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The information is correct except in respect of District Munsifs of the fourth grade drawing a salary of Rs. 200 per month, whose number is 31, according to the last Quarterly Civil List, and not 29, as set down in Appendix B.

5978 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend—(*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—For direct recruitment I would recommend the existing system of combined nomination and examination, so far as the judicial branch of the Provincial Civil Service is concerned.

5979 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—In my opinion the proper principle for adoption is that enunciated in rule 5 of the General Rules issued by the Government of India for admission to the Provincial Civil Service, which lays down that admission to the Provincial Civil Service should usually be confined to persons who are Natives of the Province, or have definitely settled in it, and that in the case of candidates who are not Natives of the Province recent residence of at least three years in the Province should, as a general rule, be an essential condition of admission. I consider the observance of this principle necessary to satisfy the aspirations of the residents of the different provinces for employment in the Provincial Civil Service of their own Province.

5980 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I regret my inability to answer the first part of this question. As regards the second part, I consider that no class should feel unjustly treated in the matter of appointments to the Provincial Civil Service, provided, of course, the requisite qualifications exist in candidates for such appointments. Though it is not possible for special measures to be taken to ensure due representation, it is desirable that in making appointments any one class should not be allowed undue preponderance, and that it should be seen to that members of the other classes have their fair share of appointments. Confining my answer to the judicial branch of the Provincial Civil Service, I do not think any special arrangement would be necessary to secure this object, for appointments are not made by open competition and neither do I recommend it.

5981 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—The system of training and probation is that laid down in the rules framed by the Government of Madras for admission to the Madras Provincial Civil Service. I consider it satisfactory.

5982 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—So far as the judicial branch of the Provincial Civil Service is concerned, the departmental examinations are only in the vernacular languages. I consider the existing system suitable and that no changes are necessary. Persons appointed to the judicial branch of the Provincial Civil Service are, under the existing rules, expected to, and do, possess the necessary knowledge of law and procedure;

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and all that is wanted is experience to apply it in the discharge of the duties of the judicial office.

5983 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I would suggest the inclusion in our Provincial Civil Service of the second and third Judgeships of the Madras Court of Small Causes and the Judgeship of the Madras City Civil Court.

5984 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is no leave reserve for the Judicial branch of the Provincial Civil Service, with which I am concerned.

5985 (14). Is there any reserve for officers under training and is it adequate?—This question too, like No. (13), does not apply to the Judicial branch of the Provincial Civil Service, as there is no reserve for officers under training and, in fact, there are no officers under training.

5986 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—In the matter of appointments carrying a salary of Rs. 500 a month and above, the system of selection adopted is one regulated by rule 11 of Rules framed by the Madras Government for admission to the Provincial Civil Service and based on rule 7 of the Rules framed in the same behalf by the Government of India. In addition thereto, selection to the "listed" appointments open to members of the Provincial Civil Service is regulated by the rules framed by the Government of India in exercise of the power conferred by section 6 of the Government of India Act, 1870 (33, Vict., c. 3). So far as the Judicial branch of the Provincial Civil Service is concerned, this system has worked satisfactorily and I do not think any change of practice is required.

5987 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?—I would be satisfied if the listed-posts were allowed to reach the maximum of one-sixth fixed as a possible limit about 20 years ago. As pointed out in the speech of the Hon'ble Mr. Earle in connection with the resolution on the Public Service in the Imperial Legislative Council on the 17th March 1911, 63 more posts would have to be listed as open to members of the Provincial Civil Service to reach the maximum of one-sixth. In this province, only eight superior posts have been listed out of 87 held ordinarily by members of the Indian Civil Service.

I consider the system followed in making appointments to the listed posts suitable and I have no alterations to suggest.

5988 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I consider the present designation suitable.

5989 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I do.

5990 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The first part of this question I would answer in the affirmative, for I believe there has been no lack of suitable candidates in this province for admission into the Judicial branch of the Provincial Civil Service, but I would add that the initial salary of District Munsifs (fourth grade) is not sufficient, and that it should be raised from Rs. 200 to Rs. 250 per month, so that these officers may start on the same level as their compeers in the Executive branch of the Provincial Civil Service. The salary of the higher grades may be correspondingly raised so as not to exceed Rs. 500 for the first grade, and that of Sub-Judges to Rs. 650 (third grade), Rs. 800 (second grade) and Rs. 1,000 (first grade).

5991 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—In this province District Munsifs are given officiating promotions. See article 140 of the Civil Service Regulations. Sub-Judges are differently treated, and they are not given officiating promotions. I consider it desirable that Sub-Judges should also be given officiating promotions.

5992 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of a time-scale and prefer the existing graded system of promotion.

5993 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—*Vide* answer to question (26).

5994 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—I regret my inability to answer this question as I have had no experience of the practical working of time-scales of pay in other Indian Services.

5995 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—*Vide* answer to question (26).

5996 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—While approving of the arrangement by which a lower rate is fixed for the Provincial Civil Service for the reason that officers of the Provincial Civil Service have not the expenses that most officers of the Indian Civil Service have to incur as temporary residents in India, I would point out that, in the present rates of salary for District and Sessions Judges appointed from the Provincial Civil Service, viz., Rs. 1,200 (fourth grade), Rs. 1,500 (third grade), Rs. 1,600 (second grade) and Rs. 2,000 (first grade), the salary for the fourth grade falls considerably short of two-thirds, *i.e.*, by Rupees 133-5-4, and that it is hardly sufficient to maintain the dignity of the office. I would suggest that the existing rate of two-thirds be raised to three-fourths subject to a maximum of Rs. 2,000, and that the salary of District and Sessions Judges appointed from the Provincial Civil Service may be fixed at Rs. 1,500—1,650—1,800—2,000 for the four grades in the ascending scale.

5997 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Members of the Judicial branch of the Provincial Civil Service other than District and Sessions Judges appointed therefrom are not entitled to privilege leave on full pay by reason of their enjoying the annual vacation of their courts. They can obtain only privilege leave on half pay and hence they do not ordinarily take privilege leave. I would suggest that these officers be permitted the option of taking privilege leave on half pay for one month, or on full pay for 15 days, in the year.

5998 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—In my opinion the present system of superannuation pensions is not quite satisfactory.

5999 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—The period of qualifying service for voluntary retirement may be reduced from 30 to 25 years, and the period of service after which an officer would be entitled to invalid pension to the extent of half salary may also be reduced from 25 to 20 years. These alterations are required because a shorter period of qualifying service for pension is necessary in the case of judicial officers, who are very hardworked and whose duties are of a very taxing kind, as also by reason of the fact that the age for admission to the Judicial branch of the Provincial Civil Service directly from the bar is fixed at the extended limit of 35 years by article 51 of the Civil Service Regulations for this province. As officers appointed under this extended limit are men who have practised for some years at the bar, the fixing of a shorter period is all the more necessary in their case.

6000 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I regret my inability to answer this question beyond saying that I do not know of any case in which it was found necessary to compulsorily retire an officer of the Judicial branch of the Provincial Civil Service on the score of inefficiency.

6001 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Under the present system, officers of the Provincial Civil Service holding listed posts are not entitled to a pension higher than Rs. 5,000 per annum. I would suggest an increase not exceeding Rs. 500 per month. This would be more adequate.

6002 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—*Vide* answer to question (41).

6003 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—So far as my knowledge goes, most of the members of the Provincial Civil Service subscribe to the Government General Provident Fund. I am a subscriber to the full extent allowed by the rules governing this fund, viz., 12½ per cent. of my salary. I don't think any further facilities are required for making provision for families.

6004 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am satisfied except to the small extent indicated in the answers to the other questions.

Mr. J. C. FERNANDEZ, called and examined.

6005. (*Chairman.*) You are a District and Sessions Judge, are you not?—Yes.

6006. Can you tell us how many years you have occupied that position?—I was appointed District and Sessions Judge last February.

6007. What position did you occupy previous to that?—Previous to that I was Sub-Judge at Ootacamund.

6008. How many years did you occupy that position?—I was a Sub-Judge for close on eight or nine years.

6009. I see that most of your answers exclusively relate to the Provincial Civil Service?—Yes.

6010. And mainly in regard to the Judicial branch of the Civil Service?—Yes.

6011. Speaking for the Provincial Civil Service as a whole, do you favour the proportion of one-sixth?—Yes. One-sixth is a considerable advance upon existing conditions, but I would not be opposed to the proportion being raised provided it does not impinge upon and reduce the minimum of the British element necessary in the interests of British rule, but I am not prepared to say what such proportion should be.

6012. You are not prepared to say to what extent?—No.

6013. You say that you would be prepared to increase that proportion, but you are not prepared to decrease the proportion of Europeans?—Yes, exactly; that is my view.

6014. It would be rather difficult to reconcile those two statements, would it not?—I do not think I have made myself perfectly understood.

6015. The more you increase one, you automatically decrease the other?—I mean to say that

there is a certain limit beyond which it is not desirable to go. The irreducible minimum of the British element must be maintained and the proportion of the Indian element of the service should be fixed in relation to it.

6016. But you would like to see the one-sixth proportion filled up to its full proportion?—Yes, that is all I mean.

6017. You are not prepared to give any answers on the general question of examination for the Indian Civil Service?—I am sorry to say I have not had the time to apply my mind to it, and such views as I hold are not well formed, and I am rather diffident about placing my views on that question before this Commission.

6018. But you have studied closely the conditions of the Judicial branches of the Provincial Civil Service and you offer evidence on what you consider to be improvements in the condition relating to them?—Yes, exactly.

6019. You consider it is desirable that Sub-Judges should be given officiating promotion?—Yes, I suggest an increase of pay in the grade of sub-judges and also re-arrangement of the pay of the different grades of the District Munsifs, and I particularly press the raising of the pay of the district munsifs of the lowest grade from Rs. 200 to Rs. 250 for the reason that the lowest grade of Deputy Collectors in the executive branch of the Provincial Service start from Rs. 250 a month, and I believe the Deputy Superintendents of Police get the same, and there are some Tahsildars even in the executive branch of the service who get from Rs. 225 to Rs. 250. In my opinion it is rather anomalous that the district munsifs who belong to the higher branch of the Provincial Civil Service should start at Rs. 200, and I suggest it should be raised to Rs. 250.

6020. You also suggest what you deem to be an improved grade of pay for the four grades of District and Sessions Judge?—Yes, the listed appointments.

6021. Are you in favour of a time scale?—No. I am not in favour of it.

6022. What are your objections to it?—I think there is something mechanical in a time scale which does not commend itself to me, and judging from my own experience, the promotion in the grades of Sub Judges is not so slow as to render it advisable that any change should be effected. In the case of the District Munsif it takes a little longer to get from one grade to another than it does in the case of Sub-Judges.

6023. (*Lord Ronaldshay.*) In making appointments it is very undesirable that any one class should be allowed an undue preponderance?—Yes.

6024. If any one class acquired an undue preponderance in the service what is the nature of the unfortunate results that you would expect to follow from that?—There would be a certain amount of clashing of interests, I think. In this country there is a vast conglomeration of castes and creeds, among which there is a certain under-current of hostility, if I may say so, and it would in my opinion conduce to greater harmony and order if there were this representation of the different castes kept in mind in making appointments.

6025. Then in answer to question (25) you say that in this province District Munsifs are given officiating promotion?—Yes.

6026. By that do you mean that a District Munsif gets additional pay if he is officiating in a higher grade?—Exactly. From the 4th grade if he is put in, by officiating promotion, to the 3rd, he gets an increase of pay Rs. 200 *plus* 20 per cent.

6027. It is not only in the event of his officiating as a Sub-Judge?—No.

6028. He gets it if he is officiating in the higher grade?—Yes, as a District Munsif.

6029. In the case of Sub-Judges that is not done?—That is not done.

6030. Can you give me the reason for that?—I do not know it. It is a matter of the Civil Service Regulations; there is no reason I could assign. The Civil Service Regulations do not provide for officiating promotions amongst sub-judges, but they do among district munsifs.

6031. Is that felt to be a considerable grievance in your service?—Yes, I simply voice the opinion of the service in that matter.

6032. Then in answer to question (45), you say that you think most of the members of the Provincial Civil Service subscribe to the Government General Provident Fund?—Yes.

6033. Do you consider that the provision which you are able to obtain by subscribing to that fund is adequate?—It is fairly adequate in my opinion because we are allowed to contribute to the maximum of 12½ per cent., and if the full amount is subscribed it will, in course of time, amount to a substantial sum, which will be paid on retirement.

6034. But a certain number of witnesses have told us that the provision which they are able to make through the agency of this fund is really a small thing and not sufficient for the necessities of their cases. You do not take that view, I understand?—I take it that in addition to the pension which is obtainable at the end of the service this is a sufficient provision. I may point out that in the local fund service there is no pension provided for at the end of the service. A Provident fund also has been organised for the local fund service in which the terms are more liberal, but they have no pension. We, however, have a pension to fall back upon, and this is an additional provision.

6035. For your families?—Yes.

6036. Do you think that subscription to this General Provident fund ought to be made compulsory upon all members of the Provincial Service?—In my opinion it will be a very desirable thing to do.

6037. It should be made compulsory?—Yes.

6038. (*Sir Theodore Morison.*) Will you tell me whether with the alterations which you have suggested you think that the Provincial Civil Service forms a suitable avenue for Indians to the higher appointments, or do you want another?—I think it would, though it may not satisfy Indian aspirations to the utmost.

6039. Then what I want to know is this, is it your feeling that there should be another door open for recruitment to higher services or that the Provincial Civil Service door should be widened and improved and lead to higher places?—I am sorry I have not considered the question from that standpoint; as I said before I have not considered the question of the Indian Civil Service and examinations at all, I cannot advance any view with any degree of confidence.

6040. On the whole I gather that you are fairly satisfied with the Provincial Civil Service

if certain improvements which you recommend in that service are made?—Yes.

6041. (*Mr. Chaubal.*) Do you approve of this division of the services into Imperial and Provincial?—That again touches the larger question of policy which I said I had eschewed in my answers.

6042. Let me extend my question further. Generally speaking the Provincial Civil Service is a service in which no member of the service can rise above Rs. 800?—Exactly, except the listed appointments.

6043. When you get into the listed posts you are not in the Provincial Civil Service?—Exactly.

6044. Therefore the Provincial Civil Service is purely a service which can never aspire to rise above Rs. 800?—I understood the Provincial Civil Service to include the superior listed appointments which are open to the members of the Civil Service.

6045. But are any of the four posts put into the Provincial Civil Service?—No, they have not been put into it.

6046. Then take this as an assumption that the listed posts are not included in the Provincial Civil Service. Assuming that, do you approve of this division into two services, one Imperial and one Provincial, but the Provincial Service with an embargo against any rise above Rs. 800?—No, I would not approve of such a thing.

6047. Then you also, I suppose, agree that members of the Provincial Civil Service in the judicial branch perform the same kind of duties as judicial officers in the higher posts do?—Except that District and Sessions Judges do criminal work which sub-judges and district munsifs do not do.

6048. Bearing that difference in mind, the nature of civilian duties is identically the same?—The district courts have certain exclusive jurisdiction which Sub-Judges do not have,—matrimonial matters, for instance.

6049. In your answer to question (6) you say that "for direct recruitment I would recommend the existing system of combined nomination and examination so far as the Judicial branch of the Provincial Civil Service is concerned." You know that members of the bar after having practised a number of years—in my Presidency it is ten years—can at once be appointed to a High Court Judgeship?—Yes, I believe so.

6050. Can you suggest any reason why the same may not be done in the case of the Provincial Civil Service or in the case of the higher posts in the Judicial service?—As matters stand at present members of the Bar are eligible for appointments as District Munsifs, and many District Munsifs, I think, have been recruited from the Bar. In fact I myself was practising at the Bar when I was appointed a District Munsif. Members of the Bar who become District Munsifs have the additional advantage of acquiring judicial experience in the actual discharge of the duties of the Judicial office which a practitioner at the bar directly appointed would be lacking in. I consider a combination of these two conditions would conduce to securing better talent for the judiciary than mere promotion from the bar.

6051. How many years' practice did you have at the bar?—I practised about 2½ years before I was appointed a District Munsif.

6052. Supposing a man has 10 or 12 years' practice at the Bar, do not you think he may be usefully imported into the higher grades of the Judicial Service?—My own opinion is that the advantage would lie on the side of an officer who having been appointed to the Judicial Service from the Bar has had further Judicial experience in the discharge of the duties of his Judicial office.

6053. As a matter of principle can you tell me why you would differentiate the appointments to the High Court Bench from the lower Judicial offices?—Because men appointed to the High Court are of eminent standing at the Bar, and in their case I think an exception could safely be made.

6054. Supposing an eminent member was willing to accept a Judicial listed post?—It is permissible under the Statute 33 Vic., but I do not remember an instance in which it has been done.

6055. Have you in principle any objection to its being done?—I have no objection, but I think the advantage would lie in the other officers.

6056. With regard to your answer to question (8) what is the unjust treatment which a class is likely to feel? You are asked as to whether all classes and communities are duly represented in the Provincial Civil Service, and you say in your answer: "I regret my inability to answer the first part of the question"?—For want of exact figures.

6057. And as regards the second part you say: "I consider that no class should feel unjustly treated in the matter of appointments." Of course that answer only refers to the Judicial Branch?—That is so.

6058. In all appointments of District Munsifs would you have regard to qualifications or only class representation?—Qualifications. I would not lower the present qualification at the cost of satisfying the aspirations of the different communities. I would not lower the standard under any conditions.

6059. What I understand you to mean is . . . . ?—As far as possible that representation may be allowed.

6060 Are not the two places mentioned by you in your answer to question (11) generally filled by men from the Judicial Service?—No, not always. They occupy a rather anomalous position; they are neither in the Provincial Civil Service nor the Indian Civil Service.

6061. I am not speaking of their being in any particular service, but I want to clear my mind on the subject. Are these Judgeships ever given to anybody not in the Judicial Service?—Yes, they are. Only one of the two Judgeships of the Madras Small Causes Court is sometimes conferred on a Sub-Judge.

6062. Is not a Sub-Judge a Judicial Officer?—Yes.

6063. Then why do you say "I would suggest the inclusion in our Provincial Civil Service of the second and third Judgeship of the Madras Court of Small Causes?—They are not in the Judicial Provincial Civil Service at present.

6064. But they are filled by men in the Judicial service?—One of them is, but there is no distinct rule; sometimes it is done and sometimes not.

6065. How many Judges are there in the Small Causes Court?—Two, excluding the Chief Judgeship.

6066. What is the provision about the Chief Judge?—The Chief Judge must be a Barrister, I think.

6067. You are now speaking of the other two Judgeships?—Yes, the second and third Judgeships.

6068. Are these ever given outside the Judicial Service?—Yes, to one of them; generally a member of the Bar practising in Madras is appointed.

6069. You are against that being done?—I am not against that being done. I only suggest that they may be included in the Provincial Civil Service, regardless of consequences.

6070. Is there anything to prevent Government from appointing a person in the Provincial Judicial Service to any of these posts?—There is no bar that I am aware of.

6071. So that if Government think it proper they can appoint?—Yes.

6072. Do you consider that the four listed-posts which are open to the Provincial Civil Service afford sufficient opportunities for higher promotion to individuals in the service?—I do not think so; I have said so in my answers.

6073. As regards the proposal to raise the 200 to 250, taking the Tahsildar of a Taluka which I suppose you would call a division of a district?—Yes, a division.

6074. Whom do you consider to be the two corresponding officers in the Judicial and the Revenue Branch?—I consider the District Munsif of corresponding grade and rank with the Deputy Collector; I mean the lower grades.

6075. In this Presidency a Tahsildar chiefly looks after the revenue work of the division, does he not?—Not of a division but of a taluk. The sub-division generally comprises more than one taluk.

6076. You have the expression Taluk here?—Yes.

6077. I am referring to a taluk. Is the territorial jurisdiction of a District Munsif and a Tahsildar the same?—No, they do not correspond. I have known cases in which District Munsifs have exercised jurisdiction over two or three taluks, but the Tahsildars exercise jurisdiction only over one.

6078. Ordinarily a taluk station has a Munsif in charge of the judicial work and a Tahsildar in charge of the revenue work?—So far as this Presidency is concerned.

6079. It may be that because two or three Talukdars have less judicial work, Government might utilise one man for doing the work of three Talukdars?—Yes.

6080. In that case a Munsif might be doing the work of three Talukdars while the Tahsildar might be doing the work of one Talukdar, but ordinarily the territorial divisions of a Tahsildar and Munsif would be the same?—Not necessarily; I do not think they correspond so far as this Presidency is concerned. It depends upon the amount of work that comes in, and I think the allocation of jurisdictions is made on that principle.

6081. I simply ask because in my Presidency the Mamlatdars, who correspond to your Tahsildar and Munsif, are supposed to be the officers representative of the two branches in a taluk station, and that is the reason why in that Presidency the Mamlatdars have been promoted into the Provincial Civil Service?—But here they are not.

6082. It is not the same?—No, the conditions are different.

6083. Your District Munsifs of the lowest grade start at present with Rs. 200?—Yes.

6084. Can you tell me roughly how many years it takes for a District Munsif to rise from Rs. 200 to Rs. 400?—I think on an average about 10 years.

6085. You mean to say that from the first employment of a person as District Munsif he rises in 10 years to Rs. 400?—Roughly so; I am not quite positive about it. I should say on reconsidering the matter it would be about 10 to 12 years.

6086. In our Presidency he does not rise to Rs. 400 until he has had 20 years' service. Promotion after Rs. 400 is by selection, I suppose?—Yes, into the grade of Sub-Judge.

6087. How many years does it take a man to rise between Rs. 400 and Rs. 800?—About 7 or 8 years. Possibly I made rather a low estimate in the case of the District Munsifs; I am not quite sure about the number of years.

6088. But is it the general feeling that every one rises up to Rs. 800?—No. Up to the second grade of District Munsifs promotion is made more or less by seniority, but into the first grade merit also is taken into consideration, and also officers who are thought fit for the post of Sub-Judges are promoted, and in the case of promotion from the first grade of District Munsif to the grade of Sub-Judge the promotion is done by selection, only men of merit being appointed.

6089. You have a Rs. 650 grade, I believe?—Yes Rs. 500, 650 and 800.

6090. Have you had any experience of the fitness of men who have not been passed over having had to retire at Rs. 650?—I think there have been.

6091. If there are any circumstances of fit men not passed over or superseded retiring on the grade of Rs. 650, does not that mean that they have put in their whole pensionable period rising from the lowest rung of the ladder up to Rs. 650 only?—Yes but I think that this obtains in the case of officers who probably were appointed as District Munsifs after having served in ministerial posts. They are eligible also for appointment as District Munsifs.

6092. Without a B.L. degree?—Yes. It is allowable under the rules.

6093. (*Mr. Gokhale.*) You would be satisfied if the proportion of listed posts was raised to one-sixth?—I would be satisfied, but I would not object to its being raised higher.

6094. Would you object if it were raised to one-fifth or one-fourth?—No, provided that the consideration I referred to before was borne in mind.

6095. That the requisite number of Europeans must be maintained?—Yes.

6096. What proportion do you think may be safely given to Indians before that danger point would be reached?—It is rather a difficult question for me to answer.

6097. Then why have you only proposed one-sixth?—If I may venture an opinion, I would fix it at one-third.

6098. Then you do not say that the proportion should be one-sixth; you say the proportion, in your opinion, should be one-third?—It may be one-third.

6099. The maximum you would give would be one-third and not one-sixth?—Exactly; it may be one-third.

6100. (*Mr. Sly.*) You have put forward in answer to question (24) an improved scale of pay for the Judicial branch of the service. Seeing that the Revenue branch can only rise up to Rs. 800, for what reason do you suggest that the Judicial branch should rise up to Rs. 1,000?—I think there are fewer selected appointments available in the Judicial branch of the service than in the Executive branch of the service, and men appointed to the Judicial branch of the service are generally men of high education and qualifications.

6101. Higher than those appointed to the Executive?—In many cases I should think so.

6102. But even if they were put up to the Executive scale that would be a substantial improvement, would it not?—Yes.

6103. Then in answer to question (32) you ask for a certain amount of privilege leave. A District and Sessions Judge gets two months' vacation every year, does he not?—Yes.

6104. Does he have any work to do during those two months?—Not much, except some office work to attend to, and making up any arrears of work that have accumulated during the working period of the year.

6105. Is he allowed to leave his district during those two months?—Yes, provided he does not leave the Presidency.

6106. In addition to that you want privilege leave?—District Judges, as a matter of fact, are entitled to take privilege leave on full pay but not Sub-Judges and District Munsifs.

6107. You want a privilege leave allowance given in addition to the vacation?—Yes.

6108. In answer to question (32) you have proposed that pensions should be raised from Rs. 5,000 to Rs. 6,000 a year.—Yes.

6109. The ordinary scale of pensions in all services is practically Rs. 5,000, excluding the Civil Service?—Yes. Except that in rare cases it is allowed to rise up to Rs. 6,000 a year for meritorious service.

6110. You are proposing for the Judicial branch of the service a higher scale of pension than exists in any service outside the Indian Civil Service?—I do not take into consideration the Executive branch of the service, but I do not wish to deprive them of the same privilege. My suggestion is restricted to the Judicial branch of the service only, as most of my answers are.

6111. (*Mr. Abdur Rahim.*) With regard to the appointments to the Presidency Small Causes Courts, I suppose you are aware that the High Court makes the selection having regard not only to the claims of members of the Provincial Civil Service but to the claims of members of the Bar?—Yes.

6112. And selects the man who in the opinion of the High Court is best fitted to fill that place?—Yes.

6113. You do not want the appointment of the Small Causes Court and the appointment of the City Civil Court made from the Bar. Is that your position?—No, I do not say so.

6114. You would not exclusively reserve these places for your service, would you?—It should be recruited both from amongst the members of the Bar and from service men.

6115. I am taking the service as it is. Would you reserve these places for yourselves or leave it open to the Government to make the selection?—I would not reserve it for my service.

6116. What you suggest, then, is that the claims of your service should be considered?—Should be considered, and that these posts should be brought within the cadre of the Provincial Civil Service, and that appointments to them may be made from it.

6117. Is there any bar to members of the Provincial Civil Service being appointed?—No, there is no bar. The position is a little anomalous, because they are not included in any particular branch of the service, and I think they should be brought within the Provincial Civil Service rather than any other. In my opinion it would not place any bar on the appointment of any member of the Bar.

6118. You would leave it open for the appointment to be made from the Bar or the Provincial Civil Service?—Just as it is possible to make appointments as Sub-Judges from the Bar under existing rules.

6119. But the same is the rule with regard to the City Civil Court and the Small Causes Court?—It is not at present.

6120. Is it not possible for a member of the Provincial Civil Service to be appointed to the Small Causes Court?—It is possible.

6121. Then you want to reserve the appointment?—But he ceases to be a member of the Provincial Civil Service as soon as he is appointed. I may also point out that if he ceases to be a member of the Provincial Civil Service, by reason of his appointment as a Judge to the Small Causes Court, he does not come within the rules framed under the Statute, and his chances of becoming a District Judge and holding one of the listed posts becomes smaller.

6122. A man from the Small Causes Courts can be appointed District Judge?—Yes, if he comes within the one-fourth which may be given to men outside the Provincial Civil Service.

6123. That would be rather a disadvantage, not an advantage?—What I suggest is that if the appointment is included in the Provincial Civil Service it will not be a disadvantage.

6124. (*Mr. Oldfield.*) With reference to the Provident Fund, you said you would like to subscribe to it. Does that represent the sentiment of your fellow servants?—So far as I have been able to gauge the feeling I think it does.

6125. With regard to these Civil Courts in Madras, the City Civil Court Judge is paid Rs. 1,200 a month, is he not?—Yes.

6126. The two appointments in the Small Causes Court are paid Rs. 1,000 each I think?—Yes.

6127. Is there any precedent for a member of your service being appointed to the City Civil Court?—I do not think any holders of the office in the past have been members of my service, to the best of my knowledge.

6128. With regard to your request for the listing of the appointments in the Small Causes Court, that would provide the two Rs. 1,000 appointments which you ask for, would it not?—

There are two appointments, leaving out the Chief Judge. It is governed exclusively by the Presidency Small Causes Courts Act.

6129. The listing of two appointments at Rs. 1,000 in the Small Causes Courts would supply just the two Rs. 1,000 appointments which you are asking for?—Yes.

6130. With regard to the work of a District Court, there is a certain amount of administrative work, is there not, which is in excess of that which a Sub-Judge does?—Yes.

6131. A District Judge is consulted by the High Court on administrative matters?—Yes.

6132. And the High Court acts on his advice?—Yes.

6133. And he has also to inspect his subordinate Courts?—Yes, and to report on them.

6134. And to control their practice?—Yes.

6135. And he also has to deal, as a matter of discipline, with the establishment of those subordinate Courts?—He has, and he has the right of vetoing appointments made by the lower Courts, District Munsifs and Sub-Judges.

6136. And the heads of the lower Courts do not as a rule inflict any substantial punishment on their subordinates themselves?—I think they do when occasion arises for the infliction of any substantial punishment.

6137. My experience has been that they generally refer it to the District Judge and ask him to deal with the case?—I think the practice is for the District Munsif and the Sub Judge to recommend the punishment to the District Judge for confirmation, and he reviews the whole thing and either approves or does not approve.

6138. In a district, with four subordinate Courts and 10 or 11 District Munsifs' Courts, that administrative work does come to something substantial?—Yes, in such a heavy district it would.

6139. You have only been a District and Sessions Judge, I think, for rather less than a year?—For about 11 months.

6140. (*Mr. Subrahmanyam Pantulu.*) Are you aware that since 1884, when the Judicial Department was reorganised, there has been a difference of pay of Rs. 100 between the first-grade Sub-Judge and the first-grade Deputy Collector, until last year or the year before, when the Revenue grades were reorganised?—Yes.

6141. So that when you ask for Rs. 1,000 for the first-grade Sub-Judge you only want the same difference more or less to be kept up in the future between the first-grade Deputy Collector and the first-grade Sub-Judge?—Yes.

6142. With reference to your answers with regard to increased pension of Provincial Civil Service officers who retire from the listed posts, you were asked a question as if you were claiming a special privilege for them. Are you aware that under article 475 of the Civil Service Regulations, Inspectors-General of Registration, and Deputy Inspectors of Gaols, and Inspectors-General of Gaols, and several other officers, whose pay is more or less equal to the pay if not less than the pay of a District Judge, are allowed Rs. 1,000 additional pension over the Rs. 5,000 generally allowed to the Provincial Civil Service?—I believe it is done in some special cases.

6143. Not in special cases, but generally as a matter of regulation?—I believe there is a provision of the kind.

6144. You do not claim therefore a special advantage for your department?—Not at all.

6145. You have been asked about the disadvantages with regard to the efficiency of the Judicial service if, off and on, a few candidates are recruited from the Bar of some standing and efficiency. I suppose you do not object to it?—I do not.

6146. But you would like to fix a proportion to be so recruited from the Bar in order that the men in the service may not be disappointed, and in order that the appointments may not be indiscriminately made to the discontent of the service?—I am not in favour of fixing a proportion, but I think the claims of the service men are entitled to much consideration and should not be allowed to be overridden by the claims of the members of the Bar.

6147. If a proportion is fixed, the expectations of the men in the service will be also fixed, and it would not be possible to disappoint them by making too many appointments from the Bar?—I am not in favour of the proportion being fixed, nor do I think it would be possible.

6148. Mr. Oldfield has elicited from you various administrative duties which a District Judge has to perform. You have been a District Judge?—Only for a year or so.

6149. But do you think you would be able to acquire that administrative capacity by your service as a District Judge?—I certainly think I should be able to acquire it. I have not found any difficulty in doing the administrative part of my work.

6150. Sub-Judges are promoted to District Judges, and some of them have not had the necessary training in criminal work?—That is so.

6151. And it must be conceded that the criminal work they are doing at the beginning of their service as Sessions Judges may not be quite up to the mark until they gain experience in the service?—Yes.

6152. Do not you think that difficulty could be overcome by investing Sub-Judges more liberally with powers and giving them an opportunity of learning criminal work whilst Sub-Judges, in order that they may be better equipped?—I think it would, but at the same time I do not think sessions work is so very difficult to manage or to get through. I had not much difficulty during the period I have been Sessions Judge, although at the outset it was a little difficult.

6153. Within your one year's service as a District and Sessions Judge I suppose you were able to detect frauds which had been going on for a number of years?—Yes, not for a number of years, but for 21 months systematic frauds had been going on which I detected.

6154. How long after you had taken charge of the station was it before you detected it?—I detected it within five months I should think of my taking charge of the office of District Judge.

6155. And the man was convicted?—Yes, he confessed his guilt and was convicted.

6156. You say you have not taken any leave at all during, say, twenty years' service?—No.

6157. Not even privilege leave?—No.

6158. I suppose it is due to your having been for a long time employed at Ootacamund?—Possibly.

6159. (*Mr. Chaubal.*) With reference to the question about the pension of Rs. 5,000 and

Rs. 6,000, have you tried to compare for your Presidency how long retired Revenue officers and retired Judicial officers enjoy pensions after retirement?—No.

6160. You have not tried to ascertain whether persons in active executive life have a longer lease of life?—No, I have not.

(The witness withdrew.)

A. M. Coomaraswami Tampoe, Esq., I.C.S. Divisional Officer, Narsapur.

Written answers relating to the Indian Civil Service.

6161 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have no hesitation in accepting it as generally satisfactory in principle, especially as the standard of the examination, and the age at which it may be taken up practically enforce a residence of about three years at an English University, which I consider to be the most valuable portion of the discipline we orientals undergo in qualifying ourselves for the examination.

As regards the Englishmen, the present age-limits and the standard of the examination enable him to finish an Honours course at a University, and to devote some time after it in gaining a fairly high standard of knowledge in two or three more subjects, which tend to make his intellectual accomplishments somewhat versatile. Apart from the question as to whether this aspect of the training is not desirable in itself for men who have subsequently to fill offices, the duties of which are very diverse, there is no doubt that intellectual versatility is held in high esteem in India, a country in which the specialist is not only very rare but can hardly be said to be adequately appreciated.

I may add that the only portion of India with which I am at all acquainted is the Madras Presidency, and the above remarks are generalisations from this knowledge and that of the community in Ceylon to which I belong, which being mainly Hindu still preserves considerable traces of its Indian ancestry.

6162 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The above definition does not include me in the category of "Natives of India," but for the purposes of the question I differ so little from a Native of India that I venture to answer the question.

The answer to question (1) shows that the discipline of the present system may be taken from one point of view to confer all the benefits on a Native of India, which it may be taken to confer on an Englishman, with the additional fact that a residence of three or more years at an English University offers the former educational opportunities which are vaster, and which are much more valuable to him, than to the Englishman. The University is to us what the Public school and the University are to the Englishman and with somewhat greater discrimination in the selection of the University and the College this aspect of the training is likely to be taken much greater advantage of in the future; and from what I have seen of the few students and their parents who have consulted me at various times about an educational course in England preparatory to appearing for the Indian Civil Service examination, I believe that this selective tendency is likely to become more emphasised in the future.

6163 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am of opinion that such a system would not be desirable at all. I have already touched on the value of an educational training in England in remedying the defects of the training, intellectual and moral, we receive in India. I need hardly add that these are defects which do militate against the efficiency of an officer who has to perform duties such as those a member of the Civil Service is entrusted with.

An examination is a purely intellectual test, and the justification for making the selection by such a standard is that those who compete for it are men who have received an all-round education, using this term in its broadest sense. The educational system in India, whatever its merits on the purely intellectual side may be, does fall far short of securing, partly by reason of the peculiar social structure and partly because of the comparatively short time during which European ideals of education have been followed in India, anything like a really all-round education.

The caste which is most averse to breaking through the trammels of the present social system in India, is naturally the one on which the system has conferred the greatest privileges. The Brahman has been for thousands of years the sole custodian and object of all intellectual culture, and the other castes have in consequence been placed in a very disadvantageous position intellectually. But the very social conditions which gave the Brahman this advantage have *pari passu* handicapped him in his ability and desire to absorb democratic ideas in social matters. He is far less able than we are to take advantage of the educational opportunities offered by institutions which are purely European, and which are in consequence inconsistent with the fundamental principles of caste. By the examination being held in England, the other Natives of India are in a position to take advantage of this disability of the Brahman and to equalise, to some extent at least, their chances as compared with the Brahman. By the institution of a system of simultaneous examinations this disability would be removed from those who are still caste-bound, mere superiority of intellect would alone count, and the more liberal educational ideals subscribed to by the others would give them no corresponding advantage.

6164 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I am not in favour of it. The reasons for this are given in a general manner in my answer to previous questions.

6165 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of

(*a*) nomination ; (*b*) combined nomination and examination ; or (*c*) any other method ? If so, please describe fully what system you would recommend ? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented ? If so, how would you give effect to this principle ?—As education stands at present in India, I am of opinion that the bulk of the candidates would not be generally qualified for selection. A course of education in England is of incalculable value in fitting us for service under a Government whose ideal is to combine what is best in the Indian and English systems.

6166 (72). The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones ; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties.

To secure these objects the number of posts, called technically " superior " posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system ? If so, do you consider that the period of eight years is suitable, or do you recommend any change ? What alteration (if any) would be necessary if the age of recruitment were lowered ?—I have submitted my views in this matter, and generally on conditions of service, through the Committee formed for the purpose by the members of the Madras Civil Service.

6167 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension ?—I am ignorant of the principle on which a differentiation is made between European British subjects and Natives of India with regard to payments towards the provision for pension to wife and children. As the rules at present stand, a European British subject, who is a member of the Indian Civil Service, is bound to make such payments, while the Native of India is not permitted to. I am personally acquainted with members of the Indian Civil Service, who are Natives of India and who are desirous of being treated in this matter as European British subjects are ; and if rules could be altered so as to give such persons an opportunity of providing for their wives and children, the concession would be much appreciated.

Mr. A. M. Coomaraswami Tampoe, called and examined.

6168. (*Chairman.*) You are an Assistant Collector acting as Sub-Collector, are you not ?—Yes.

6169. How many years' service have you ?—Seven years.

6170. What positions have you occupied during that time ?—I joined as Assistant Collector and acted for six months as Head Assistant Collector in charge of a division. Then I was acting Head Assistant Collector in the Gōdāvari Agency for eighteen months and acting Sub-Collector in the Tinnevelly district for three years, and I am now acting as Sub-Collector in the Kistna district.

6171. You are in favour of the present system of open competition largely on account of the opportunity it gives for a University training ?—Yes.

6172. You set great store on a University training ?—Yes.

6173. Do you speak from any personal experience of a University ?—Yes, I was myself at an English University, Cambridge, for four years, and at the London University for about eighteen months.

6174. And you regard the training at a University of that character as valuable not only from the intellectual point of view but from the point of view of character and morals ?—Yes.

6175. In your experience have you observed any Indian students in English Universities placed in a position of what I might term isolation ?—Yes. There were some men who, to use a University phrase, were somewhat barred, but that was due chiefly to their desire to keep to their own society rather than to mix freely in University life.

6176. You feel assured that it was due to their inclination rather than to any racial feeling on the part of the English community ?—It was not due to racial feeling but partly due to their own inclination and the fact that they had Indian society there which they could go to.

6177. As a result of that isolated position which they took up, was there any feeling of discontent or dissatisfaction on the part of those Indians at the expiration of their time at the University ?—I have not met any who have expressed any dissatisfaction.

6178. So that the value you attach to University training is in no way modified by any knowledge on your part that Indians in the course of their training at the University have felt dissatisfaction ?—No, it is in no way modified.

6179. You suggest greater discrimination in the selection of the Universities ?—Yes.

6180. Can you tell us a little about that ?—I mean that an Indian student coming up to Cambridge often finds another man from his province at a particular college, and he is persuaded to join that college. I think it would be better for Indian students to distribute themselves among all the colleges as far as possible. I was sent by my father to a college in which I was the only oriental undergraduate, and I think the college was chosen simply for that reason on the advice of my guardians.

6181. Do you look back with pleasure on your career at the college ?—Very much. Two of my nephews went up to Cambridge last October term, and I have got them put into separate colleges.

6182. You were able to make many friends, no doubt, and have been able to retain their friendships ?—Yes.

6183. You give us your opinion with regard to simultaneous examinations, which you say you are opposed to ?—I am.

6184. You are in favour of the existing system of open competition in England, open to both Europeans and Indians ?—Yes.

6185. I notice you are in favour of the examination in England and opposed to the simultaneous examination, because in your opinion the Brahman community have monopolized for a long time all the intellectual culture of the Indian race. You feel that if that progress takes place in India other communities would suffer a disability on account of that superior intellectuality of the Brahmans ?—Yes, and I think that has been proved in the case of the examinations for the Finance Department and the Provincial Civil Service in Madras. I have heard it said to be so.

6186. Then following out your argument, you consider that the single examination in England is of value, because it modifies to a certain extent that disability of non-Brahmans ?—Yes.

6187. Can you say, in past years, what the proportion of successful Brahmans has been to non-Brahmans in the open competition in England ?—I am afraid I have no figures, but in Madras there are three Brahman Indian Civilians.

6188. How many non-Brahmans ?—The rest are all non-Brahmans, about nine.

6189. So that there is a much larger proportion of non-Brahmans than Brahmans who have gone through the Indian Civil Service examination and are in occupation of posts in Madras ?—Yes. I believe there has been a later arrival, making four Brahmans.

6190. I infer that you contend it would be to the disadvantage of government in India to have exclusively Brahman officials ?—Yes.

6191. Your contention is based upon the ground that a Brahman, although the most intellectual, is the least democratic minded ?—Naturally I conclude so from the fact that our social system was not democratic in times past.

6192. I am not dealing with times past now ; I want to ask you your opinion about to-day ?—The hereditary tendency, which would be non-democratic, would have to be corrected.

6193. Let us put aside hereditary tendency for the moment ; as a result of your observations of the work of Brahman officials in the Courts, have you had it impressed upon your mind that they are carrying out that work in an unmodern, undemocratic way ?—I only see the work in my own division and my Brahman subordinates would naturally know I was not a Brahman, and I do not suppose there would be any especial favour shown to a class.

6194. You mean that your more democratic outlook would have a salutary effect on the less democratic outlook of the Brahman who is your inferior officer ?—Yes.

6195. But you do not think that would be the same if you were a Brahman ?—That is so.

6196. I want to know on what grounds you say this ?—There is a general impression among the non-Brahmans that a Brahman will prefer a Brahman to a non-Brahman, even if the merits are the same, for a post.

6197. You mean that the Brahmans in the country district, or a group of Brahmans, would sooner have as their Sub-Collector, or whatever the official might be, a non-Brahman to look after their affairs and control them ?—Yes, but only with regard to subordinate posts. My experience is only of Tahsildars and those below. I cannot say anything about the higher officers.

6198. But in the lower posts, in connection with those officers who are brought into constant contact with the people, do you say that even the Brahmans themselves would prefer to have a non-Brahman ? Is that from any wide practical observation on your part ?—That is what I have often heard non-Brahmans say and I have reason to believe it to be true from my own observation.

6199. What would you say with regard to the rest of the community ?—The non-Brahman would prefer the non-Brahman.

6200. In your own centre you have been able to counteract these evil influences by your presence ?—Yes.

6201. (*Sir Murray Hammick.*) I think you rather misunderstood the President's question. He asked whether in your opinion a Brahman community would desire a Brahman or a non-Brahman as a superior officer ?—I should say a Brahman community would prefer a Brahman to a non-Brahman.

6202. And the non-Brahman community would prefer to have a non-Brahman ?—Yes.

6203. (*Chairman.*) I am glad that has been made clear because I did not understand that from your answer. I understood you to say that a Brahman group of people—I will not say an entire community of Brahmans—would prefer to have a non-Brahman official over them, but you did not mean to say that ?—I did not mean to say that. Brahmans prefer Brahmans.

6204. (*Sir Murray Hammick.*) I should like you to say exactly who you are and from whom you are descended. You are a Christian I understand but not a Christian of India ?—No, my people are Tamils and were Hindus ; my father was a convert.

6205. And you were born and brought up in Ceylon ?—Yes.

6206. How long ago did your family migrate from India to Ceylon ; was it your father who went to Ceylon ?—No, it was very many years before that, nine or ten generations.

6207. Do you know what part of India you came from ?—The Ceylon history calls us Malabaris.

6208. That generally means the South of India ?—Yes.

6209. What caste did your ancestors belong to ?—The Indian portion call themselves Vellalas.

6210. Some of your family are living in Ceylon now as Hindus ?—My father's brothers and my father's brothers' children are all Hindus ; my first cousins are Hindus.

6211. From what you have seen in Southern India and Ceylon, are the caste restrictions now observed in your family as strong in Ceylon as they would be in India ?—Not nearly so strong.

6212. Caste in Ceylon has comparatively broken down ?—Yes.

6213. With reference to your first question, you especially lay stress on a University career, but supposing the Government reduced the age for the open competition from what it was some years ago to something about 16 to 19, and supposing it was made a condition that every candidate who passed at 19 should go to an approved University which would grant a degree in law, and it were made a condition that all such successful candidates should go through that course for three years at a University and come out to India afterwards, which would mean their coming out at the age of 22, would you prefer to

see that to the present condition of things under which the University career is taken before the examination is passed?—Yes, I should prefer that for the reason that the men who go, from here especially, would be under the influence of University life at a much younger age than they are now.

6214. At what age did you go to England?—Seventeen.

6215. You began at a school I suppose?—I joined a Grammar school in Hertfordshire.

6216. And from there you went to Cambridge?—Yes.

6217. When did you take your period in the London University?—After Cambridge I was in Germany for a year, at the Frankfort Academy. Then I came back to London for six months and then I went in for the open competition and spent the next year of probation in London at University College.

6218. You took your degree at Cambridge?—Yes.

6219. And passed a year in Germany and went up for the Indian Civil Service Examination and passed, and then you had your probation in London at the London University?—Yes.

6220. I take it that one of the reasons you give in your answer to question (7) against simultaneous examinations is partly that you think the present system tends, to some extent, to the modernising of Hindu life and breaking down of caste, and you think it would be unfortunate to have simultaneous examinations which would enable persons of very strict caste prejudices to go in for the examination and pass without having the broadening effect which comes from going to England and going through the University Course of three years?—Yes. It is not merely the fact that people with strong caste prejudices would pass but it is chiefly because, as far as I can see, educational institutions in this country do not contemplate anything very much beyond mere intellectual culture. We have not the House system in our Public schools in Madras and there is no residential University.

6221. I suppose you attach considerable importance to the years that you passed in Germany as far as the widening of your outlook is concerned?—I do.

6222. You were in Tinnevelly for a considerable time as Divisional officer, were you not?—Three years.

6223. And in Tinnevelly you say caste restrictions and caste feelings ran very high?—I should say they ran very high.

6224. Is there much feeling there between Brahmans and other castes, or is it mostly between the higher castes and the out-castes?—There is not very much in ordinary social intercourse between the Brahmans and the Ballaries; it is chiefly between the higher caste and the lower caste.

6225. Including in the lowest class the Shanars I suppose?—Yes.

6226. Did you as a Christian from Ceylon find yourself in free social intercourse with the Hindu portion of the population in Tinnevelly?—I found it very difficult. The unwillingness was not on my part. I had one or two Hindu friends and one Muhammadan friend, but they were quite exceptional.

6227. Did you find any difficulty in getting social intercourse with the European portion of the community?—Not at all, in fact I had chiefly to rely on that aspect of social life. But I was the only officer stationed at my station and I had to go out of it to get European society.

6228. During your career as a Divisional Officer and Magistrate did you think that a knowledge and close intercourse with police methods of investigation was of advantage to a Magistrate in this country?—I certainly found in my own personal experience that a knowledge of police methods and some interest in them enabled me to get the division into better order from the magisterial point of view than otherwise.

6229. Would you explain that a little and tell us why you think it is the case? Is it because you are able better to get at the truth by knowing the methods which the police adopt towards witnesses, and so on, or is it simply because you get to know the people better by knowing the police?—You get to know the people better, the difficulties under which the police have to work and the difficulties which they overcome. What I think is the chief reason is that people know that you are studying the matters and the village people begin to take an interest in these things; they are much more interested in police matters if you are interested yourself. It creates a public opinion, so to speak.

6230. I suppose you were not in Tinnevelly during the time there was a sharp division between Maravars and the Shanars?—No.

6231. And you do not know much about those riots?—No.

6232. When you were in England did you find the Indians you met there were generally under proper supervision and proper guardianship, or did you find they were left too much to themselves?—My own experience was that the guardians were not exactly in the position of parents. In my own case I had to satisfy my guardian that the places I was going to spend my vacations at were suitable, and if he was not satisfied that they were I had to go and spend my vacations with him, and he had full power over me.

6233. He was an English gentleman, I suppose?—Yes, he had been head of my school in Ceylon previously.

6234. (*Mr. Abdur Rahim.*) I should like to know if there are many Indian boys in English schools?—I have only met three.

6235. Did you pass any examination before you went to England?—I completed my school course in Ceylon, passing the Oxford and Cambridge Higher Local Examinations.

6236. You had an idea from the very beginning to appear for the Indian Civil Service examination?—No, my original idea was to read medicine, and I did actually study medical science.

6237. For how long did you undergo actual training for the Indian Civil Service?—Six months in London.

6238. Only six months after taking your degree?—Yes.

6239. You told us that in discharging your magisterial duties, which I understood involved deciding criminal cases, you found your knowledge of Police methods very useful?—Not in deciding ordinary criminal cases. I was thinking of the preventive section.

6240. In deciding criminal cases what actual use was it to you?—It certainly helps. A knowledge of Police methods would not help in deciding a case unless it introduced some element of appreciating evidence. I was speaking entirely from the point of view of preventive methods, binding over, for instance, of which there is a great deal to be done in some districts.

6241. That is to say in applying the preventive sections of the Criminal Procedure Code?—Yes.

6242. Not in deciding criminal cases?—No.

6243 I mean cases in which offences are charged against persons?—Only in miscellaneous cases, not in calendar cases as they are called.

6244. What you mean is cases under the preventive sections, deciding as to the possession of land or binding over to keep the peace?—Yes.

6245. Is there much of race feeling among the educated portion of the Indian community as distinct from the uneducated?—I have not seen any very free social intercourse between the various castes, such as exist in Ceylon for instance.

6246. But that may be due to the caste rules; it does not necessarily mean any feeling of antipathy, does it?—The power of the rule seems entirely to guide them in this matter. Whether there is any real antipathy or not I cannot say. I have never seen them express any hatred or dislike in any violent terms.

6247. Have you found educated Indian officers, in exercising their administrative duty, showing any partiality for their own caste in any marked degree?—Yes, I have.

6248. In what way?—Chiefly in appointments.

6249. In the exercise of patronage?—Yes.

6250. Does that refer also to Indian Members of the Civil Service?—I have never served except under a covenanted Indian Servant, and he was quite above that.

6251. I suppose you knew many young Indians in England?—I knew, roughly, about fifty.

6252. Is it your experience that those Indians rise above feelings of prejudice and caste?—I cannot say because they had no opportunity of acting with regard to those matters there.

6253. I mean in their life in England?—As far as I could see of their lives I did not know whether they were of the same caste or different castes.

6254. There was nothing in their life which would lead you to think that there were different castes amongst them?—No, as far as I could see.

6255. You mean that you would be hardly able to distinguish Hindus, Muhammadans, Brahmans, and non-Brahmans from the way they lived in England?—That is so in England.

6256. (*Mr. Macdonald.*) You said that you studied in London for six months after you took your degree at Cambridge, and when you came back from Germany?—Yes.

6257. Were you at a crammer's then?—I attended lectures in Zoology and Physiology at Wren's establishment, but in no other subject.

6258. Had you studied Zoology before?—Yes, I had taken it up in Cambridge after my degree examination. I studied both those subjects at Cambridge and in Germany.

6259. Did you hear the questions put this morning about the syllabus, as to whether the wide range of subjects might not be reduced without in any way reducing its educational value?—Possibly I should prefer to take up fewer subjects than many; it would give a chance of appreciating them more properly.

6260. Do you think that the very wide field covered by that syllabus places great temptations in the way of candidates to cram?—In my time there was no restriction as to the number of subjects that might be taken up, but I understand that recently there has been a restriction introduced. In my time eleven subjects were said to be the average; I myself took up eight.

6261. But if the field was restricted, not by compelling the candidate to take only a certain number of subjects, but by the Civil Service Commissioners themselves selecting what they think to be subjects to test the qualities required for service in India, do you think that that would be an improvement upon the present method?—I do not think it would.

6262. You do not think that this method of selecting on the part of the candidate is really a premium upon cramming?—If the number of subjects which may be taken up is restricted sufficiently I do not think there will be any danger of cramming.

6263. You are opposed to simultaneous examinations, one of your reasons being that you want to secure attendance at an English University on the part of Indian Civil Servants?—Yes.

6264. Supposing you had the simultaneous examination and then compelled the successful candidates in India to proceed to England, what would you say to that?—The only objection I should urge against that is that the average student who now goes goes to Europe with the intention of appearing for the Indian Civil Service, also allows for the possibility of his failing in that examination, and he is willing to take that risk because he thinks that the money he spends is worth the education he gets by going to Europe. Therefore I think he is more desirous of making use of the education he gets in Europe than he would be were he sent to Europe merely for the sake of being trained there.

6265. But is not that selection a selection of whether you have money to go to Europe or not?—Yes.

6266. If you had been a little poorer than you were would you have been a member of the Indian Civil Service now?—Yes, I think so, because the Ceylon Government sent me.

6267. You would be favourable to the Indian Government sending equally promising youths?—Yes, I am entirely in favour of that.

6268. From all over India?—Yes.

6269. And without some such method as that do you think we are losing intellect and ability?—Yes, I think so.

6270. So that in order to rectify the evil which simultaneous examinations are supposed to rectify, or at any rate is proposed to rectify, you would suggest as an alternative that the Government should see that worthy but poor youths should have a chance of going to England?—Yes, by granting scholarships.

6271. I think you said that out of thirteen members of the Indian Civil Service acting in the Presidency of Madras only four are Brahmans?—Yes.

6272. The other nine are non-Brahmans?—Yes.

6273. Is it your view that if the non-Brahman castes had the same educational opportunities as the Brahmans they could beat the Brahmans in competitive examinations?—No, I do not think

so, for this reason; not only is the Brahman on the whole better gifted intellectually, but he is also willing to sacrifice, or does not object to sacrificing, his physique for mere success in examinations during a few years.

6274. How do you explain the four out of the thirteen?—That is because intellectual non-Brahmans were more desirous of going to Europe; a larger percentage of non-Brahmans must have gone there than Brahmans.

6275. You think this interesting result is really the effect of the selection which takes place by compelling Indian youths to go to England?—Yes.

6276. (*Mr. Sly.*) Throughout your service have you seen any signs of, or suffered in any way from, any inequality of treatment, any want of support in serious cases, or any matter of that kind?—Not in the least.

6277. Do you think that any case could occur in which an Indian member of the Civil Service would not receive the same support from the service that the Englishman receives?—I have served only with two other Indian members of the Indian Civil Service and they have been both treated quite without any difference between them and the European members by the European Collectors.

6278. (*Mr. Gokhale.*) Have you any direct knowledge of the structure of Hindu society?—I have seen something of Hindu society in Madras and among my own people.

6279. But not all over India?—No, I have distinctly stated in my answers that I have not.

6280. Do you know anything of the Kayasth caste of Bengal?—Yes, I have some friends amongst them.

6281. What do you think of them intellectually?—Those I have met were intellectually extremely fine types.

6282. Do you know that they are quite on a par with the Brahmans, possibly in some respects even better than the Brahmans, intellectually?—I do not know.

6283. That is the estimate of Bengal; some of the most intellectual men in Bengal to-day are Kayasthas. Now turning to the list of the thirteen candidates, you said that there were only four Brahmans and the rest were non-Brahmans?—As far as I know.

6284. From the intellectual standpoint would it not be a fairer division to divide Hindus into the literary castes and non-literary castes, rather than into Brahmans and non-Brahmans? There are certain castes which have followed literary occupations from generation to generation and it is they whose intellect has been specially developed. When therefore we have to consider intellectual questions, would it not be a fairer thing to divide Hindu society into literary castes and non-literary castes rather than say they are Brahmans and non-Brahmans?—I am only acquainted with one literary caste and those are the Brahmans.

6285. But now that I have mentioned to you this example of the Kayasthas, do you not think it would be better to divide Indian society into literary castes and non-literary castes?—Yes.

6286. Now taking your list of 13, in the first place I am afraid you are not right about the number of four Brahmans. I do not know anything about yourself, if you will pardon my saying so, but there is none in the list here whom I would call a non-literary casteman; that is to say, every one of the twelve, putting aside Mr. Hamnett, who is an Anglo-Indian, is either a Brahman or a Kayastha or high literary casteman, including Christians who were Brahmans before. Would you be surprised if that is so?—No, I should not be surprised.

6287. For instance Bannerji is a Brahman, and Roy is either a Brahman or a Kayastha?—He is a Kayastha.

6288. Aiyar is a Brahman, Gharpurey is a Brahman, Bhore is a high class Mahratta, a Christian now (he comes from my place, Poona, so that I know) and Row is a Brahman?—Yes, but Bhore is a Kshatriya.

6289. Krishnama is a Christian but he was a Brahman?—His father was a Brahman.

6290. Therefore the heredity is Brahman? Ramamurthy is a Brahman?—Yes.

6291. I will include Christians descended from Brahmans among Brahmans because the heredity is Brahman. Therefore the non-literary caste Hindus, on whose behalf I thought you were speaking with regard to the inequality question, do not appear in this list at all, whether you hold the examination in India or England?—No.

6292. If you will turn to the list for the whole of India you will find the same thing. There are Muhammadans and Parsis and Brahmans and Kayasthas and other literary caste Hindus. Therefore your inequality is not redressed; the advantage that the literary castes have is not removed. By removing the centre of examination to England you reduce the number of those that appear there. Possibly that prevents our best material from appearing?—Yes.

6293. If you do not mind my saying so, it enables our critics to criticise us, but the redress of inequality is not secured?—But the chief ground I have urged against the examination is the absence of University training.

6294. I understand that. But you also lay emphasis on this. Now about the democratic outlook on life. I am sure you practically agree with me, but I should like to have it cleared up. Taking the different castes of Hindu society, do you mean to say that any one caste is more democratic in its outlook than any other caste, from top to bottom?—No, I should not say that.

6295. Therefore it is Western education and Western influences that are modifying the outlook, not the caste?—Yes.

6296. Brahmans under Western education are acquiring that democratic outlook?—Yes.

6297. And non-Brahmans are also doing the same?—Yes.

6298. Therefore the real remedy for developing a democratic outlook is not to put the Brahmans aside in any way but to bring all under the influence of higher Western education; is not that so?—Yes.

6299. Speaking of the Brahman Collectors, those who have entered by the English door among the 13—taking the term Brahman technically—you did not mean to say that those Brahmans have no democratic outlook?—I have never served under any.

6300. But have you any reason to think that the four or five Brahmans who have entered the Civil Service through the London door are influenced by caste feeling, that they are less democratic in their outlook than, for instance, you are?—No.

6301. You are for all practical purposes an Indian, are you not?—Yes.

6302. Do you get the exchange compensation allowance?—I do not.

6303. Some emphatic opinions have been expressed here in the evidence that has been given that the average of Indian Civilians is most unsatisfactory, which means, if the average is very unsatisfactory, some of them must be exceedingly bad. I do not want to raise any personal question, but what do you think of that opinion?—I have not seen enough of the work of those few officers who are in Madras who come under that classification. I also know that Madras has been particularly unfortunate in that matter among the senior men. I say that if the average was struck again it would probably show a better result.

6304. But taking the 13 men as they are; you have met them?—I have met very few of them.

6305. There must be some men who got in either before or after you whom you know in the Civil Service?—I know three of them.

6306. From those whom you know personally, as also from those about whom you may have reliable information, do you think that the Indian average is lower than the European average?—From what I have seen of the work I should think not.

6307. In answer to a question of Mr. Macdonald's, you said the men who go to England have something else in view if they fail in the Indian Civil Service, but there are instances, are there not, where men go only for the Indian Civil Service and straightway begin studying for it?—Yes.

6308. So that their case is not different from the case of those who, supposing simultaneous examinations are held, pass in India and go afterwards to England?—That is so.

6309. (*Mr. Chaubal.*) You said that you went at the age of 17 after passing your Matriculation?—After passing the Oxford and Cambridge Higher Local Examination.

6310. What educational course did you have here before you went?—I did not take up any Indian university examination.

6311. Did you pass the Matriculation?—No, I did not take up Matriculation at all; it was a different course.

6312. If an Indian goes to Cambridge after taking his degree here how much time has he, ordinarily, for a University course? Supposing he goes for the purpose of appearing for the Indian Civil Service examination, and after taking his degree here, goes to Cambridge or Oxford, how many years has he before him in order to get up whatever subjects he chooses out of the syllabus of 32 subjects?—I do not know what the average age is at which men graduate in India, but I should imagine it was about 20 or 21, and then he would have three years in which to pass.

6313. Generally he has two?—Yes.

6314. Do you think it possible for Indian students, who after taking their degree here, go to Cambridge or to Oxford, to have the necessary time for joining in the sports of the college?—No one is supposed to work at Cambridge, except science men, between the hours of two and five.

6315. I am not speaking of any particular hour, but looking at the syllabus?—He will have time, I should think.

6316. He will have time for joining in the sports and society and for studying up all these subjects?—To a small extent he will have time.

6317. You have no experience of that yourself?—No.

6318. With regard to this question of the four Brahmans and nine non-Brahmans which arose in connection with your answer that because the English door was open you found this phenomenon of four Brahmans and nine non-Brahmans in the Indian Civil Service, even making allowance for everything that Mr. Gokhale has said, you do not take into account the Brahmans from Madras who might be serving in other Presidencies?—No, I do not.

6319. Do you know that as far as possible it is the policy, when the Indian Civil Service men are posted to different provinces, that a person passing from Bombay should not be allotted to Bombay?—I am not aware of that.

6320. Supposing that were the policy of Government, the mischief you apprehend, even assuming that Western education has not completely westernised them, would not be felt; the Brahman Indian Civil Servant would have fewer opportunities of showing any favour to his own men if he were posted to a different province?—No, if the conditions are different.

6321. Have you ever practised at the Bar?—No.

6322. Do you think that persons who pass the Indian Civil Service examination and are straightway invested with criminal powers really understand police methods? Do not you think that the practising Barrister or Pleader understands far more of what the real police methods are than officers ever do?—I do not quite understand the distinction between the two. What I was talking of with regard to police methods was the appreciation of the difficulties under which they work.

6323. I am now speaking with reference to the point on which Mr. Rahim questioned you. In the investigation of cases and the appreciation of evidence brought forward for the prosecution, if you have never appeared as a Pleader or Barrister for the accused you will not be in a position to understand the force of what he and I put to you. Do you believe from your experience that Indian Civil Servants, straightway invested with magisterial powers, really are able to understand police ways and police methods of investigation better than men who are practising at the Bar?—I have never had an opportunity of testing the knowledge of those who have practised at the Bar, so that I cannot say.

6324. (*Sir Theodore Morison.*) You said just now that in the past the experience of Indian members of the Civil Service in Madras has been rather unfortunate?—Yes.

6325. When you said that the Indian Members of the Civil Service here were quite up to the average did I understand you to refer to the individuals whom you knew personally?—Yes.

6326. (*Mr. Oldfield.*) Is the Chetti caste in any way similar to the literary castes of India?—I do not know anything about northern India.

6327. Should we call it a high Sudra caste?—I really do not know where the Chetti caste comes in.

6328. You consider them equal in standing to the Vellalas I suppose?—I thought it was considered so in India.

6329. Have you come across any castes in your districts that might be called literary castes?—No, only the Brahmans.

6330. The Brahmans really correspond, for all practical purposes, to the Brahmans and literary castes elsewhere?—Yes.

6331. When you referred to the experience of Police methods I understood you to be referring to the experience which you have accumulated in the course of your service?—Yes.

6332. Not to anything you possessed when you first began to try cases?—No.

6333. In dealing with criminal cases by the Police, do you find it is necessary to consider whether the conduct of the Police has been *bonâ-fide* or not?—No.

(The witness withdrew.)

G. F. Paddison, Esq., I.C.S., Collector, Bellary.

Written answers relating to the Indian Civil Service.

6334 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Satisfactory.

6335 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—None, except as under question (3).

6336 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Judging by results in this Presidency I do not think the system is equally suitable. The great advantage of the present system is that there is no racial distinction about the men in the service at all. The only other way in which this can be achieved is by simultaneous examinations and the picking of the top men from the common list. I believe that it would be possible by a system of selection combined with examination out here to get better men than we do at present from among the Indians, but the number would have to be limited and the men who come in this way would not be looked upon exactly the same as the members recruited from home.

6337 (4). Further, is any differentiation desirable between other classes of natural-born subject of His Majesty? If so, what do you propose?—None.

6338 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interest? Please give your reasons?—Yes, it certainly used to be. It widens the area of competition. In old days a considerable number used to put down for Indian Service first, and even of those who preferred the Home Service, the majority would rather accept the Indian than any but the pick of the vacancies in the Home Service. I am told that of recent years there has been a change in this respect and that a much larger proportion plunge absolutely for the Home Service. This may possibly be due in a few cases to anxious mothers dissuading their sons from going out to be shot, but India does not want these particular youths. A far more potent motive is the dissatisfaction felt by a number of men in the Civil Service out here which reacts very strongly on possible candidates at home. What influences the average man to choose the Indian instead of the Home Service is that he hopes he will have a freer, more open life with a show of his own to run instead of sitting on an office stool in Whitehall. Very grave discontent has been roused by recent appointments from the Home Service to the Government of India and to Ceylon. Men naturally would prefer to spend the first ten years of their service in a decent climate and then come out on Rs. 5,000 a month rather than to go through the mill in the plains and perhaps draw the same pay at the end of thirty years. No one objects to the best man being chosen wherever he comes from: but if the pick of Indian appointments are to be open to the junior members of the Home Service, it should be open to young members of the Indian Service to have some of the places of the Home Service.

6339 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise. (*b*) Selection by authorities in Universities approved or otherwise. (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State. (*d*) Combined nomination and examination. (*e*) Any other method?—I am opposed to all of these as I think it inevitably tends to get men all of one pattern, which may be a beautiful pattern but becomes monotonous. Some of the best men we have would not have got in by a system of selection. On the other hand I think it of great importance that the service should be chiefly manned by public school and University men, and consider that the examination should be designed to give preference to men of this type.

6340 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to simultaneous examinations if the whole service is to be recruited in this manner. I am convinced that the result would be an enormous increase in the number of Indians admitted. Establishments like Wren's would soon be started and all educated Indians would compete. Instead of being one career out of a number of others equally desirable (to some), it would be the career at which all educated India would aim. Moreover the Indian, as is well known, matures so much quicker than the European that he would have a very unfair handicap in age. I am certain that the Indians of this Presidency would not as a rule, even the educated among them, desire that the service should be swamped by Indians. They would of course like a better career open for their sons, and they have a sentimental feeling that the present system acts as a race-bar and that therefore promises in regard to equality of treatment are broken. These same men will frankly admit that they would rather have a European than an Indian Collector in their districts. I have heard it suggested that if Native States like Mysore, where the greater part of the high officials are Indians, can carry on the administration successfully, there is no reason why this Presidency should not be run on the same lines. I do not know enough about the administration of Native States to be able to say how far the administration is successful, but the Native Princes are despots, and quite different instruments are needed for a despotism and for a system where public opinion is allowed to have full force. It is for this reason I think any large influx of Indians into the Civil Service is now especially to be deplored. The experiment of a non-official majority in the Legislative Councils has only recently been started, and the very best men, quite apart from distinctions of race, are needed to work the new system.

It is much easier to be a patriarch than a constitutional authority, and if, as I think probable, in the near future larger powers are to be given to local authorities with a considerable non-official element, and district officers are to live in the light of continual criticism, what will be needed far more than in the past will be men of strong character and strong personality, able to do their duty in spite of clamour and to influence and guide the growing Indian nation.

6341 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

6342 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am opposed to it. The men who come in this way would be looked on as inferior. If however there is strong Indian opinion in favour of recruitment in this way rather than from home, I would let them have their way. In that case I would limit the number to about what we have now. I consider however this would be much more invidious from a racial point of view than the present system.

6343 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—If nomination, there should be a stiff examination combined with it, or nomination from among those who had already passed a certain examination, say the B.A., with Honours in this Presidency. The present system of Government is so complicated that brains of a high order are absolutely necessary. The Selection Board might consist of a Judge of the High Court, Senior Member of the Board of Revenue and Director of Public Instruction. This Board could easily see that all classes were represented. I think a Provincial Board would choose better men than a Board for all India.

6344 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—They should not be eligible.

6345 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—None. It used to be undoubtedly the case that a large proportion of the judges in this Presidency were failed Collectors, though there were of course many notable exceptions. This is not the case at the present moment. The pay and prospects of judges have been improved, and there is a good deal of feeling in favour of the judicial branch owing to the fact that a judge is less worried and is treated a great deal better by the authorities than men in the executive branch. Moreover, a judge can only sit for a certain number of hours a day. Some Collectors sit at their office table ten or twelve hours daily.

6346 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident "in India, and not established there for tempo-"rary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes.

6347 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The advantages of a younger age are that (i) another career is open to those who fail besides that of clergyman or school-master, (ii) the men are younger when they reach high office. I do not know how long it takes to age a man in this country, but I should say that as a rule they were at their best as administrators from 45 to 50. This is being recognized, I believe, in Bombay and in the Government of India, but it certainly is not so in this Presidency where seniority is the chief guide to promotion and selection very rare; (iii) the men would be less likely to come out married and find their pay, which sounds so well at home, quite inadequate. On the other hand, if there is to be no selection but open competition at the outset, a University career is of the greatest advantage to those who have not had to deal with men. In Madras especially men have very little

chance of rubbing off corners from about the second to the twelfth year of their service. On the whole I prefer the present system if selection is to rule for higher appointments and the initial pay is raised to at least Rs. 500 a month.

6348 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?—I came out in 1897. I should say there was not much to choose.

6349 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I have only seen a few but they were of the right sort.

6350 (18). What is the most suitable age at which junior civilians should arrive in India?—The present. I should like the University men to come out straight and the non-University men to have a year's training at home. But I do not think this democratic age would allow it.

6351 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—No differentiation.

6352 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I agree with Lord Macaulay.

6353 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—If there is to be no selection the object should be to get the public school or the University man and to circumvent the crammer. There was a condition in my time which I thought extremely undesirable, viz., that a very large proportion of questions must be answered, so that a man who had crammed a hand-book could get more marks than a man who knew his subject thoroughly. I think the increase in marks for Mathematics and Natural Science undesirable, as I think the great advantage which the "greats" man used to have over the mathematician meant as a rule the selection of better men.

6354 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No. I think the race distinction should be avoided wherever possible.

6355 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the India Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I would recommend no change, unless in the judicial line of which I know little.

6356 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I would make no change.

6357 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—Generally satisfactory.

6358 (27). Have the "Natives of India," recruited by means of open competition in England proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I think certainly not.

6359 (28.) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

6360 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—None.

6361 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—No.

6362 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Suitable.

6363 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I would retain the present system.

6364 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) One year.

6365 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

6366 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Oxford, Cambridge, or Dublin, because there they will find themselves in a society most likely to fit them for their future position.

6367 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. Very necessary; otherwise they will come out in debt. £200 a year.

6368 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No. The chief object of the year's probation should be to make them men of the world, and to widen their views if they have had a narrow education.

6369 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. Yes.

6370 (51). Please examine the statement printed as Appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination and (*b*) under any modification of that system recommended by you?—(*a*) Telugu should be allowed as an optional subject for Madras candidates. I think also something about finance might be introduced with advantage. Nearly everyone after a year or two out here has to deal with Local and Municipal finance which he usually finds somewhat bewildering.

6371 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(i) No. (ii) No. (iii) Yes. Tamil and Telugu for Madras + colloquial instruction. (iv) (*a*) No. (*b*) & (*c*) Local and Municipal finance. If they could learn how a County Council and a Municipality are run in England, this would be supremely useful.

6372 (53). Do you consider that the probationers' course of instruction can best be spent in England or in India?—At a British University.

6373 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am against it.

6374 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am strongly against this. A man of twenty-five objects very strongly to have to go to school again. The best way to train a man is to put him under a good Collector.

6375 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I disagree entirely with the view of the Treasury Committee. If a man can pass the Indian Civil Service examination, he can pick up criminal law, which is all he needs at first, much better in India. As for languages, in Madras it is nearly two to one against the young civilians going to a Tamil district, and Tamil is the only language he has to learn. Arduous study is difficult in a tropical climate, but not more so than arduous office work.

6376 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—If Natives are recruited out here, they should be sent to an English University.

6377 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—England.

6378 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—None. They should go to the same lectures, and be recognized as on exactly the same footing as the others.

6379 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I would recommend that in Madras all civilians receive a training in the field with a Settlement officer, and not as at present in Survey. A Settlement officer must know the language and must

deal directly with the ryots. The young civilians would thus learn the principles of the Madras Revenue system, and also would learn the language and would learn to know the people.

6380 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—I think it absurd to examine the candidates again in the Code of Criminal Procedure, in the Indian Penal Code, and in the Evidence Act. Either the examination in these compulsory subjects at home is a farce, or else they have already proved their ability to pass in these subjects.

6381 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—No. Considering the number and difficulty of the Madras languages, I think the average civilian is as proficient as can be expected. Certainly he is far more proficient than the average man in other departments.

6382 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—No.

6383 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I know very little of judicial matters. I certainly do not think any more training in law is necessary for executive officers.

6384 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No. They should be treated alike.

6385 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think as a rule for higher appointments in this Presidency the question is not whether a man is the best for the appointment but whether there is anything definite against the senior man on the list to prevent his being appointed. I do not think, however, any alteration in the rules is necessary. At present men are supposed to be selected for the higher posts, but I do not think there is much selection about it except in the case of the High Court.

6386 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—At about twelve years' service men are asked whether they prefer Judicial or Executive; they are then put into different lists as Collectors or Judges generally.

The Judge is purely judicial. Collectors as District Magistrates are head of the Magistrates in their districts. They do not, as a rule, try any but particularly important cases nor do appeals generally go to them; but all calendars and judgments of Magistrates in their districts go to them for perusal and, if necessary, for criticism. This arrangement works, in my opinion, very well in this Presidency where the District Magistrate is not the prosecuting officer and keeps his Executive and Judicial functions distinct. This is a matter of tradition, and I have been told by competent persons that the tradition in this respect is very much better in Madras than in some other places. It is in my opinion of the very greatest importance not to weaken the influence of the Collector and District Magistrate in any way just now.

6387 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The original pay is too low.

6388 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—The increase of pay in other departments has made the relative position of the Civil Service and other departments absolutely different from what it was ten years ago. Much more in the way of entertainment, etc., is expected of a Collector for instance than from a policeman, but the Collector's pay may now be the smaller of the two.

As to initial pay, men come out married now and are very hard put at first, especially as in the first year they have many expenses, perhaps a university debt, and are in an expensive station expected to join in the amusements of their companions.

Promotion is very bad in Madras just now, as the Government of India look on us with scorn, but perhaps better times may come.

6389 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and if so, what?—One dissatisfaction is that our promotion is barred as none of our seniors are caught up to Simla.

6390 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—No.

6391 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—No. I fear I am not very well versed in these questions of salary.

6392 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service —This seems a fair average. Relatively they are much better off than we are.

6393 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—There is not, I think, much change in the last fifteen years.

6394 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Yes. We should like more but do not hope for it.

6395 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Not always. I do not think the amount excessive in view of the arduousness of the work and climate.

6396 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I think they are much too small. Expenses in England have gone up enormously. I think at least £700 a year after eight years' service should be given.

6397 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6d. the rupee? If so, what change?—No.

6398 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?—I should like £750 minimum after eight years' service.

6399 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No. I know very little about them.

6400 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—None.

6401 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes.

6402 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I think not.

6403 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—I think the retired members of the service should get £1,000 a year clear. At present numbers of men do not retire "because they cannot afford it." When they do retire, they are dissatisfied and do not send their sons into the service or recommend other persons to send their sons.

6404 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—No.

6405 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. I think the principle is sound.

6406 (136). Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—Yes. I think the service if left alone can carry on the administration very well as it is. There have been great changes in the last few years and these changes have been loyally accepted by the service. What is all important is that the standard of men admitted should not go down. It is therefore of the greatest importance that the members of the service should not be dissatisfied with their conditions of service. I do not think men object much to people who attack the service as a whole and say that they may have done good work in the past but are quite unfitted for modern conditions. What they do resent is to be told that they are the finest service in the world but that it is necessary to put some one else in to do their work. The main problem seems to be to get the best Indians to join the service without establishing a race-bar.

Written answers relating to the Provincial Civil Service.

6407 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Suitable.

6408 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—I would have selection from persons with certain intellectual distinctions, *e.g.*, B.A. of the Madras University.

6409 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Yes.

6410 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes. The present arrangement works, I think, fairly well, but non-Brahmans are difficult to get who are fit for the work they have to do.

6411 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—Yes.

6412 (10). Is the existing system of Departmental examinations suitable, and, if not, what changes do you recommend?—No changes.

6413 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

6414 (12). What is the system on which the strength of the Executive branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—I do not know.

6415 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Selection is enforced. No change necessary.

6416 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Yes.

6417 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—No change necessary.

6418 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Yes, suitable. The difficulty at present is that by the time they reach the highest posts, they are rather old and have been in subordinate positions so long they have lost their initiative.

6419 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Yes.

6420 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

6421 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

6422 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes.

6423 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—Yes.

6424 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I think not. It would be a good thing if they got more furlough, but they are so afraid of losing promotion they go on till they die of carbuncle.

6425 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I do not know very much about the Provincial Civil Service, as it is only for the last year and a half I have had members of the Provincial Civil Service regularly under me, except Settlement officers who were then a special class. As a rule the Deputy Collectors are recruited from Tahsildars. This system used to work very well, except that the Deputy Collectors were sometimes too old. But lately, with special duty of all sorts becoming so much more frequent, the class of Deputy Collectors has, I think, rather deteriorated. Any good Tahsildar expects to become a Deputy Collector, and in consequence the Tahsildar class, which is of the very greatest importance, is perhaps being too much depleted of its best men. The Government are now recruiting probationary Deputy Collectors direct and I think this principle should be considerably extended.

Mr. G. F. PADDISON, called and examined.

6426. (*Chairman.*) You are on special duty now, are you not?—It has just ceased. I am now Acting Collector at Bellary. I joined three days ago.

6427. What have been your former positions?—For the last six months I was Secretary and Member of a Forest Committee travelling about the Presidency; before that I was a Collector of a district, and before that I was eight years as Settlement Officer.

6428. How many years' service have you had?—Fifteen.

6429. In answer to question (3) you say that it would be possible by a system of selection combined with examination out here to get better men than at present from among the Indians, but you go on to say that the men so recruited would not be regarded in the same light as those recruited in England. I gather from that that you think they would be regarded as inferior?—That is what I should be afraid of. I think, as Mr. Tampoe said just now, the men who come out now in the Civil Service, whether Indians or Europeans, are looked upon and treated exactly the same. But if there were two methods of recruitment, one here and one in England, I think there would be a feeling of race bar to a certain extent. They would not feel exactly the same service as they do now.

6430. If your suggestion were carried out you would still retain the right of Indians to take part in the open competition in England?—I should be inclined not to do so.

6431. Would you or would you not?—I think I would not. I would rather than anything have the present system prevail.

6432. You prefer the present system?—Yes, on the whole.

6433. Have you thought out what your scheme would be? Would it be selection before, at, or after the examination?—If there were selection all it should be selection before the examination.

6434. And then a qualifying examination of those selected?—Yes, but I do not think there is much to choose between that and selection from persons who have passed in a University examination, such as the B.A. with Honours. If they have passed that examination I should think that would be a fair standard.

6435. Would not that be an examination at home? I am talking now of the examination in India?—I am referring to the B.A. with Honours in the Madras University. I do not know how stiff it is, but if it is sufficiently severe I think that would not be a bad way of testing?

6436. You have not thought out any details in regard to your proposal; you only throw it out as a suggestion?—As an alternative, but my own impression is that we are better as we are.

6437. You say in answer to question (27) that Indians recruited by open competition in England have been certainly inferior to the Europeans of the same standing?—I think they have.

6438. Is that conclusion drawn from a wide field of observation?—I have met them all but one or two, I think.

6439. In your judgment in what respect is it that the Indian officer has proved himself inferior to the European in regard to his administrative work?—The men who have failed have failed in different ways. I should have to go into details to explain how each one has failed and I do not think it would be right for me to do it.

6440. I do not desire to ask you that, but I should have thought you would be able to give us some more precise reason for the opinions you have formed?—I could give you reasons for those I have considered not such a success as the average Europeans, but I do not think I could give a generalisation of any particular point in which they do generally fail.

6441. Have you in your mind any Indian official with whom you have been brought into contact who is on an equality of efficiency with a European?—Certainly; I can quote instances.

6442. You are thinking of quite a series of instances, are you?—I think I know them all certainly by reputation and most of them personally.

6443. With regard to the opinion you have expressed, has it in your judgment shown its results in less efficient administration in the district concerned?—Yes, I think it has. Of course I am not speaking of every case, but in the cases I have in mind I think there has not been such efficient administration as if a European had been there. I do think it has had a bad effect on the administration compared with what the administration would have been if there had been an average European civilian in charge.

6444. Or compared with the administration in a district where a European has been in charge. Is that your comparison?—Yes, that is what I am comparing.

6445. You are opposed to simultaneous examinations?—I am.

6446. You say that were simultaneous examinations to be instituted in this country the Indian Civil Service would be the career at which all educated Indians would aim?—I think it would practically. When I say all I mean of course practically. That would be the chief aim of the people I think, supposing the pay and prospects were what they are now.

6447. Would not many of them still aim at the prizes attached to the Bar?—I cannot say what they would do, but I think the majority of them would try first for the Civil Service.

6448. On the subject of the age limit you are in favour of a lower age limit?—On the whole I prefer the present system, that is to say, a later age.

6449. What age would you like?—I should like to see them go in for an examination at the end of the University career.

6450. Could you give the age?—Twenty-three, I think, is the one I would recommend. It is some time since I was at the University, but I think twenty-three was the average age then.

6451. You would prefer to see it raised?—It is now twenty-three, is it not?

6452. Under twenty-four. What age would you like?—That is the one I would like on the whole, although I think there is much to be said for the other.

6453. You argue in favour of the advantages attached to a lower age?—I gave the arguments on both sides.

6454. Do you think that, as far as possible, consistent with proper training and education, a young man should come out to this country at as early an age as possible?—Certainly I do, but if you have open competition I think it is important that most of the men should have had a University training before they come out.

6455. According to your answer to question (43) you would like to see the recruit go through a preliminary training in Indian languages. You suggest he should have his training in England?—Yes, because a certain very fair proportion of men would get in through crammers and other places and would not have been to a University. I think it is important that these men should go for a period to a University before they come out. If it were not for that I would much rather that men came straight out because I think their training would be better out here than it would be at home.

6456. In question (94) you were asked whether you considered it desirable that there should be uniformity of payment for similar kinds of work in all the Provinces and whether any dissatisfaction on that score existed in your Province, and if so what, and you replied: "One dissatisfaction is that our promotion is barred as none of our seniors are caught up to Simla." Is it not a fact that during the past five years you have had from Madras quite up to the average number of officers appointed to the Central Government?—

Our impression in Madras is that it is not so, but I have no figures to go upon.

6457. I believe I am correct in saying that the average in Madras compares more than favourably with the average of other Provinces?—We must be in a very lean year at present then, I think, because there is only one at Simla now.

6458. (*Lord Ronaldshay.*) I see you are of opinion that the popularity of the Service out here has declined in recent years, and you give as one of your reasons the fact that certain high appointments in this country have recently been made from the ranks of the Home Civil Service instead of from the ranks of the Indian Civil Service. Have you any particular cases in your mind?—The particular case I have heard quoted was the appointment of Mr. Clark, who I believe was a member of the Home Civil Service.

6459. Generally speaking that appointment was resented by the Members of the Service out here?—I think it was. I heard a great many people speak of it.

6460. And is that reacting unfavourably upon the prospects of the Service?—I believe the appointment of a Mr. Stubbs in Ceylon to be Chief Secretary was another one; I see there has been talk about that. That makes people discontented out here, and if people are discontented out here they tell their relatives at home, and in consequence people do not come in.

6461. Are there other strong reasons for the decline in the popularity of the Indian Civil Service?—I think there is a certain feeling of insecurity about our appointments which this Commission presumably would clear up. I have heard senior men in the Service say that they are doubtful about sending their sons into the Service because they do not know whether there will be room for them, or whether there will be a sufficient number of appointments left to Europeans, to make it worth their while to come out.

6462. In other words, they anticipate that possibly a system of simultaneous examinations might be set up and that if that were the case there are a large number of appointments now open to Europeans which would be taken by Indians, and the chances for Europeans would be consequently very much less than they are at the present time?—That is what people think; I have heard that expressed.

6463. You make a rather remarkable statement in answer to question (7); you say that many even among the educated classes of Indians frankly admit that they would rather have a European than an Indian Collector in their districts?—Yes.

6464. That is naturally a statement which makes an impression upon our minds, and I should like to ask you whether when you wrote that you had any specific statements in mind that had been made to you by educated Indians?—Yes, I had. I would perhaps put it in this way, that they would rather have a European than an Indian because they would rather have a more efficient and impartial man at the head of the district, and the chances of a more efficient and impartial man and a strong administrator would be greater if he was a European than if he was an Indian. I do not think, if there were two equally good men, they would have a preference for a European. Supposing they were uncertain who was coming as a Collector for the district, that they did not know the man who was posted, there would probably be a feeling of relief if they heard that he was to be a European.

6465. In other words, there are many educated Indians who themselves consider that on the average the European will make a more efficient and a more impartial officer than the Indian?—I think there are a large number who think so, a large number of people who are at the same time of opinion that it is desirable there should be an increase in the number of Indians in the Service from the point of view of sentiment. They think that the present system breaks the promises made in old days, that is to say, that it unduly favours the European. But still if it were a case of some one coming to control their own district I think they would be glad, in a very large number of cases, if he were a European.

6466. In answer to question (18) you say you would like University men to come straight out. That means, I suppose, that they would pass no period of probation in England after passing the competitive examination?—That is what I should like.

6467. I want to get this point cleared up because in a later part of your evidence you make what appears to me some very useful suggestions as to certain subjects which the recruits to the Indian Civil Service might very well take up. For instance, you say it would be a great advantage if recruits to the Indian Civil Service could have some instruction in financial questions, and you also say it would be very useful if these men could see how municipal bodies and county councils in England are run. If they are to have this instruction in financial matters and this experience of local bodies in England, I do not see how they are to get it if they are to come straight out after passing their examination?—I stated in my answer to question (18) that the most suitable age was the present age, that is after a year's instruction, because I said I did not think it would be ever approved that men, simply because they had been to a particular University, should come out straight and others should not, that others should remain at home under a scheme because they had not been to a particular University. I do not think that would ever be passed. Therefore I assume in the rest of my answers that the present system is to continue, that is to say, a period of probation passed in England.

6468. But at the same time you express a preference that men who have been at a University should come out here immediately after their examination?—I would certainly bring them out if I could, but if they are to spend their time at home, as they are doing now, I think that should be profitably occupied in considering local and municipal finance?

6469. It is on the assumption that the present system is continued?—Yes entirely.

6470. Then, in answer to question (88), where you discuss the desirability or otherwise of separating the judicial and executive functions, you say that it is in your opinion of the very greatest importance not to weaken the influence of the Collector and District Magistrate in any way at the present time. I assume, therefore, that in your opinion, if the Collector were to be deprived of his magisterial powers, it would detract considerably from his authority and his influence in the district?—Yes, I think it would. At present the chief thing that a Collector has to do in the magistracy is what I do myself, peruse all the judgments of the large number of magistrates in his district, especially of the subordinate magistrates, some of whom are of very uncertain quality; and he has also to pass very stringent criticisms and generally keep them up to the mark. I think that is of very great importance, and as it is certain that the number of Europeans will not be increased, this important function should be carried out by the Collector, who is, if my proposals are approved, to be a European. You could not have two Europeans at this work.

6471. What you really mean is that if the Collector was deprived of his magisterial functions he would not be able to keep the subordinate magistrates up to the mark in the same way that he does at the present time?—That is so. At present the subordinate magistrates are the material from which the tahsildars are drawn. The tahsildar's position is of supreme importance. He is dealing direct with the ryots every day, and it is of the greatest importance to get a good man as tahsildar, almost more important than any one. The Collector has to choose his Tahsildars well. If he had not the magistrates under him from which the tahsildars are drawn he could not tell what man to chose.

6472. He would not have the same opportunities of judging the capacity of these men from whom the tahsildars are recruited?—That is so. The man who has to do the choosing has to carry out a most important task.

6473. With regard to the present system of pensions in the Indian Civil Service, you say that the present system of equal annuities is satisfactory. If you were to stay on for say 10 years after your pensionable age you would have to go on contributing during the whole of those ten years to the pension fund?—Yes.

6474. Probably your pay would be higher than it had been and therefore you would contribute larger sums during each of those ten years than you had contributed during the previous years of your service?—That might be so.

6475. And when you did retire you would obviously have ten years less to enjoy your pension?—That is so.

6476. If you were in that position might it not strike you that it was perhaps rather unfair you should have had to contribute so much more towards your own pension and have the prospect of enjoying it for a much shorter time, and yet that that pension should still stand only at the same amount as it would have if you had retired at the earliest possible age?—I should say it is not a question of what a man personally thinks is unfair, but it is a question of what is most likely to benefit the Public Service. I think the present system is the better on two grounds. If a man is drawing higher pay he can afford to pay the extra pension contribution; if he is not drawing higher pay it is almost certain that it would be better if he retired at once instead of hanging on for a higher pension.

6477. Then really one of your main reasons for advocating the system of equal annuities is to ensure as far as possible people retiring at a reasonable age and not blocking the promotion of the junior ranks?—That is what I think. It would be very undesirable for people to remain on simply to earn a higher pension.

6478. (*Sir Theodore Morison.*) In answer to question (7) you say establishments like Wren's would soon be started in India. Were you ever at Wren's yourself?—I have never been at Wren's.

6479. Do you know anything about it?—I have had a great many friends who were at Wren's.

6480. Have you any sort of idea how many lecturers or crammers or coaches he kept?—A very large number I believe and they were very expensive men. I think they were the very best lecturers that could be had. All the Wren men I knew told me that the lecturing there was much better than it was at the average college lecture.

6481. The salaries he paid were high?—I believe they were, but if they were not successful they had to go.

6482. Being situated in London I suppose they were able to employ half-timers on special subjects, that is to say, men who were reading for the Bar or something of that sort?—Yes.

6483. Do you know what fees he charged?—No.

6484. I want you to consider the possibility of an establishment like Wren's, equally efficacious being established in India. The salaries I presume would have to be 50 per cent. higher?—Yes, but I think you would have better examination material to work upon, and you need not have such good men as the lecturers at Wren's to make a Madras Brahman of 23 pass his examination as would be needed to make an Englishman of 23 pass the same examination.

6485. Do you think that Wren's men were particularly selected for their power to put polish on to a rather dull intellect or because of their attainments in the subjects? Was it for the art of teaching or cramming or for their knowledge of the subject?—For both, I should think. Certainly in my time at Oxford there were a good many learned gentlemen who were quite incompetent to convey their learning, through the medium of lecturers at all events, but a man at Wren's of that type would be turned out.

6486. He would have to be very good?—He had to know his subject, particularly Mathematics. I studied Mathematics to a certain extent at Oxford, and it was a by-word among the students of Mathematics there that the lectures were of no value whatever. The lecturers themselves would tell us so.

6487. Whatever the salary that would have to be paid, presumably it would not be less. You would not be able to get anybody in this country on a lower salary than Wren was paying?—Certainly not.

6488. I presume if such an establishment was maintained and a profit made out of it on about the scale of Wren's, the fees would have to be very high?—I do not think so, because there would be such very much larger classes in India.

6489. Do you know the number of people who went to Wren's?—I have no reason to suppose it was a very large establishment.

6490. (*Mr. Chaubal.*) Do you or do you not admit that the Indians appearing for the competitive examination in England have not equal opportunities of appearing for that examination

with Englishmen?—Do you mean equal opportunities of attending the examination or appearing for them.

6491. Appearing for them?—Except that they have further to go.

6492. I mean qualifying themselves so as to be able to appear with any chance of success. Are there equal facilities and opportunities for Indians and Englishmen to appear at this examination as it is at present?—I should say that the Universities and public schools in England as a rule give a better education.

6493. For instance, a training in a public school and the taking of a University course in England are necessary for getting successfully through the examination, are they not?—At present they are.

6494. Do you think that these facilities are equally open at the present time to Indians and to Englishmen?—I should say that there is a good deal of difference between the Indian University and Indian school, as at present constituted, and the English University and English school. It is not so easy for Indians to attend an English University as for an Englishman, because he has to pay his passage Home.

6495. And there is also a certain amount of residence there?—Yes.

6496. Take, for instance, the ease and facility with which English parents could send a boy at home to a public school and a University. Is it equally easy for Indians to do that unless they spend a considerable amount more money than it costs in England?—I do not think it is. On the other hand if you had simultaneous examinations the exact reverse would hold.

6497. I am confining myself entirely to the examination as it is at present. Supposing there is only to be one examination, you admit there are certain disadvantages under which Indian candidates labour?—Certainly I do.

6498. Have you thought of any solution which will remove as many of these difficulties as possible?—I have thought a great deal about it.

6499. Can you tell us anything that you think would lessen the difficulties?—I think any alternative that I could think of or that has been suggested to me, except simultaneous examinations, seem to emphasise the race bar much more than it is emphasised at present. Any idea of having one-third or one-sixth or one-fourth admitted in India seems to me to say "You shall definitely only have so many." At present we say that as many as like to go Home and pass may pass. I think the grievance, though very important, is chiefly sentimental, and I think it would be a pity to raise a fresh grievance in that way. If you say only one-third shall be competed for in India you have definitely laid down that the Indian is of an inferior race, and that it is not right and fitting that more than a certain number should be admitted.

6500. Does that apply to the simultaneous examination?—If you say that only a certain proportion of Indians shall be admitted.

6501. On the results of simultaneous examination?—Yes, or any other method. It makes what is now a difficulty become a definite rule.

6502. In your answer to question (7), you say something about the apprehension of the simultaneous examinations resulting in an enormous increase in the number of Indians admitted?—I have read in the papers that several people have been saying, that because the M.A. examination is not more difficult than the Indian Civil Service examination, and very few people pass the M.A., therefore it is to be inferred that very few people would pass the Indian Civil Service examination, but I think if the emoluments of the Indian Civil Service were attached to the M.A. examination a considerable number would pass the M.A.

6503. You think that the Indian Civil Service syllabus is of the same difficulty as the M.A.?—I read in the paper that Mr. Macphail, who is an authority, said it is not, and I bow to his authority; but I was surprised.

6504. Assuming for a moment that that is a considerably more difficult syllabus than the M.A. of any University in India, do you think it likely that there are educational institutions at present, or will be in the future, which will cope with the sort of work wanted for that syllabus?—I am strongly of opinion that there would be a very large increase in the number of Indians.

6505. Do you say that the present educational institutions in the country are fitted to prepare boys and give instructions in the syllabus of the Indian Civil Service?—I thought they were but I understand the educational people say they are not. I was under the impression they were if they had an extra year.

6506. Now that you know the educational institutions are not at present adapted to give instruction in that syllabus would you modify your conclusion about the enormous increase?—I think the present syllabus would be quite sufficient with an extra two years. At present I believe that the B.A.'s get their degrees about 21, and they would then have two years in which to study various things in the curriculum. They would not know Latin and Greek but they could take up a number of natural science subjects, law and mathematics (higher and lower), philosophy, history, modern history, and I think a good many of them would get through.

6507. Supposing we had come to this conclusion that at present the educational institutions which exist in the country are not adapted to instructing people for the course, your apprehension of an enormous increase would be modified?—Certainly. It would take some time before the present colleges were improved or other establishments were started.

6508. You say "These same men will frankly admit that they would rather have a European than an Indian Collector in their districts." May I know what is the source of your information on that point?—Private conversation with Indian friends of mine.

6509. Were they officers?—I consulted both officials and non-officials. I do not mean to say that there was an invariable reply.

6510. Have you discovered in the natives of this Presidency, when you speak to them on any subject, a desire to please the European officer to whom they are speaking?—In this particular case I was very careful to guard myself in that matter.

6511. You may be very careful but I wanted to know generally whether you had discovered in your intercourse with the people, whether a Brahman or non-Brahman or anybody, that there is, on the part of the Indian, a general desire to please the European officer with whom they are talking?—I think there is as a rule.

6512. And I suppose it must be pleasant to a European officer to hear that he is liked so much and that they do not want Indian officers?—Yes, I would say it is pleasant if I believed that the view was genuine, but it is not at all pleasant to be told it if you do not believe it.

6513. That would depend upon your judgment of men?—Yes.

6514. With regard to question (27), may I know how many Indian I.C.S. men returning from England have served under you during your fifteen years of service?—None, I think.

6515. When you are asked about an average I suppose you are supposed to know of the men from whom you are going to draw the average?—I do not think so.

6516. The word "average" means taking all the numbers so employed and then you use the words "on an average." Is it not necessary, in order that a man should draw an average, that he should know of the men?—I do not know really.

6517. Has this answer of yours to question (27) filtered down into the service or is it your own conclusion?—That is my own personal conclusion from men whom I have succeeded and from men with whom I have served.

6518. (*Mr. Gokhale.*) With regard to Mr. Clark's appointment, you say there is very grave discontent in the service because he was appointed from the Home service?—I said it was one cause of dissatisfaction.

6519. Have you not said very grave discontent?—I do not think so.

6520. In answer to question (5) you say "Very grave discontent has been roused by recent appointments?". . . .—I beg your pardon; I was referring to another thing.

6521. You of course know what post it is to which Mr. Clark has been appointed?—Yes, he is Commercial Member.

6522. Member for Industry and Commerce in the Viceroy's Council?—Yes.

6523. You know that the office was created in Lord Curzon's time?—Yes.

6524. And that Lord Curzon first tried to bring out from England a business man for the office?—Yes.

6525. It is only because he could not get one that he first appointed a member of the Indian Civil Service?—Had it been a business man at Home, I do not think anybody would have objected.

6526. Because he failed to get a business man he appointed a member of the Indian Civil Service to that office in the first instance?—That is so, I believe.

6627. It was not an office intended originally for the Civil Service or included in the schedule reserved for the Civil Service. What are the special qualifications of a member of the Civil Service for holding the portfolio of Industry and Commerce in this country?—If the Civil Service is not to take any work for which a man has no special qualifications, I think most of us would be without a job.

6528. But, surely, when a special office requiring expert knowledge is created how can you say that it is the normal expectation of the Civil Service that that office should fall to it?—I am afraid you misunderstand what I mean. I do not say we have any special knowledge in the Civil Service, but I do say we have as much special knowledge as the members of the Home Civil Service.

6529. I hold no brief for the particular officer, but when appointed he was Private Secretary to the President of the Board of Trade in England, Mr. Lloyd George, before he became Chancellor of the Exchequer.

With regard to the question of simultaneous examinations and establishments like Wren's that you expect here, on an average how many years does a candidate spend at Wren's?—I should think, taking it all round, it is less than a year.

6530. Therefore you could not have Wren's establishments in this country unless they were linked up with the higher educational institutions. A young man simply spending a year at Wren's without any knowledge of, say, higher Mathematics, or Latin, or Greek, or any of the other subjects needed to pass the Civil Service, could do nothing. Wren's establishments must be linked up with the higher educational institutions of the country?—Yes.

6531. The curriculum in the colleges of this country is determined by the Universities?—Yes.

6532. Four-fifths of the University Senates are nominated by Government for five years, under the new Act of Lord Curzon. The majority of these men are Europeans. If that be so, are these Senates likely to alter the curriculum of studies in colleges so that Indian students might have special facilities for going up for the Indian Civil Service?—I understand that one witness has said this was to be the great method of raising the education of India generally.

6533. That may be, but now we are trying to get at this: how are Wren's establishments going to be established here?—Your question seems to me to presume that an alteration in the curriculum would be necessary.

6534. That is what Mr. Macphail also said, that the whole curriculum of the Universities would have to be recast if simultaneous examinations were instituted, if Indian students are to receive that training in this country. I want you to tell me how that is going to happen?—My own opinion, as I have just said to Mr. Chaubal, is the other way, that it would not be necessary to change the curriculum.

6535. If simultaneous examinations are instituted you say a very unfair handicap in age would be made in favour of Indian students?—I think so.

6536. Having regard to the fact that the language would be English and the subjects all European, is not that a sufficient handicap in favour of the other side if you want to compare the thing fairly?—Yes. To be quite frank I think that if the examination was framed exactly to suit Indian and European education, and simultaneous examinations were held, there would be no doubt that a very large proportion of Indians would get in.

6537. With the subjects as they are?—With the subjects as they are, I think a very much larger proportion would get in than get in now, but what proportion I cannot say.

6538. But the handicap in age would be counterbalanced by the handicap in the other respects?—I suppose there would not be more than 50 per cent.

6539. Then I come to the opinion you have expressed about educated Indians having a preference for English Collectors?—That is to say, if they are not equal.

6540. But supposing the other case, a young Indian of ability and a bad European?—They would be very strongly in favour of the Indian.

6541. Therefore it would depend on the quality of the officer?—That is what I meant.

6542. Do you know of anything that has been published that shows this preference, any memorials sent up to Government by the people of any district or any resolution passed at meetings?—I cannot remember.

6543. I think it would be best to put private conversations aside. There might be private conversations on the other side. They are not capable of being established here. You of course have heard this, but some witnesses will come here and say they have heard the other thing. Is there anything published which supports your contention about the people of a district being in favour of a European Collector more than of an Indian? Is there anything to show that when they hear a European officer is appointed they regard, as you say, that appointment with relief?—I do not think that relief has ever been expressed in public.

6544. Then of course it depends on the individual, and my own personal knowledge is the other way.

Now we come to the system of nomination. As far as I am able to understand your scheme, you would leave the English examination for the Indian Civil Service as it is?—I would leave the whole thing as it is, Indian and English.

6545. You would not have a separate examination in India for the Indian Civil Service, but if it is thought desirable to make some appointments in India you would prefer nomination by a Selection Board?—I think I would.

6546. Is not that the meaning?—Yes, I would, but I have thought a good deal about it.

6547. Would you make any addition to the listed posts? How would you satisfy such Indian aspirations as you recognise, whatever may be the measure of your recognition?—I would tell them to wait.

6548. That of course! But you would not give us simultaneous examinations, you would not give us a separate examination, and you would not make an addition to the listed posts. Therefore what is this nomination to be for?—The nomination by a Selection Board was an alternative to the present system of recruiting by people going home to England as now.

6549. You would prevent us getting in there and in place of that you would give us nomination here by a Selection Board?—If you prefer it.

6550. I do not think anyone will prefer it. You have had some experience of the unrest through which the country has passed?—Yes.

6551. You are one of the officers, I understand, that freely discuss these questions with Indian gentlemen?—I do.

6552. You understand something of the educated mind of this country, I take it?—I do my best to understand it.

6553. You hold that Indians recruited in England are on the whole unsatisfactory, and there is to be no other provision for the best Indians to get into the Indian Civil Service?—I can think of no other.

6554. The men who are appointed to listed posts are admittedly appointed to inferior positions; their salaries are two-thirds; it is not a graded service; and there are many other marks of inferiority?—I should have no objection if the Financial authorities would agree to the members of the Provincial Civil Service who become Collectors and Judges receiving the same salary. That was suggested by some one.

6555. Will you put them in the same list with yourselves, in the Civil Service gradation list?—I should object to that, but still perhaps there is something personal in it because it would interfere with my promotion.

6556. You know something of the educated mind of this country and something of the causes underlying the recent unrest. Do you expect the young men of this country to be satisfied, not to say permanently but for a long time, with the present situation?—I think they will be satisfied, because they have so large an advance in the way of Legislative Councils and other things.

6557. We are talking about appointments in the Public Service?—I think the other point I mentioned bears very considerably on the Public Service, because when you give considerably greater powers to non-officials I think you should be very particular about the choosing of your officials to guide them.

6558. I am a member of the Viceroy's Legislative Council and I have no ambition for entering Government Service, and yet I feel strongly that Indians are excluded from the higher ranks. If this feeling is not met in some way, do not you think that the causes which underlay the recent unrest must begin to operate again? However, that is a matter of opinion and if you do not want to express an opinion I will not press it?—I have no desire to express an opinion.

6559. With regard to your opinion that the Indian Civilians on the average have not been so good as the European Civilians, have you had any Indian Civilians under you?—No, but I have succeeded them.

6560. And you have found the work of the district so unsatisfactory that your opinion is based on that?—Not solely on that, but I think when succeeding an officer you take as it were perhaps rather a prejudiced view. You do, however, get an insight into it. You are apt to be prejudiced against your predecessor because he cares for the things you do not care for.

6561. In how many cases have you succeeded to a charge previously held by an Indian Civilian?—I cannot say.

6562. Five?—No.

6563. Two?—One or two I should think, although not immediately.

6564. Then of course the traces of maladministration must have been removed by the time you got there. I want to know on what other data your opinion has been based. If it is only on or two men whose work you may have remotely seen, is it fair to the batch of thirteen men?—It is not only one or two men. I served in the same district as Settlement Officer with several—I do not know how many—but with a good many Indian Civilian Divisional Officers.

6565. Can you say how many?—I should say about five. I served under or parallel with an Indian Civilian with myself as Collector and he as District Judge. I think there were about seven or eight. The rest I had by hearing.

6566. Your opinion is based on an average of seven or eight instances?—Yes and hearsay, what I have heard men say.

6567. (*Mr. Macdonald.*) With further reference to this point, you have been following more or less I suppose the evidence that has been brought before us on the question that Mr. Gokhale has been examining you about, the comparative efficiency of the Indian and the European officers?—Yes, I have.

6568. It has been raised by several witnesses. Do you know that the Indian witnesses, speaking as a whole, have denied the allegation that their fellow-countrymen are inferior; that no Indian witness has agreed to their inferiority?—I do not remember seeing any Indian witnesses.

6569. You may take it from me, so far as the European officers are concerned, one or two perhaps, have been a little doubtful, but on the whole they are inclined to say that the Indian officers were inferior, that some were above the average, some below the average and some on the average; and at least two European officers have answered decidedly "No" or "No certainly not." As I am a member of this Commission and must try my best to decide between you, could you give me any guidance so that I could put my hands upon something that is available to enable me to judge between you, any published reports upon the comparative merits of the two sections of the service? You answer the question with an unqualified "No" or "No certainly"?—That is to say the present members of the Service?

6570. Yes. You answered question (7), generally "I think certainly not."—Yes, I did say so.

6571. I should like to get some evidence which was of the nature of evidence. Is there such in existence?—I do not think there is any evidence as to the general qualification of European and Indian Civilians, because the question never arises. In the service there is never any question whether a man is an Indian or not. Until this Commission came there has never been a question of that sort.

6572. It has not been the subject of a report?—Never that I know of.

6573. It has not been referred to indirectly in published reports?—I do not think so, but I should not know if it were. I have never seen anything of it.

6574. So that as far as this Commission is concerned we have just to go upon the evidence that has been placed before us. You cannot assist us?—I could assist you by giving you in private my opinion of each man in the service, if that were of any assistance.

6575. I think you would agree with me that that would not be evidence in the technical sense of the word?—I believe Commissions of this kind have occasionally taken evidence *in camera*. If the Commission wish to have the opinion of members of the Service on individual members they cannot be expected to express any opinion in public. If it were asked in private we could give our opinion of every one.

6576. You said it was very valuable that the Collector should have the opportunity of reading the magisterial decisions given in his district?—I think it is of great importance.

6577. Those decisions come to him in two different forms, I understand; first of all in the form of a calendar, which simply records the fact of the trial and certain particulars and the result of it, and also, where the Magistrate has given a written decision they come to him in the shape of a copy of that written decision?—Generally the two together, except in very unimportant cases.

6578. Where the case is unimportant the calendar alone comes?—Yes. There are very few cases, and in that case you just see that the offence has been committed.

6579. How many of these written decisions would come before a Collector in the course of twelve months?—It varies very much in different districts, but I should think in the district I am in at present there would be five or six a day, perhaps six a day. You are talking of written judgments?

6580. Yes, of written judgments?—Perhaps it is more.

6581. Is it the custom of Collectors to read all these decisions?—It is certainly my custom and I believe the custom of other Collectors.

6582. Do they consider it is their duty to read every written decision sent up to them by Magistrates?—I think so certainly, a most important duty, because on those decisions you have to base your opinion of the men who have to be Tahsildars.

6583. Have you any knowledge of the Ceylon Civil Service?—Very slight.

6584. Do you know that the Ceylon Civil Service is recruited at the same examination?—Yes, and the Colonial Service.

6585. And the difference of a few marks may mean the difference between India and Ceylon so far as the candidate is concerned?—Yes.

6586. Do you know if the pay is substantially less in Ceylon?—Yes, I believe so.

6587. Right through the whole service?—I believe it is, but I do not know.

6588. Do you know if the leave is as liberal in Ceylon?—I do not know.

6589. You do not know anything about pensions there?—No.

6590. (*Mr. Abdur Rahim.*) When you have read the judgments of the subordinate magistrate what use do you make of them?—In a very large proportion of cases I make no use of them, but every now and then I discover what I regard as a grave error.

6591. What sort of error?—Errors in law and errors in fact.

6592. Errors in the decision?—Yes, and errors in procedure.

6593. What steps do you then take?—I write on the back of the judgment that it is returned for explanation, as a rule. If I thought there had been gross miscarriage of justice I would send for the records, and if necessary refer the matter to the High Court.

6594. Then the High Court decides whether there has been a miscarriage of justice or not?—Yes.

6595. But when you do not send it to the High Court what do you do?—If I do not think it is worth while moving the High Court in the

matter I send it back to the Magistrate for his explanation and he will probably write back quoting some law report, and if it were a case of law I would look into that, and if I found he had misread the law report I would tell him so and tell him not to do it again.

6596. Then if he had misapplied the law would not you refer the matter to the High Court?—It may be it has not effected the decision. If it had resulted in a miscarriage of justice I should have referred the matter to the High Court.

6597. If he has simply misunderstood the law you would correct him?—I would.

6598. I do not suppose you would have the question argued before you at all?—He would have had the question argued before him, and I would hear what he had to say before I corrected him.

6599. And you think you would be satisfactorily correcting him as to his knowledge of law in that matter?—I think the average District Magistrate's knowledge of law would be so much greater than the average Sub-Magistrate's that it would be justifiable to assume he was right and the Sub-Magistrate wrong in his interpretation.

6600. In that case I take it you simply give him instructions on a point of law?—In that case, yes.

6601. If there was a miscarriage of justice you would refer it to the High Court, and the High Court corrects it?—Yes.

6602. How does that support your position that this combination of the two functions is beneficial to the administration? I do not quite follow that, except that the District Magistrate would be able to instruct Subordinate Magistrates on questions of law?—No, my chief point is that he would be able to tell whether his Magistrates are any good or not, and if they are any good he can promote them to Tahsildars.

6603. Supposing Subordinate Magistrates are placed under District Judges do you think they would be competent to instruct them in points of law or correct their errors?—They would not be competent to promote them to Tahsildars, which is my chief point.

6604. The Revenue officer?—Yes, a Revenue officer.

6605. But what has that to do with the decision of criminal cases, whether a Magistrate has been deciding criminal cases properly or his knowledge of law is good or bad? What has that to do with the discharge of his duty as Revenue officer?—The chief point both for Tahsildar and Magistrate is commonsense, and if a man shows commonsense as a Magistrate you would naturally expect him to show it as a Tahsildar.

6606. I take it the Tahsildar's duty also involves the exercise of commonsense?—Yes.

6607. Supposing he has been working as a Tahsildar you would know whether he has been exercising commonsense or not. Why should you expect him to exercise the duties of a Magistrate before you can find out whether he has commonsense or not?—I have never seen any proposal to recruit Tahsildars otherwise than from Sub-Magistrates.

6608. What is the ordinary prospect of a Sub-Magistrate?—At present the ordinary Sub-Magistrate hopes to be a Tahsildar.

6609. Surely it is not necessary in order that you may judge the qualifications of a Tahsildar that he should exercise the duties of a Magistrate, supposing the duties of a Magistrate are delegated to a separate officer?—If you are going to recruit a Tahsildar from the Deputy Tahsildars, or something else, you would have to judge them on their conduct as Deputy Tahsildars, but as you now recruit them very largely from Magistrates you have to judge their commonsense as Magistrates.

6610. That is no argument in support of any combination of the two functions?—I was arguing in support of combining the function of District Magistrate and Collector with the subordinate service as it now is.

6611. The reason you gave was that it gave the District Magistrate an opportunity of reading the calendar and the judgments?—Yes and of thus judging the quality of his Magistrates who were ultimately to be Tahsildars.

6612. (*Mr. Ramachandra Rao.*) I must ask you to turn once more to your answer to question (7), where you say the Indians frankly admit they would rather have a European than an Indian Collector?—That is to say if they are both equal.

6613. I think you mentioned that several Indian friends of your own, officials and non-officials, have told you that in private conversation?—They have never said they would prefer a European because he is a European, but only that they would prefer a more efficient administrator.

6614. You would be surprised to learn that Indians have told me that they prefer Indian Collectors to Europeans?—It is a different opinion from mine, but I cannot for the moment doubt your opinion.

6615. However inherently true these statements may be still I do not set much store by the statements because they are made by Indians to me, and I discount their statements?—On the same lines I could discount the statements made to me.

6616. As a Magistrate who has had 15 years' service, when a statement of that kind is made to a European officer do not you think those people are probably "pulling his leg"?—There is always a possibility. It is a question of my judgment of men.

6617. When that statement is made to a European officer do not you think there must be a spice of barefaced flattery in it?—But I asked the persons to give their opinion practically and candidly, as I was going to give evidence.

6618. With reference to your answer to question (19), the highest executive appointments are the posts of Collectors, are they not?—Yes.

6619. Of the District Collectors at the present, one got his Collectorship at 40, just about the same age at which Indian Civilians come to the rank of Collectors, and the other began to act at 29?—I did not know one was as young as that, and I am very pleased to hear it.

6620. When you said that they have lost their initiative that statement is an opinion of yours?—Yes.

6621. You have no experience of Indian Collectors?—I have never served under one but I thought they were promoted later.

(The witness withdrew.)

(Adjourned to 10-30 to-morrow morning.)

At Fort St. George, Madras.

Wednesday, 15th January 1913.

SEVENTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

Sir C. ARNOLD WHITE, *Kt.*, Chief Justice, High Court of Judicature, Madras.

Written answers relating to the Indian Civil Service.

6622 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—On paper, and by the light of general propositions, a strong case can, I think, be made out for the holding of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty. Now that the highest executive as well as judicial offices in India are open to Natives of India the case is perhaps stronger than it was. It seems anomalous that Natives of India are able to come in, and do come in, at the top, who are precluded from working their way up as members of the Civil Service, from the bottom. Further, I do not attach much importance to the arguments based on the suggested practical difficulties of holding simultaneous examinations. I think these difficulties might be overcome.

Notwithstanding these and other considerations I am not in favour of simultaneous examinations being held. In my opinion for some time to come, in the interests of efficient administration, there must be an irreducible British minimum in the Indian Civil Service. There can be no doubt that this service is less attractive to the right type of European subject of His Majesty than it was. The institution of a separate examination in India would not tend to render it more attractive. If a separate examination were instituted, safeguards would have to be provided, by way of fixing proportions or adopting some system of nomination in the case of Indian candidates, which would be embarrassing and invidious and contrary to the principle that the examination should be open to all, and that the best man (from an examination point of view) should win. This observation of course rests on the assumption that, taking the men who would pass the Indian examination as a body, and the men who now pass the English examination as a body, the average of administrative efficiency would be higher in the case of the latter. Though a time may come when this will no longer be so, I believe it to be the case now.

The criticism that the comparative inefficiency of the Indian subject of His Majesty is due to want of training and experience is to be met by the observations that there are already opportunities for training and acquiring experience (and the process must necessarily be gradual) and that the risks of an experiment which might result in the elimination of the European subject of His Majesty, unless invidious safeguards were adopted, are not counterbalanced by the advantages from the point of view of the training of the Indian officer.

Competitive examination is far from being an ideal test of capacity for service, but it is probably the best test that can be devised, or at any rate that can now be adopted, in India. The objection that a system of competitive examination does not necessarily get the right type of officer applies to European as well as to Indian subjects of His Majesty. As regards the European subject the defects of the system are modified, in the majority of cases, by his school or college training, or both. This could scarcely be said to be so in the case of the Native of India who is educated and examined in India.

The argument against the present system that it involves separation and expense has great weight, and has as much force now as it ever had. But I think the argument based on the difficulties arising from religion and caste has lost much of its force. The difficulties arising from religion and caste would appear to be less now than they have ever been, and will probably continue to diminish as time goes on. Moreover, the difficulties only exist with regard to one class, and

in their case they would seem to be lessening day by day. The intellectual gifts of the members of this class are specially adapted to the passing of examinations. There have been many instances where these gifts have been accompanied by the characteristics and qualities which go to make the efficient administrator. But this is not always so.

A large and increasing number of Indian subjects of His Majesty go to England in order that they may be called to the English Bar. I have not heard it suggested that this involves a hardship. It may be that some do this because they find it the easiest method of qualifying for the practice of law in India. But it shows that the would-be Barristers, in order to qualify for their profession, are prepared to undergo the inconvenience involved by residence in England.

I attach great importance to the benefit derived from a residence at Oxford or Cambridge. The English Universities offer opportunities and afford advantages which are beyond the ken of the existing type of Indian University. It seems to me highly desirable that as large a number as possible of the men who are to carry on the administration of India should have had the benefit of residence at an English University, either before examination, or after examination as "probationers."

After giving the question as full consideration as the time at my disposal allows, I have come to the conclusion that the reasons for which the 1886–87 Commission reported against separate examinations still hold good.

6623 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.] (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted? (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what? (23 *to* 25.)—The statistics furnished by Sir Ralph Benson, showing the extent to which the judicial work of the country is done by Indian subjects of His Majesty, speak for themselves.

The only questions which I propose to consider in connection with Judicial appointments are (i) whether the post of District and Sessions Judge should be reserved for members of the Civil Service, subject to appointments being made by the Local Government under the Statutory Rules, which is the present system, and (ii) whether the Act of Parliament which requires not less than one-third of the Judges of the High Court to be members of the Civil Service should be amended.

(i) As regards the first question I am in favour of the continuance of the existing arrangement; but I think the number of "listed" appointments might be increased. I do not think the post of District and Sessions Judge should, on the one hand, be confined, or practically confined, to members of the Civil Service, or, on the other hand, that it should in all cases be filled by either a member of the Bar or a member of the Provincial Service. I should have no objection to a system under which one-half of the District and Sessions Judges were appointed from the Civil Service and the remainder from the Bar and the Provincial Service.

The general average of work done by District and Sessions Judges, who are members of the Civil Service, is, in my opinion, good; surprisingly good if the disadvantages under which, in most cases, they labour as regards special training is taken into account. The adoption of a system of special training for members of the Civil Service selected for the Judicial branch should go a long way to remove these disadvantages.

I think the present system under which members of the Civil Service hold the post of District and Sessions Judge can only last, and ought only to last, so long as it is clearly recognised in practice as well as in theory that a member of the Civil Service is appointed to the Judicial bench because he is likely to make a good Judge, and not because he has made an indifferent executive officer.

(ii) As regards the High Court, so long as the law stands in connection with the proportion of Civilian Judges it is essential that there should be no general ousting of civilians from the District bench. The statuting in fact requires as part of the qualification of the Civilian High Court Judge, that he should have served for three years as a District Judge.

The law as to "not less than one-third," in connection with Civilian and Barrister Judges, resulted in a curious anomaly when the total number of the Judges of the Madras High Court was raised from 6 to 7. When the total was six, two appointments were open to men who were qualified otherwise than as Barristers or as members of the Civil Service. When the total number of Judges was raised from 6 to 7 only one appointment was open. But a similar anomaly is not likely to occur again.

I do not desire to see any amendment of the High Courts Act as regards the proportion of Civilian Judges. A large amount of administrative work is done by the Judges of the High Court. There are branches of this work which can be done more satisfactorily by Civilian Judges, with their practical experience and knowledge at first hand, acquired as District Judges and in other capacities, than by Judges appointed from the Bar. There have been Civilian Judges in no way inferior in their knowledge of the law to Judges appointed on the strength of their legal attainments. But even when the Civilian Judge is not, and does not profess to be, a learned lawyer, his knowledge, experience, and training both outside the law and as a District and Sessions Judge, make him a very useful member of an appellate tribunal in this country. The special element which the Civilian Judges supply is, to my mind, of great value in the general administration of justice by the supreme appellate tribunal so far as this country is concerned. A Civilian Judge, as a rule, finds no difficulty in working with a Judge who has been a professional lawyer, and the professional lawyer finds no difficulty in working with the Civilian Judge. Each may have his special point of view, each his special qualities, and probably the defects thereof. The "habit of mind" may be different, but, where a "Bench" is constituted of a Civilian and a non-Civilian Judge, the joint outturn is, I believe, often more satisfactory than where both Judges are of the same class. I have gone beyond the scope of the questions, but I thought it desirable to place my views on this matter on record.

6624 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Barristers' chambers or other), and what conditions do you propose? (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch? (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—(64 *to* 66) The question of improving the proficiency in the knowledge of law as regards members of the Civil Service generally was discussed by Sir Ralph Benson, in connection with the question

of the special legal training of officers selected for the Judicial branch, in paragraph 4 of the minute written by him and dated the 6th of December 1906 with reference to the letter of the Government of India, dated the 5th of October 1906.* The views there expressed were generally approved by all the Judges of the High Court. If the minute is not already before the Commission, a copy will be furnished, if desired.

The minute to which I have referred deals mainly with the question of a special legal training in the case of officers selected for the Judicial branch, and the proposals made by Sir Ralph Benson were generally approved by all the Judges.

The question of the special training of officers selected for the Judicial branch was again considered by Sir Ralph Benson in a minute † written by him and dated the 24th of April 1911 with reference to the letter of the Government of India, dated the 13th of March 1911. If this minute is not already before the Commission, a copy of it will be furnished.

I am in general agreement with Sir Ralph Benson's minute. Notwithstanding that the Government of India take a different view, I still think the study leave in England should precede the training in subordinate judicial work in India. In my opinion the usefulness of study leave would be greatly impaired if it were given in instalments. I think men should be encouraged to spend six months of their study leave in reading in the chambers of a practising Barrister. This of course can be combined with attendance at lectures at the Inns of Court. I think the Inns of Court might be consulted with a view to special facilities being given in the matter of the keeping of terms to members of the Civil Service who wish to be called to the Bar.

* *Vide* p. 9. † *Vide* p. 13.

Sir C. Arnold White, called and examined.

6625. (*Chairman*). You are, I believe, Chief Justice of Madras?—Yes.

6626. The Commission are indebted to you for paying us the compliment of coming before us and giving us the benefit of your advice. In your answer to question (7) with regard to simultaneous examination, I notice that you argue the case for and against, and on the whole you sum up against the establishment of such an examination being extended to India?—Yes, that is my view.

6627. I believe I am right in inferring that you come to this conclusion mainly on the grounds that you cannot see how, by such a means, a European element could be assured in the future in the Administration?—That is so.

6628. You also argue about the separate examination, and you point to what appear to you to be certain grave objections and obstacles in the way of the establishment of such an examination?—Yes.

6629. You advocate, therefore, an extension of the listed posts, do you not?—Yes, that is my view.

6630. Are you prepared to tell us to what extent you would increase those posts?—I am not prepared to do that: I am not prepared to lay down any hard-and-fast rule. I think the question must be governed by the conditions as they exist at the time any alteration is made. I should like to add one word with regard to the view I have expressed against simultaneous examination. It seems to me that the main merit of the present system is that it ignores racial considerations and racial distinctions. The principle is, if I may say so, "Let them all come." The alternative schemes which have been put forward seem to me necessarily and professedly based upon racial distinctions, and those distinctions to my mind are extremely invidious, and are best avoided, if possible.

6631. You hold the opinion that as time advances the caste prejudice will be likely to lessen?—Yes, I think there can be no doubt about that.

6632. As education increases, so, correspondingly, caste prejudice will decrease?—I certainly think so.

6633. Do you think that in the immediate future this question of caste will be likely to give rise to administrative difficulties?—I do not think so. I am not quite sure that I appreciate your question.

6634. I mean in the event of a system being established which would involve a large accretion of the Indian element?—I think in that view difficulties might arise.

6635. They might arise because the Indian element would probably largely be one of caste?—I think, without any doubt, that that would be so.

6636. I notice you attach great importance to the residence of recruits at English Universities?—I do.

6637. And you would extend that University residence beyond Oxford and Cambridge to other Universities?—I think I should prefer Oxford and Cambridge. It may be a narrow view, but I cannot help entertaining it.

6638. You are not prepared to give any definite view upon it?—No, I do not wish to be dogmatic in any sense in the matter, but I do think that Oxford and Cambridge offer greater advantages than any of the other Universities offer, of which I have any knowledge.

6639. As regards the future of the Judicial branch, as distinct from the Executive, I gather from your remarks in your written answers that you practically endorse, in general, the views submitted by Sir Ralph Benson?—I do.

6640. That view being that there should be a considerable probation before an officer goes to a higher official post: a general experience of six or seven years following after one or two a years' probation and two years training, and then year of study leave and finally two years' special training in Judicial work?—Yes.

6641. Would not that scheme, though very complete as an educational scheme, involve considerable expenditure on the individual by the State?—I am afraid I have not considered the question from that aspect. The only aspect from which I considered it was the efficiency of the Judicial branch of the Service.

6642. And you think that the full period of training on those lines would be the most effective for fitting anyone for the higher branches of the Judiciary?—Yes, that is my view.

6643. (*Mr. Madge*). I gather from your written statement that you are satisfied with the combined experience brought by civilians and barristers to the Bench: that is to say, as I interpret it, that the knowledge of the country gained by the civilian during his career in the mufassal is practically indispensable?—That is my opinion.

6644. I am anxious to avoid anything which may be purely personal, but what I want to ask you is whether, in the earlier years of your own experience on the Bench, you felt that this useful knowledge, which you think Judges generally derive from association with civilians, is something which you would not like to dispense with?—I have always felt that since I was on the Bench.

6645. You say that competitive examination is far from being an ideal test of capacity in the Service: is that your opinion, because amongst Englishmen, for instance, a great deal that is useful to them in all their careers, and what they have derived from environment and heredity, and other sources, is not touched by competitive examination?—Certainly.

6646. Then I suppose a reasonable inference from that would be that Indians would be by so much the worse off?—I think so.

6647. As regards possible legal training in India, is there any training available in this country which would correspond with work in Chambers, and reading and devilling and other things, that a barrister enjoys after his Dinners? Supposing there were appointments made in this country from the Bar to the Bench, would there be for an Indian any available training corresponding with the training an English barrister receives at home in Chambers, and in reading, and devilling, and things of that kind?—Yes; but I think necessarily to a limited extent. A man who wished to be enrolled as an Advocate of the High Court can always read in the Chambers of a practising barrister of the High Court.

6648. (*Mr. Abdur Rahim*). As regards the legal training of civilians, I should like to know what curriculum you would advise for open competition. Would you add Law and Jurisprudence to the present subjects for open competition; that would apply, of course, to all civilians whether they are going to be Judges or not?—For the reasons stated in the memorandum I have referred to in my written statement, I think that a knowledge of law on the part of the Indian civilian, whether he elects for the Executive or Judicial branch, is desirable. Of course the studies would be carried further in one case than the other. The character of the books in one case would be different from the character of the books in the other.

6649. After eight years you would give study-leave: do you not think that that would be rather a long time to elapse?—I have my doubts about that. At one time I was disposed to think that a shorter period might be better; but, on the whole, I have come to the conclusion that an eight-year period, as suggested in that memorandum, is the best. It is, no doubt, a little long: I frankly admit that.

6650. Whatever he has done in the way of studying law for his open competition, he would have eight years in which to forget a good portion of that, unless he had been doing work which would keep up his studies. Would not that be so?—He would have forgotten a good deal in the interval, but he would be absorbing general principles which might be useful.

6651. As regards study-leave the suggestion is that he should utilize that for studying in barristers' chambers: that would be for one or two years?—I think the memorandum to which I referred suggested one year.

6652. After eight years he would be somewhere about 32 or 33: do you think he is likely to be very keen in studying fresh subjects then?—I am rather proceeding on the assumption that he is keen for this particular branch of the service. If he is not keen, I should think he had better go.

6653. Directly he returns here he will take up the duties of an Assistant Sessions Judge?—Yes.

6654. Does not that come to the same thing as if a man who qualified for the Bar and passed his examination were at once appointed a Judge?—I do not think so. In the one case he has acquired experience which may not be strictly legal experience, but which I think is useful: in the other case, he has not acquired that experience.

6655. It must be of some use, no doubt, to any Judge; but have you not to take the balance of advantages? Supposing you are to recruit particular men who have passed the open examination, is not the balance of advantages on the side of giving him a training from the very beginning of his career?—As an abstract proposition, no doubt it is; but for the purposes of becoming a member of the Higher Judiciary in India, I confess that I attach considerable importance to the experience and knowledge which he acquires outside the law, so to speak.

6656. As regards administering criminal law, do you think it is difficult for a member of the Bar to do it unless he had specialised in criminal law?—No, I do not think so.

6657. Leaders of the Bar do not do much criminal business except in important cases, do they? They are not very much wanted in criminal cases, are they?—That is so. As you know, in England by the time a man is made a Judge, though he may have had a little criminal practice in his younger days, he has probably forgotten all about it.

6658. The general training a lawyer receives would be quite sufficient for him to be able to discharge his duties as a Criminal Judge?—That is true as regards English Judges; but I am not quite sure that it is true—or true to the same extent—as regards Indian Judges.

6659. You mean as regards Indian Judges recruited from the profession?—Unless they have practised to a certain extent at the Criminal Bar.

6660. Do you know that in India, also, barristers in their younger days have to do a certain amount of criminal work, and are brought in in important cases even at a later stage of their career?—That is so.

6661. (*Mr. Macdonald.*) I should like to clear my mind with reference to your answer to question (7). Am I right in assuming that on the balance of consideration you think it would be very akward to introduce a system of nomination in India?—Yes, I think so.

6662. You have said that there were certain advantages in limiting the probationary studies and experience to Oxford and Cambridge: would you mind telling us what kind of advantage you have in your mind?—I do not want to dogmatise in that matter, because I admit I have no personal knowledge of any British Universities except Oxford and Cambridge; but I think it is essential that the University selected should be a residential University. A University which is only an Examining Board to my mind offers practically none of the advantages which I think it is so desirable that a member of the Indian Civil Service, European or Indian, should have the benefit of. What was in my mind was that there are certain influences at work at any residential college. There is the training which a man undergoes there, not only the intellectual training, but, to a certain extent, the physical training; and there is the general atmosphere of the older Universities which, speaking as an Oxford man myself, I feel is very useful.

6663. You know that some of the newer Universities which are more than examining bodies—teaching bodies—are specialising in what one would call the more modern side of education, Political Science, Economic Science and Sociology, more than Oxford and Cambridge, up to now, at any rate. Do you not think that it would be a great advantage to the man who is going to come out to take up a governing position in India if he had a chance of attending some of those classes, such, for instance, as the London University School of Economics?—No doubt.

6664. You would not forget the curriculum he studies as well as the residence?—No, certainly not.

6665. And if the newer Universities, Birmingham, Sheffield, Manchester and so on,—not to mention the Scotch Universities,—could show that their curriculum were such as to train the man's governing capacity, you would think that the Commission would be doing wrong in overlooking that fact, even if there were no residential colleges connected with those Universities?—I am prepared to accept that to a certain extent. Of course, these newer Universities, which are also teaching bodies as well as examining bodies, are able to supply a great deal; but from the very nature of things they cannot supply what the older residential Universities can supply, whereas those older Universities can. I suppose if they laid themselves out as teaching bodies they might become as useful as the newer Universities; I do not say that they would lay themselves out for it, but if they did do so.

6666. You have said that the number of listed posts should be extended: would you care to express an opinion upon this point in connection with listed posts? Have you considered whether it would be advisable, when a man gets assigned to a listed post, that he should *de facto* be admitted into the Indian Civil Service? You know the situation now; when he gets his listed post he simply gets it, but that does not entitle him to promotion in the wider fields?—That is so.

6667. It has been suggested to us that when a man gets his listed post he should be admitted to the Indian Civil Service field. Have you thought about that?— No, I have not considered that.

6668. There is one point I should like to ask you about the judicial arrangements. You know that the Collector gets a file of magistrates' decisions, in two sections, one, the calendar giving the bare record of what is done, and the other the written judgment where the magistrate has delivered a written judgment?—Yes.

6669. And a part, at any rate of the paper duties of a Collector, is to read those written judgments, and to make up his mind as to whether they are right or wrong, and whether the magistrate is a good or a bad magistrate?—Yes.

6670. Have you any opinion to express, first of all, as to whether the time that would be required to perform that duty thoroughly is really well spent in relation to the rest of the work which a Collector has to do?—I think he must very often find it very difficult to devote the necessary time, having regard to his very arduous and multifarious duties in another capacity.

6671. And do you think that the reading of those judgments is really important for a Collector: or perhaps that is a line of experience upon which you would not care to express an opinion?—It is important that some officers should do that work.

6672. But could it be done by a differentiated Judicial officer, not a man set aside for that special work, but some Judicial officer who had some other work to do?—I am inclined to think so.

6673. (*Mr. Sly.*) With reference to the point raised by Mr. Macdonald just now with regard to a copy of the judgment in each criminal case being submitted to the District Magistrate: that, I believe, is required by a rule of the High Court?—Yes, I believe it is; but I am not quite sure, speaking off-hand.

6674. There is no provision of law requiring it?—I do not think so.

6675. There is one other matter upon which I wish to get the benefit of your experience. You have suggested that the six months' study-leave of civilians should be spent in a barrister's chambers?—Yes.

6676. Do you know, from your experience of the English Bar, whether a barrister would accept a man for six months? I believe the minimum for which they will ordinarily take a man is one year?—I think they would accept him for a consideration of 50 guineas. Most barristers will take a pupil for six months for 50 guineas, and 12 months for 100 guineas. But the usual period is one year.

6677. It has also been suggested that such training in a barristers' chambers is unsuitable for officers with the amount of knowledge of law that they would at that time possess, particularly if your scheme is accepted of sending them home to England prior to their judicial training in India. Do you think that is a weighty objection against it?—No, I do not. It depends to a great extent upon the barrister, and also, to a great extent, upon what sort of a pupil-room he has. The conversation in the pupil-room of a practising barrister is very useful.

6678. It has also been suggested that reading in a barrister's chambers is a very useful training in English Court procedure and practice, which, as you know, is very different from those in India; but it would not be of great value so far as training in the general principles of law is concerned; that it is most useful and necessary for a man who wishes to practise in the English Courts, but it has not got the same advantage that a study of law would have for a man who had to join the Judicial department in India?—There is no doubt force in that, and one has considered that. I know many men, whose opinions I value, take the view that although there are no doubt advantages in a six months' training in a barrister's chambers, it is rather a long period, and possibly the time might be more usefully spent. My view, however, is that it would in all cases be useful. When I say, "in all cases," I mean in all cases where a man selects the Judicial Service.

6679. Do you think there would be any danger under that course that the very best men with exceptional law qualifications, who undergo such a training, would be attracted to the English Bar, and be lost to India?—I doubt it very much.

6680. (*Mr. Gokhale.*) I see you are against simultaneous examinations because you do not see how, under a system of simultaneous examinations, the necessary minimum of Europeans in the Indian Civil Service could be ensured without making invidious distinctions?—That is so.

6681. Supposing it was held at any time, as the Madras Government held 20 years ago, that the country could do with two-thirds of the Europeans in the Civil Service, and supposing the examination in London was maintained for the recruitment of two-thirds, then you would agree that the required number of Europeans would be ensured in that way?—I am not quite sure that I understand the suggested system: two-thirds in London on simultaneous examination, and one-third Indians in India?

6682. I do not call it a simultaneous examination, but the same examination held at another time of the year in India for the remaining one-third. For the two-thirds there will be an examination held in England, and for the one-third there will be an examination in India, at another time, under the authority of the Civil Service Commissioners: the same examination held at a different time, so that there should be no difficulty about drawing up the list. By holding an examination in London for the two-thirds, the necessary European element would be insured, would it not?—No doubt.

6683. Then what would be the objection to holding the same examination a second time in India, but at another time for the remaining third?—I think it would only accentuate racial distinction, and that, I think, would be most undesirable.

6684. If it were open to all subjects of His Majesty in India as well as in England?—That is all very well in theory; but in practice it would mean that it was confined to India. May I develop your suggestion a little further? Take your two-thirds scheme: take 60 vacancies. Out of that 60, 40 men would be under the English examination, and 20 men would be under the Indian examination. Probably the twenty-first man under the Indian examination will have got a great many more marks than the fortieth man under the English examination. He is superseded by the fortieth Englishman. I cannot imagine anything more calculated to make a man feel resentful than that.

6685. I am afraid I have not made myself clear. The papers are not the same. These two examinations would be to one another as two examinations in two different years would be to one another in London; therefore there could be no comparison between the twentieth man here and the fortieth man in England?—In that case you get an inferior branch of the Service which I think is undesirable.

6686. But if there are the same prospects?—You may call them what you like; but if you make that distinction, one class would be recognised as superior and the other inferior.

6687. Even if they passed the same examination?—Yes, I think so; but I may be wrong.

6688. With regard to the District Judges, you would have half the District Judges recruited from the Bar and the Subordinate Judiciary and the other half left to the Civil Service?—I think that would be a suitable arrangement.

6689. Could not the administrative experience which is valued in the Civilian Judges of the High Court be supplied by District Judges who have been recruited from the Bar, or who have risen from the subordinate judiciary?—Those who have risen from the subordinate judiciary would have a certain amount of experience, but those who have risen from the Bar, I take it, would have had none.

6690. Men from the Bar who have been District Judges for some years would have administrative experience just in the same way as all District Judges have, would they not?—No doubt.

6691. If the Judges required for the High Court were taken from their class, would not they supply that administrative experience?—To a certain extent, undoubtedly.

6692. My point is this. If half the number of District Judgeships are to be thrown open to these two classes, and the other half reserved to civilians, it would roughly mean that in this Presidency there would be about 12 Civilian District Judges, and 11 or 12 Judges taken from the Bar and the subordinate judiciary?—That is so.

6693. In making appointments to the High Court, if it was found that the best man was in the ranks of those who were drawn from the subordinate judiciary, or from the Bar, what would be done: how would the present statutory requirements operate, namely, that one-third must be reserved for the Civilian Judges?—The effect would be that so long as the Statute remains in force, the number of civilians necessary to constitute one-third would have to be appointed.

6694. Would it not be better to do away with that provision, and leave everything to Government, so that the Government may take the best man with administrative experience, however recruited, just as may be best?—No, I think I should prefer to see that enactment remain on the Statute Book.

6695. That would mean that there would be three High Court Judgeships reserved for twelve Civilian District Magistrates?—That is what it comes to.

6696. And none reserved for the other twelve District Judges?—That is so. Of course they can get in under the other qualifications.

6697. But one-third must be barristers, and one-third must be civilians, and in the remaining third there would be vakils. That does not leave a large margin?—No.

6698. (*Mr. Chaubal.*) Following up the point raised by Mr. Gokhale, how would you regard the proposal to amend the wording of that Act by saying that not less than one-third must be barristers, and that not less than one-third must be Indians?—I do not think I should like to see that introduced.

6699. Have you any legal examination for qualifying for practice as advocates in the High Court here?—We have the University examination, of course.

6700. I mean an examination held by the High Court?—No.

6701. I asked because we have that sort of examination in Bombay. The last paragraph on page 1 of your written evidence is true. Very few appear here at the Indian advocates' examination, while a very large number come out as barristers after qualifying themselves in the Inns at Home?—I should like to correct myself. As regards men who wish to be enrolled as vakils of the High Court, we have an examination in practice and procedure, that is to say, before they are finally enrolled, in addition to their University examination.

6702. I was speaking of the system which obtains in Bombay, which is this, that the High Court appoints its own examiners, one Judge, the Advocate-General, one solicitor, and perhaps one pleader; but in this case the High Court conducts the examination. It is a very stiff examination. I have not seen more than one or two get through, and those who pass that examination are entitled to be enrolled as advocates of the High Court in the same way as one who has been called to the Bar. That is the system in Bombay?—Yes.

6703. I understand from what you say that a large number come out as barristers after having gone Home and been called to the Bar, while very few go through the Indian examination. For qualifying men at the Bar you have an Indian door and an English door, but the English door is much more largely availed of than the Indian door. Do you not think that that is because it is easier to get through the English door?—I have no doubt about it.

6704. Does it strike you, as regards the Indian Service, that the examination is wanted to be easier; do you think it is the object of those who want it to make that examination like the Bar examination in England?—What examination do you mean, the legal examination?

6705. The simultaneous examination. Would the result be the converse of what you find at the Bar? Just as more Indians get through by going Home and appearing there, and coming out as barristers, more Indians will be coming out now through this door to the Indian Civil Service than they can do now on account of the difficulty of the examination, and on account of the difficulty in connection with the expenses entailed by residence in England, etc.?—I think so.

6706. With regard to your training, would you attach the same importance to the proposal that after the Indian officer has returned from England, and before being made a District and Sessions Judge, he should sit on the bench with a first-grade Subordinate Judge for some time?—I think that would be very useful.

6707. As between the two, studying in a barrister's chambers for six months, or one year, and being regularly called to the Bar, which of those two do you attach more importance to for the purpose of training as a Judicial officer? There is a proposal made by some Governments that an Indian civilian should have two years' leave, and that he should come out and be called to the Bar: as between these two, one year is the most that he should be at a barrister's chambers studying law so as to be able to be called to the Bar: do you agree with that?—Do you mean the two alternatives of a year's reading in chambers and not being called to the Bar, and being called to the Bar and not reading in chambers: are those your alternatives?

6708. I think on being called to the Bar the rules require that he should be attached to some barrister?—That is the case in Bombay, I believe, but there is no Inns of Court rule to that effect, and we have no such rule.

6709. I do not want the work in a Barrister's chambers to be taken off altogether. I think it is necessary, but the period may be considerably shortened if a man is actually called to the Bar having gone through the whole course. As between the two proposals, which would you consider better for the training of judicial officers?—If it was a question of choosing between one of the two, I think I should rather prefer his being called to the Bar without reading in chambers than that he should read in chambers without being called to the Bar.

6710. May I know why you consider a similar anomaly is not likely to occur again?—When we had six Judges there was no difficulty about having

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two Indian Judges. When we had seven Judges we could only have one Indian Judge. Now there are eight permanent Judges. I do not think that there is any anomaly in our having two Indian Judges out of eight; but there was an anomaly in our only being able to have one out of seven. I am going a little further. If at any time there are nine under the Statute, we can have three.

6711. While with nine you can have three, with ten you can only have two?—That is so. I was not contemplating the case of ten Judges.

6712. In answer to questions (22) to (25) you say, "The statistics furnished by Sir Ralph "Benson, showing the extent to which the judicial "work of the country is done by Indian subjects "of His Majesty, speak for themselves." I do not think you share the view that because the judicial work in the subordinate courts is performed by Indians, they should not be allowed to go higher?—I do not think so.

6713. At any rate, the subordinate judicial posts which are not in the Indian Civil Service cadre must, at all times, be mainly manned by Indians?—No doubt.

6714. So that I do not think there is much point in saying that Indians ought not to aspire to the higher posts because they have got the whole of the subordinate judiciary to themselves?—I certainly should not suggest that.

6715. (*Mr. Ramachandra Rao.*) Are you aware that in some districts we have certain officers styled additional District Magistrates?—Yes.

6716. Are you aware that these officers do all the magisterial work; and are you aware that in such districts the Collector does not read a single calendar or judgment?—That may be so, but I cannot say from my own knowledge.

(The witness withdrew.)

M.R.Ry. Diwan Bahadur L. D. Swamikannu Pillai Avargal, Registrar of Co-operative Credit Societies, Madras.

Written answers relating to the Indian Civil Service.

6717 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I am a member of the Provincial Civil Service but have worked for 24 years under or with members of the Indian Civil Service recruited by open competition. I accept the system of open competition as generally satisfactory in principle.

6718 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of a system of simultaneous examinations in India and in England.

6719 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

6720 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—A fixed proportion of the vacancies might be filled up in India, but this need not be done by separate examination.

6721 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am in favour of admitting to the Indian Civil Service Natives of India selected by nomination up to a fixed proportion, say, one-fifth of the recruitments due every year; and I consider it desirable that whatever the system, the main classes and communities in the provinces should be represented.

I do not recommend a competitive examination for these candidates, other than that involved in the University examination already undergone by them, but the University qualification insisted upon should be sufficiently high, say, graduation in honours. As it would be difficult and impracticable to assign a relative rank to candidates who have taken honours in different subjects, and for other reasons also, selection would be necessary, and the selection might be left to the Local Government.

Representation should follow the main recognized classes and communities in the province, viz., for Madras, Brahman Hindus, non-Brahman Hindus, Muhammadans, Indian Christians. It would not be possible to make a selection from each of these communities every year, but Government might determine how many Brahman Hindus, non-Brahman Hindus, Muhammadans and Indian Christians should be selected out of 10 or 15 recruitments due, and spread the 10 or 15 over a number of years, according to the number required from year to year. Representation of sub-divisions of these communities (Smartha and Vaishnavite Brahmans; Nayudu, Mudaliyar, Komati Non-Brahmans; Roman Catholics, Protestants and Eurasians, etc.) might be given effect to at the discretion of the Local Government.

The qualifications of age and physical fitness should be the same as for the open competition but as candidates in the smaller of the main communities would be required only once in three years or so, the age limit might be relaxed by one year either way, so as to give an equal chance to candidates qualified in either of two successive years.

I would give to the candidates recruited in this way prospects similar to those of the late Statutory Civil Service.

6722 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I consider that Natives of India should still be eligible for appointment in England.

6723 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—I regard the system of selection in India as supplementary to the present system of promoting to listed-posts officers of the Provincial Civil Services.

6724 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend a separate method of recruitment for the Judicial branch of the Indian Civil Service.

6725 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident "in India, and not established there for tempo-"rary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition.

6726 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I think the present age limits are all right.

6727 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17–19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21–23 or 22–24 years, followed by one year's probation)?—I think the candidates under the present system are quite satisfactory. I am unable to speak from personal knowledge of the merits *on or shortly after arrival in India* of the candidates selected before 1891.

6728 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—I do not recommend any differentiation.

6729 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions] ?—I do not recommend any alteration.

6730 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (23 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—*Vide* answers to questions (10), (11) and (12).

6731 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?—I answer "yes" to the first question. The second is for the Local Government to answer.

6732 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not recommend the system of appointment of "Statutory Civilians" in the old sense.

6733 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The system has not given satisfaction either to the members of the Provincial Service or to the public.

6734 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—It is not for me to answer this question as I am myself an officer of the Provincial Civil Service who has held a listed post for the last 7 years.

6735 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I recommend the continuance of this system.

6736 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—I do not recommend any change in the case of candidates selected by open competitive examination.

6737 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

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6738 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—It can best be spent in England.

6739 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers?—I would require such candidates as are selected in accordance with the answer to question (10) to undergo two years' probation in England.

6740 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—In England.

6741 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—I am not prepared to suggest details, but the system of training should be such as to give the selected candidates the same opportunities as those afforded to candidates selected by open competition.

6742 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I approve generally of the present arrangement.

6743 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—The pension of officers who retire from the post of Collector or Judge seems to be too low. It might be raised.

6744 (134). Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—If possible, I would recommend a separate Family Pension Fund for such officers.

Written answers relating to the Provincial Civil Service.

6745 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think the conditions are suitable.

6746 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—I recommend nomination by the Local Government. It is already in practice and need not be further described.

6747 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—I am not aware of such non-residents actually employed in this province.

6748 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I consider it desirable that the main classes or communities in the province, referred to in the answer to question (10), should be represented in the Provincial Service also. I think it would be well to announce beforehand the system of representation adopted and to adhere to it.

6749 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—There are complaints that in the selection for appointments to the higher grades the main classes or communities in the Presidency are not properly represented. It would be well to announce beforehand the principles to be followed in each district or group of districts or in the Presidency as a whole and to adhere to them.

6750 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—The inferior listed posts might be given the same names as those held by members of the Indian Civil Service and carry (more or less) two-thirds of the pay.

6751 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am satisfied with the present designation.

6752 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—There is also another consideration, that officers of the Provincial Civil Service (I am referring specially to the Executive branch) are liable to be called upon to discharge the same functions as members of the Indian Civil Service and the salary of posts in the Provincial Civil Service should be so adjusted as not only to induce good men to join it but to enable the members of the service to live decently and in comfort and to make a fair provision for the education of their children and the future support of their families.

6753 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—A time-scale for the higher and another for the lower grades might be adopted. At present no Sub-Magistrate knows when he will rise to be a Tahsildar and no Tahsildar knows when he will rise to be a Deputy Collector. Official advancement in these grades is sometimes a game of chance and sometimes a general scramble for the goodwill of superior officers. A time-scale of pay would relieve this uncertainty and the evils consequent on uncertainty. If a time-scale is introduced in the case of members of the Indian Civil Service, it might also be introduced for the benefit of officers of the Provincial Civil Service.

6754 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—I am sorry I have not the materials at hand for working out a scheme for such a time-scale as I have proposed, but as a time-scale has already been introduced in the case of officers of the Forest and the Salt and Abkāri Departments, it should not be difficult to frame a scheme.

6755 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I approve of the arrangement.

6756 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I do not think the leave on full pay due to them is ordinarily taken by officers of the Provincial Civil Service. They seem to be afraid either that they will lose a good station or that they may get a bad one on return from leave. It would be a good plan to keep an officer in his station for at least three years and not to allow a change except on his actually falling ill and producing a medical certificate.

6757 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I do not think the furlough due to them is ordinarily taken by officers of the Provincial Civil Service. In addition to the reasons stated in the answer to question (32), the inadequacy of furlough allowances and of the total period admissible as furlough are possible reasons. As only two years' furlough can be taken on the whole in an entire service of thirty years, and leave on medical certificate cannot be taken on half pay except by foregoing in whole or in part the furlough admissible, officers are naturally anxious to take the leave as late as possible in their service. The furlough allowance ordinarily admissible is probably not enough to enable most officers to enjoy rest with ease during furlough. The total period allowable in the course of a service as furlough might be increased, and furlough for half the period on full pay might be conceded optionally in lieu of the full length of furlough due at any time on half pay.

6758 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Please see answer to question (33).

6759 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I would approve of such a rule and limit the pension to three-fourths of the amount admissible for an invalid pension after the same length of service.

6760 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—The amount of pension in the case of those retiring from the post of Collector or Judge might be raised.

6761 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Voluntary retirement might be allowed at a somewhat earlier period of the service than is at present the case, say after twenty-five years of service. At present the stage of service for voluntary retirement is so close upon the stage for superannuation that officers who might elect the former mode of retirement often prefer to stay until they are superannuated.

6762 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—A Family Pension Fund in the case of members of the Provincial Civil Service is desirable. There is none at present organised by the State.

6763 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.—I recommend—(*i*) Wound and extraordinary pensions on a somewhat liberal scale. (*ii*) Some modification in the Special Test Examination rules.

Under (*i*) the scale might be announced and it would be an encouragement to officers undertaking responsible duties and exposing themselves to special risks. Under (*ii*) I refer specially to—

(*a*) The rules which are intended to exclude from the special tests persons who have not passed F.A., B.A., and so forth. It would be better to impose such restrictions directly by means of rules of recruitment than indirectly by means of special test rules. A proportion of appointments in the Provincial Civil Service might continue to be filled up by promotion from lower grades, but a certificate from the head of the district or department might be accepted in such cases in lieu of special tests, which should ordinarily be prescribed only as preliminary to or as an incident of a definite period of probation.

(*b*) the rules under which a large number of Government servants are working for special tests practically during the whole course of their service should in my opinion be altered. I think that up to the age of thirty or thirty-five, at most, Government servants may be allowed to qualify themselves by means of special tests, and that after this age has been reached the certificate of the head of the district or department, who is prepared to promote a Government servant to a post for which special tests are required, should be sufficient.

Mr. L. D. Swamikannu Pillai, called and examined.

6764. (*Chairman.*) You are Registrar of Co-operative Societies, Madras, are you not?—Yes.

6765. And formerly you held the position of Collector, I believe?—I am graded as a Collector. I have not been in charge of a district.

6766. What is your caste?—I am a Christian. By caste I am a Sudra-Velala.

6767. In answering question (7) you say that you are against a proposal of a simultaneous examination being held in India?—Yes.

6768. Is your reason for being opposed to that, that you fear an undue monopoly of Indians?—Not exactly that.

6769. Can you give us reasons why you are opposed to it?—I think examinations in India would not give us the type of men which an open competitive examination at present supplies us with.

6770. You are also opposed to a separate examination?—I do not think a separate examination in India is necessary.

6771. In answer to question (10) you say that you are in favour of recruitment in India by a fixed proportion of one-fifth of the total recruitment of any one year?— Yes.

6772. Would that be one-fifth in addition to the listed-posts?—Yes, I have said so.

6773. That being so, what number of statutory listed-posts would, under your scheme, be provided for in the cadre?—That would depend upon the number in the Civil Service. I said one-fifth of the recruitment now made by open competition might be made in India.

6774. You would leave the listed-posts as they are?—I would leave them as they are.

6775. Then you recommend that candidates recruited in India should spend two years' probation in England, do you not?—Yes, I do.

6776. Will you tell me, shortly, why you have come to that conclusion?—I think that the advantages of a residence in England are pretty well known, and they have led me to form that opinion.

6777. That is hardly an answer to the question I am putting to you. What are the advantages which appear to you to be the most important?—I think it would broaden the mind of the candidate.

6778. You would prefer that the whole probation period be placed in England, and not that a portion of it should be in India?—I do not think a portion of it need be spent in India.

6779. In answer to question (26) you say that a time-scale for the higher, and another for the lower, grade might be adopted. We have had several suggestions from witnesses with regard to a time-scale being introduced for the lower grades. I notice that you advocate one also for the higher grades?—Yes.

6780. Could you explain a little more what scheme you would work upon with regard to a time-scale for the higher grades?—I meant the higher grades of the Provincial Service. That is what is now called the Deputy Collectors' grade.

6781. Up to what rate of pay?—I should say up to the present rate—Rs. 800. It might be raised; but I did not consider that point.

6782. Your suggestion really coincides with the suggestions of other witnesses, then?—I have not read the evidence of other witnesses.

6783. (*Lord Ronaldshay.*) You think that a minimum of Europeans is essential to the efficiency of the administration, I understand?—Yes.

6784. And you think that the minimum should be placed at about four-fifths of the Civil Service cadre?—Yes, about that for the present.

6785. Why do you think that a system of open competition is not suitable for the recruitment of Indians?—I have not advocated a simultaneous examination, and I do not think a separate examination in India is necessary, because the kind of candidates I have in view would already have undergone a pretty severe examination.

6786. Have you any apprehension that, under a system of competitive examination in this country, the different classes and communities would not obtain what you consider to be adequate representation?—I have a decided opinion to that effect, as far as this Presidency is concerned.

6787. Coming to a question on a more technical point, in answer to question (134) you say "If possible I would recommend a separate Family Pension Fund for the officers of the Provincial Service holding listed-posts." Why do you want a separate Pension Fund for the families of these officers, who, of course, constitute a very small class?—I mean separate as distinguished from the Family Pension Fund of the Indian Civil Service. I have no objection to the listed officer having the same Family Pension Fund as the ordinary Provincial Officer.

6788. Is that Family Pension Fund not open to them now?—No.

6789. Are they not entitled to subscribe to the Bengal and Madras Family Pension Fund?—I do not think they are entitled to subscribe to that fund—the ordinary Provincial Service people.

6790. Can they subscribe to the General Provident Fund?—They do subscribe to the General Provident Fund.

6791. Then why do you want a fund in addition to that one: does not that give them adequate provision?—It is on account of the uncertainties of life. A man might subscribe for only two years, and then die. It is a very important consideration to their families if they do die. The General Provident Fund gives back to you what has been subscribed with interest.

6792. You are under the impression that these officers are not entitled to subscribe to the Bengal and Madras Family Pension Fund?—I do not know if that is the case. Personally, I subscribe to the Family Pension Fund in Calcutta. It is a private thing, however, though it is to a great extent recognised by Government.

6793. (*Mr. Chaubal.*) May I ask you what has been your experience in the past about any system of selection in India: the old Statutory system was worked out by nomination, was it not?—It was.

6794. And it was a failure?—I do not recommend it. I do not think it was a success.

6795. What has been your experience of any other system of nomination in India?—I think a system such as I have recommended would do very well. I myself have taken part on a Selection Board for selecting members of another branch of the service, and I think we followed this system of taking men who had passed a University examination. We then examined them for physical and

intellectual qualifications. I think the results were fairly good. I have not had any very large experience in that way, but I do not see why it should not succeed.

6796. Will you kindly tell us whether, in your opinion, the recruits selected for the Provincial Service by competition have been successful, or otherwise?—They have been on the whole successful.

6797. You have no definite grounds in your mind for saying that the results of that selection by competition have been unfortunate?—I have not said so.

6798. In answer to question (37) you say "The system has not given satisfaction either to the members of the Provincial Service or the public." Will you kindly amplify your answer by saying how or why, or for what reasons?—Officers formerly called Assistant Collectors and Sub-Collectors are now called Deputy Collectors and receive a Deputy Collector's pay. The public would sooner see them called by the old names, and receive a little more pay. I do not recommend exactly the same pay.

6799. You would give a little more pay?—Yes. I have said elsewhere that I think these people might continue under the old Statutory Civil Service when the pay was about two-thirds of the Indian Civil Service scale.

6800. So that the principal ground is the dissatisfaction on account of being called by a different name?—The designation and the pay. The Deputy Collector's pay is much less than two-thirds.

6801. The Deputy Collector's pay is less than two-thirds: you mean two-thirds of what?—I mean taken on an average.

6802. If you take the highest pay, of course it is less; but if you take the grading of Rs. 1,200 it would not be less?—I take the average. If it were restored, probably the people would be satisfied although sometimes the pay might be less.

6803. Or would you be content with having two-thirds of the pay which the Deputy Collector might have, while at present Deputy Collectors, as servants serving in the Provincial Service, cannot get more than Rs 800 unless they get into the listed-posts—into the higher service? In the higher service you have different grades from Rs 1,200 upwards?—Yes.

6804. And you would be content if you have the same sort of differentiation of two-thirds of each grade in the Deputy Collectors' grade?—That is what my recommendation comes to.

6805. As regards that, taking the listed-posts (I am not speaking about the Civil Service, but about the listed-posts) may I know why you think that of persons performing the same duties, filling the same posts, working the same districts and the same province, one should receive more and the other less?—From a practical point of view the one set of people have not taken the same amount of trouble and undergone the same amount of expense in getting their appointments as the others.

6806 I should like you to give me some information with regard to your answer to question (128). You say that the pension is less, and that you would raise it?—Yes.

6807 May I know how far, in your opinion, it should be raised?—I would raise it at least to a maximum of Rs. 6,000 per annum, which is now allowed to some of the officers if they have held other positions which involve less responsibility.

6808. With regard to your answer to question (14), would you include Indian subjects of Native States in the definition "Natives of India"?—I do not know whether they are not included at present, but if they are not, I would like to include them That is a minor point, and I did not consider it. I noticed it afterwards.

6809. With regard to your answer to question (39), you are naturally reticent about passing any judgment on your own work, but I should like to know what opinion you have about the efficiency of your brethren in the service?—The number is small, but I should say, on the whole, that they have done well.

6810. (*Mr. Gokhale.*) Your scheme comes practically to a revival of the Statutory system with a high minimum of educational qualification?—Yes.

6811. How would you grade these officers in the same list as those recruited in England, or what would you do?—I think they should be graded in the same list.

6812. Are you aware that it was held by the Secretary of State for India some years ago that the appointments of Statutory Civilians were appointments to individual posts only, and that they did not belong to the whole service?—My impression is that in some provinces they are being graded. I am not aware of that ruling.

6813. If that view remains, that men appointed as you propose are only appointed to individual posts, and not to the service, would you be satisfied?—I think if there were such a large number of men as I proposed there would be a regulation for graduating their promotion.

6814. Would you not want some chance of promotion and prospects?—I would ask for some regulation.

6815. You say that one-fifth of the number might be so appointed in India?—Yes.

6816. If the number were larger than one-fifth, would you object, say, to one-fourth or one-third?—I mentioned one-fifth. I have really no objection to one-fourth.

6817. Are you aware that the Madras Government contemplated one-third 20 years ago?—I have no objection to that.

6818. You are not to be taken as being against more than one-fifth?—No.

6819. You say in answer to question (27) that the Natives of India recruited by means of open competition in England are, on the average, as efficient as European members of the Civil Service. Have you had experience of members of the Indian Civil Service; have you worked with any?—I have not worked with them; but I have a good deal of knowledge of them.

6820. And this is your considered opinion?—Yes.

6821. (*Mr. Macdonald.*) How did you get into the service?—Originally I got a Secretariat appointment, and after that there was an examination for the statutory service. I was second in the examination, and possibly in consideration of my educational qualifications Government gave me a Deputy Collectorship in 1891. I was Deputy Collector for about two years, and I was called into the Secretariat. I presume I was useful to the Secretariat, and I

remained there 19 years. I rose from a Registrarship to be Secretary of the Board of Revenue, and from that I was appointed to my present post.

6822. Did you get in by competitive examination?—I cannot say that. I was only second when I passed the competitive examination.

6823. Your proposal, as I see it, simply comes to this, that you would give the Government a pretty free hand to appoint men who have passed a certain educational test?—I should like the educational test to be pretty high; as high as you can find in the local University. Subject to that I would give them a free hand, and subject also to the communities being represented, to which I attach some importance.

6824. You would leave that to the Government?—I have asked that a proportion should be determined and announced beforehand, and adhered to.

6825. By the Government?—Yes.

6826. You were on a Board for selecting candidates?—Yes.

6827. What was the Board?—It was for selecting a Deputy Superintendent of Police. The Inspector General of Police, the Chief Secretary to Government and myself were upon the Board.

6828. Had this Board any experience before in the work they were called upon to perform?—They insisted that all men should be men fresh from college. Men who were in office were rejected on that account. All were men under a certain age—under 25

6829. I suppose that the type of man you wanted there was, pre-eminently, first of all an honest man?—We could not say much about the honesty of a young man, except so far as we could judge from his family.

6830. But that was an essential quality, was it not?—The qualifications we wanted were more physical and intellectual, and a certain amount of family connection, if possible; but we did not insist upon that.

6831. That was the type of man you wanted?—Yes.

6832. And you think you got that by selection?—I should think so.

6833. (*Mr. Madge.*) I presume that in naming four classes, you have in view the spread of education in this country?—I should like the classes to be grouped, as far as possible, with these.

6834. You think that all classes should be represented?—Yes, that is to say, if possible. There are classes in which no persons are qualified by education, and they would necessarily have to be left out. It would always be possible to bring in the educated in one of those classes. The non-Brahman Hindu class is very extensive.

6835. With regard to that particular class, the non-Brahman class, do you think education has not spread sufficiently to include a great number of them?—The non-Brahman Hindus, in my opinion, have done as well as Brahman Hindus so far as they have come up for examination. It is only a question of a smaller number coming up; it is not a question of better intellectual ability.

6836. And so far they have not had a fair share?—No.

6837. (*Mr. Abdur Rahim.*) Is there a strong feeling as to the necessity for class representation in the public service?—Yes, amongst those classes which have not been adequately represented. The Brahmans are undoubtedly satisfied, but the non-Brahmans are not, I should think.

6838. As regards your Selection Board, have you had any complaints as to the way in which selections were made?—I think if they were made as I recommended they would be all right. I have heard of no complaints.

6839. (*Sir Valentine Chirol.*) When you say that an Indian should go home, you wish him to go home at a certain time, when it would broaden his outlook? I presume what you have specially in your mind is that an Indian who has been in England, who has seen the general aspects of our civilisation, would bring more sympathy into his relations with other classes?—That is our experience. I have found without one exception all the Brahmans who returned from England and have gone into the service, much broader-minded men than others.

6840. (*Sir Murray Hammick.*) In answer to question (44) you say: "A Family Pension fund in the case of members of the Provincial Service is desirable. There is none at present organised by the State." As a matter of fact, at present the civilian, of course, has his Family Pension fund; while the man who comes from the Provincial Service into the listed posts has nothing but his Provident fund, which he can belong to or not, as he pleases, and there is no Family Pension fund for him to belong to?—No.

6841. You would like to have a Family Pension fund so that his family might get something?—Yes.

6842. You said in answer to Mr. Gokhale that your system is very much like the statutory service which was introduced several years ago?—With an accent upon educational qualifications.

6843. Mr. Gokhale pointed out that one objection to that system was that you could not grade the officers with the Civil Service, because they were held to be appointments made to specific posts in the service?—Yes.

6844. But I suppose you know that any arrangement of that sort could be altered by an alteration of the rules by legislation, if necessary, to provide for that?—Yes.

6845. You think that if such a service as yours were instituted, and the men were allowed to be graded exactly as the Civil Service men were, it would not be open to the same objection as the statutory service was?—That is exactly my view.

6846. (*Mr. Oldfield.*) Does the Selection Board, of which you were a member, still sit; or does it sit to fill appointments?—It was only appointed on one occasion.

6847. Was that the occasion of the creation of the grade of Deputy Superintendent?—Not on the first occasion, but the last occasion upon which appointments were made.

6848. How many appointments had you to fill?—We made six nominations, and Government had to fill three appointments.

(The witness withdrew.)

M.R.Ry. Rao Bahadur B. Narasimheswara Sarma Garu, High Court Vakil, Mylapore.

Written answers relating to the Indian Civil Service.

6849. (1) What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle? (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest? (3) Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alterations do you recommend?—[The answers to questions generally and especially (1), (2) and (3) overlap one another and the questions are treated together.] The system has given the country a body of intelligent and conscientious men, able and willing to discharge the administrative duties of their offices efficiently, and it is difficult to recommend a method of recruitment more satisfactory in principle. Remembering that the service is the governing service, the defects noticeable in the general working of the system may be said to be:—(*a*) The service as a class, with very many honourable exceptions, cannot be considered to have displayed any zeal or ardour in developing the resources of the country. (*b*) Is not keen in rapidly advancing the education of the people; many are believed to be opposed to the spread of education. (*c*) Is believed to be unsympathetic towards the legitimate aspirations of the people. (*d*) The behaviour of a not inconsiderable section was until recently scarcely such as would promote mutual sympathy or cordiality between the two races. (*e*) A large body of men composing the service are believed to have a narrow conception of their duties as being limited to keeping the administrative machinery going and in order.

The system has produced a very efficient administrative machinery, and the task of evolving orderly Government having been accomplished, India anturally desires at the head of the administration a body of men with warm sympathies, enthusiasts in the cause of her progress. A system calculated to exclude Indians, and creating a feeling of exclusiveness and contempt for the people as belonging to an inferior race would have to be altered.

The country must be governed by British methods; western culture and energy must have free play; the free-born Englishman with his instinctive love of fair-play must have a potent voice in the administration; but I emphatically deny that among upward of 300 millions of Indians we cannot find a sufficient number of men in every way well-qualified to bear a fair share of responsibility in the real government of the country. The Civilian with an Indian domicile must from his position of influence and authority make his brother officer catch a little of his enthusiasm for the country's progress, and will necessarily modify the policy of the Government and make his countrymen feel that the Government is really their own, labouring solely and exclusively for their benefit. Confidence begets confidence, and the permanence of the British connection cannot be more effectually secured than by making the Indian community feel that the Government is really their own and that they are not treated as an inferior people. Indians are too sensible not to recognise that they cannot do without the Englishman. The British element in the civil service is too small in the sense that it cannot effectually carry on the civil administration of the country without the cordial co-operation of the rest of the service; is weak and unduly large in the sense that by attempting to shut out the Indians effectually from all high and responsible offices in the Government, it has weakened the motive force to enthusiastic support in times of stress and strain. The system must be altered so as to permit the recruitment of duly qualified Indians.

The value of Sanskrit and Arabic as a means of culture has been underestimated; and apart from the intrinsic merit of the two languages, it has been forgotten that to govern an eastern country sympathetically and enter into the feelings of the people it is hardly good policy to make the future rulers despise the languages revered by the people.

It is believed that the western candidate for service is made to go as much through a process of cramming as his eastern brother, and I would suggest that the examination be confined to graduates of a British or Indian University.

Sanskrit and Arabic may be given as many marks as Latin and Greek to encourage the study of the former amongst British students and to place the Indian candidates on a footing of equality with the British more than hitherto.

6850 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—It would be undesirable and wrong to recommend any differentiation between the several classes of His Majesty's subjects; but as a temporary measure, and so long as the Colonies choose to draw a distinction between the European nations and His Majesty's Indian subjects, it would be necessary to exclude the Colonies from competing for the Indian Civil Service. The step recommended need not be viewed from the standpoint of retaliation. To allow young men from the Colonies who have learnt to despise the Indian as inferior to him, and who have been bred up among such unhealthy surroundings, is to introduce into the service men whose environment prevents the development of a healthy frame of mind, and whose example in the treatment of Indians and Indian questions might be contagious. It may be that the mother country would not venture to impose such a bar, but at any rate care should be taken that only Colonials who have been trained in an English public school or University are admitted.

6851 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I would strongly recommend the system of simultaneous examination in England and India. On principle, the Indians would be entitled to ask that the examination being for service in India, should be held only in India; it is because it is impossible to do so without preventing the Briton from entering the service that the examination is held in England. All are

agreed that the best western culture, talent, character and energy available should be drafted into the service. But western culture is not now confined to the west. The recent reforms in the Universities, the curriculum of studies therein and the results of the examinations, show that young men here are receiving the best culture European literature affords. Compulsory foreign travel and residence in England before admission into the service would provide the necessary knowledge of the working of European free institutions and social usages and would guard against the danger of the young Indian Civilian being swayed by considerations of caste, creed or colour. A combination of the best that is to be found in the east and west would thus be secured. I will not insult the British race by a suggestion that the flower of western intellect would not be able to hold their own in a competition on equal terms, but inasmuch as the fear has been expressed in more than one quarter that the Indians would swamp the service, provision may be made against such a contingency, and I would risk the enactment of such a rule to the alternative of being completely shut out under the present conditions.

6852 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend? I would deprecate the idea of a separate examination for Natives of India. If the Indian cannot hold his own at an equal competition under equal conditions, he has no right to enter the service intended to govern India. Even if the Indian examination be more exacting and severe there cannot be the same feeling of equality and comradeship among the officers, as when the examination is the same. The Indian Law examinations are perhaps not less severe tests of knowledge than those obtaining in England, and yet the distinction exists between the two branches of the legal profession. If, however, the Commission find it impossible to recommend simultaneous examinations, I would accept a separate examination for the whole of India, the proportion being fixed at a third, there being the possibility of a few getting in through the examination held in England.

6853 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—The Statutory system has been tried, found wanting and condemned in unmistakable terms. There can be no question of class representation in the highest service in the land. A man actuated by class prejudices or who thinks himself to be a representative of a particular section has no place in a service which should be swayed by no class considerations, and efficiency should be the sole criterion. If the Government should think that any person is of very superior merit and is specially qualified to fill a particular post and the more so by reason of his belonging to a particular class, it has the power to nominate him.

6854 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England? I have restricted the proportion to one-third, considering that a few may get in through the open door in England. To close the examination in England would be to completely discourage the Indian youth from going to the British Universities for training and the reasons which have so far restricted the examination to England would prevent the adoption of such a course.

6855 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—Present claims excepted, the Civil Service should be restricted to those who pass an examination in India, whether it be the same as in England or different.

6856 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would strongly recommend that the judicial branch of the Civil Service should be recruited mainly, if not wholly, from the practising members of the Bar in England and India. If the executive and judicial functions are to be separated, no objection can be urged against such a course. An intimate knowledge of the vernaculars is absolutely essential for the proper administration of justice, at any rate in the subordinate courts, and the idea of filling the subordinate posts with officers from abroad has not been entertained by any one. The young English civilian, however recruited, cannot fill the subordinate judicial posts with satisfaction to the public, because he would not command a sufficient knowledge of the vernaculars, and his employment in the subordinate posts, such as the munsif's, would be a sheer waste of public money, and the office establishment would have to be increased for his sake.

Assuming that the civilian undergoes training in the elements of Indian Civil Law, before he assumes active service, he will have completely forgotten the little he has learnt by the time he becomes District Judge at the end of ten or fifteen years, and the position would not be far different from what it is now. The only alternative would be to give him special facilities to pass departmental examinations by giving him long leave, and is he to be retired from service if he does not care to work at that stage to obtain a pass, or is he to rest content with a smaller salary? Either course would cause loud discontent which cannot be faced with equanimity. The alternative would be to make the examination nominal, and the result would not be far different from what it is now. If the experience of the civilian officer in other branches is intended to be availed of in

the judicial service, and the service is to be represented in the High Court, the number of district judgeships open to the service need be only so many as would afford a training ground for the High Court judgeship, and the civilians with special aptitude for judicial work may after passing the requisite tests in civil law, and after preliminary training for a short period in subordinate posts, be made district judges. I do not think any different method of recruitment would give the desired result.

The system I would propose for the recruitment of the judicial branch in this presidency would be as follows:—(*a*) I would divide each district in the province into a number of taluks having approximately the same quantity of judicial work to be disposed of; the existing taluks may be readjusted if necessary and if the same cannot be done without great inconvenience. (*b*) I would appoint an officer in each taluk for the trial and disposal of criminal and civil cases. (*c*) The officers are to be appointed by the High Court from amongst the graduates in law, in active practice for such period as may be prescribed, an intimate knowledge of the vernacular of the taluk being a condition precedent to the appointment. (*d*) The officers having civil jurisdiction as Subordinates Judges, or first-class munsifs, may be entrusted with the appellate jurisdiction now exercised by divisional officers acting as first-class Magistrates. (*e*) Promotions to higher offices should be made by the High Court subject to confirmation by Government. (*f*) The High Court or the Government, as the case may be, is to have power to recruit direct from the bar for a certain number of the higher appointments. (*g*) If the Indian Civil Service should retain a certain number of District Judgeships, the civilian choosing the judicial line should be made to occupy such of the subordinate offices and for such length of time, as having regard to his salary, promotion, etc., the Government may determine.

The recruitment for District and Sessions Judgeships from the civil service and the English bar would provide the English element, and Indian Judges, both from their experience at the bar and that gained as judges in the trial of civil and criminal cases, would make efficient District and Sessions Judges. Inasmuch as a large number of high appointments can be thus thrown open to Indian talent and merit, the scheme may satisfy their legitimate aspirations, and the ambition to fill high office would keep the service pure and efficient.

The cost of litigation would be considerably reduced, inconvenience to witnesses would be partly avoided and litigants may be prevented from running themselves in useless criminal litigations in cases such as those of criminal trespass, the law being slightly modified if necessary. If village panchayats and Honorary Magistrates can be made to dispose of a number of petty cases, scope for oppression and opportunities and temptation for corruption would be minimised. The executive would retain all the powers under the Criminal Procedure Code necessary to preserve peace in the district.

Even if the combination of civil and criminal jurisdiction in the same officer is not to be approved, there can be no objection to the readjustment of the taluks, the Magistracy being appointed like the Munsifs by the High Court.

The cost of the change would not be heavy or prohibitive; it may be that a saving can be effected. About 130 District Munsifs have disposed of 265,953 cases in 1910, as against 146 Stationary Magistrates, 163 Deputy Tahsildars and possibly a few Tahsildars disposing of 142,230 criminal cases.

6857 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there "for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—May be slightly modified so as to include persons born elsewhere of parents who have made India their permanent home, provided that such persons are habitually resident in India.

6858 (13). If the system of recruitment by open competitive examination in England is retained state the age limits that you recommend for candidates at such examination giving your reasons?—The present age limits should be retained. The limit should be fixed so as to attract candidates who have completed a university course. The limits should be as high as now both in the interests of Indian candidates, and to attract gentlemen of wide culture who have received the benefits of university education. By limiting the competition to graduates, the need for so arranging the curriculum as not to deter candidates from appearing for the examination, lest the time spent in preparation may be useless, would be obviated. Reduction of age limits would be imposing a bar on Indians; after graduating here or in England, the risk of a failure may be faced with equanimity. Enormous powers are entrusted to the young civilian, and they should not be immature youths. The cost of training after a pass need not be so heavy to the tax-payer. If the age limit is to be reduced to secure the right material from Britain, the age should be substantially what it is now in the case of Indians.

6859 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—The age under the present system is suitable.

6860 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—The answer to question (13) covers this.

6861 (16). What alterations if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Sanskrit and Arabic are to be assigned the same number of marks as Latin and Greek. Political Economy and Economic History may be assigned higher marks and high proficiency in the subject being required if it should be taken up. In the case of Indian candidates who do not take up Latin and Greek, the questions should not

be so framed as to be unintelligible by the use of Latin and Greek quotations.

In the case of Indian candidates who do not take up Latin, Greek or a modern European language, they may be required during the probation period to learn one or more of these languages, just as the English civilian is made to learn the vernaculars of India.

6862 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—The answer to the previous question covers this.

6863 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—The higher offices relating to the executive administration of the country and referred to in the schedule to the Act of 1861, should be reserved by statute for the Indian Civil Service in order that the best talent and culture available in the Empire may be employed in the Government of the country. In order to separate the judicial and executive functions properly, and to secure legal professional talent for the administration of justice, and to inspire the public with confidence in the absolute integrity and independence of the judiciary, the judicial branch should be removed from the reservation. The object with which the reservation has been made has been achieved, and the progress of the age renders the change necessary. In case no examination is to be held in India for the Indian Civil Service, two memberships of the Board of Revenue, a Secretary's place, an under Secretaryship, and one-third of the Collectorships should be removed from the list and annexed to the Provincial Civil Service

6864 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do consider that a minimum proportion of European subjects of His Majesty should be employed. Under present conditions Natives of India may be admitted to the following offices: two memberships of the Board of Revenue, one Secretaryship, two-thirds of the District and Sessions Judgeships, one-third of the Collectorships, an Under Secretary's place, and such a proportionate number of inferior posts as would qualify them for promotion to the superior posts in the same period as their brother European officers.

6865 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Power might be taken by the Government to appoint to the Indian Civil Service persons of exceptional merit, but the open door ought to be ordinarily the only entrance.

6866 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what methods of recruitment would you recommend?—I do not think that the Statutory Civil Service system should be revived.

6867 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The answer to the previous question covers this.

6868 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed-posts?—I do not think the rule is necessary, as the Government has always the power to treat cases of rare merit as exceptional.

6869 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—The answers to the preceding questions cover this.

6870 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—The answers to the preceding questions cover this.

6871 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The answer to the first question covers the ground partly.

6872 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

6873 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—A year is sufficient. I would include the law subjects prescribed in the 1891 course among the compulsory subjects. In the case of Indians who have not taken up Latin, Greek or a modern European language, I would substitute one or more of them for a vernacular.

6874 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—The answer to the previous question covers this.

6875 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In the case of English candidates in India; and in the case of Indian candidates who have not been trained in England in England.

6876 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—A college should be started for the purpose.

6877 (34). Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes.

6878 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—The knowledge of the vernaculars possessed by members of the Indian Civil Service has never been very satisfactory. In this presidency especially, the frequent transfers from one district to another speaking another language, possibly the consciousness that there would be such transfers rendering the knowledge previously acquired comparatively useless, and the consequent weakness of the motive to learn, the growth of English society and of the English-speaking population, the feeling that the officers are mere temporary sojourners engendered by the ability to go to Europe often, the abundant supply of English-speaking servants, the provision of translators in all offices, and the knowledge that there would be no real loss even if the vernaculars are not learnt properly, are some of the causes. If a sound knowledge of a vernacular, and the ability to speak and read it without the assistance of a translator, be made a condition precedent to an officer being appointed to high office or at any rate promotion therein, there would be a distinct improvement.

6879 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch?—A portion of the probation period and the period of training in India should be utilised in the reading of law in the subjects prescribed in 1891 (Appendix VI); division changes should only be given after passing a departmental examination therein.

In the case of officers choosing the judicial line, study leave may be given to be spent partly in England and partly in India; but the officer must be required to pass at the end of the leave, an examination corresponding to the pleadership examination. If the officer be made to act as Munsif and Subordinate Judge before he is made a District Judge there would be a distinct improvement. But without a previous study of law, and large acquaintance with the vernacular, the officer will be a failure in the subordinate posts, and it is not desirable for many reasons that civil servants should show their inability to cope with the work.

6880 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—The answer to the previous question covers this.

6881 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—The answer to question (37) covers this.

6882 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—The Indian Civilian who has not taken up Latin, Greek or one of the modern languages, should be encouraged to learn one or more of them. If a province not his own be chosen, the vernacular would have to be learnt.

6883 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The answer to the previous question covers this.

6884 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—Europeans and Eurasians who have taken up Latin or Greek and have not graduated in any vernacular, should be made to learn the vernacular. I do not see any other differentiation need be made.

6885 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants? (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance? (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Nos. (45) to (47) may be taken up together.

The pay should be so fixed as to attract the best Indian talent for the service and keep them above temptation: as the same pay may not attract the right material from the United Kingdom, a special allowance may be fixed in their case for foreign service. Existing rights excepted, compensation allowance, special rate of exchange according to the place where the money is paid, etc., should be abolished.

6886. (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—Cases have arisen where the inefficiency of officers was notorious, but there was no remedy. The power of compulsory retirement no doubt affects the independence of the members of the service, but taking into consideration the strong *esprit de corps* which exists, the power is not likely to be abused. In order that such retirement may not be frequent, entailing a heavy charge on the services, the sanction of the Government of India and the Secretary of State should be obtained.

Officers no doubt should be given long leave, to recruit their health, visit their children and families; but the frequency of leave disturbs the machinery of administration very prejudicially. The rules should not permit long furlough at short intervals.

Written answers relating to the Provincial Civil Service.

6887 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—It is no doubt desirable that all classes and communities should be represented in the public service if it can be done without an undue sacrifice of efficiency. But the rule in its actual working is leading to grave misconstruction, considerable heart-burning and sullen discontent in the service. Care should no doubt be taken when the first admission to a particular branch of the service is made, that the service is not monopolised by any single class; but when once the admission is made, to pass over the claim of an officer for promotion, simply on the ground that he belongs to a particular community or section of the community will lead to disastrous consequences. Such cases, I believe, have arisen in Madras. The rules should be modified so as to secure promotion solely on the ground of merit and service and not on an officer belonging to a particular class or creed.

6888 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—In the case of Tahsildars, Deputy Tahsildars, Deputy Collectors, in case there is no separation of the judicial branch from the executive, or in other words, if Deputy Tahsildars, and Deputy Collectors are to be Magistrates, and especially if the listed appointments in the Civil Service be open to this branch of the Provincial Service, the competitive test must be enforced, a small percentage of the appointments being reserved to redress inequalities, and to promote officers of special merit in the subordinate service. It should begin with the Deputy Tahsildar's grade. The districts should be grouped according to the languages spoken, and competition should be confined to graduates whose mother-tongue is the vernacular of the group or who have graduated in that vernacular. Knowledge of a second language may be insisted on for promotion to the Deputy Collector's grade as at present.

In the case of appointment to the post of a Munsif, similar considerations should apply; the rule of competition cannot apply.

6889 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

6890 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—The answer to question (51) covers this.

6891 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—Yes.

6892 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The number of District Munsifs and Subordinate Judges is too small to cope with the work entrusted to them without an undue strain.

6893 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The answer to question (11) covers this ground.

6894 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The fixing of the salary should be guided not simply by the law of supply and demand, as some seem to have understood the rule, but also by a consideration as to whether the officers can live in a style suitable to their rank, making a small provision for their families. Acting District Munsifs at the age of 30 or 35 are asked to live on Rs. 100 a month.

6895 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The initial salary of Munsifs should be raised to Rs. 250, the salary on which a Deputy Collector starts his career. Having regard to the fact that Subordinate Judges are entrusted with unlimited jurisdiction in the case of original suits they should be better paid In case the Provincial service should lose the listed posts, another grade of Deputy Collectors and Sub-Judges in lieu may be opened.

6896 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The answer to question (45) covers this.

6897. (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—An officer taking leave on private affairs at the end of 9 years of service, whatever may be the period of his leave, is said to forfeit his furlough for one year which he would have claimed at the end of the tenth year. It is a case of hardship; the period may be deducted if necessary from the furlough, but the officer should not forfeit his leave or furlough.

6898. (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—If there be no separation of the executive and judicial function in the manner proposed above, and the Deputy Tahsildars, Tahsildars and Deputy Collectors should continue to be Magistrates, Deputy Tahsildars and Stationary Magistrates must be included in the cadre.

Rao Bahadur B. NARASIMHESWARA SARMA Garu, called and examined.

6899. (*Chairman.*) You are a High Court Vakil, are you not?—Yes.

6900. What is your caste?—Brahman.

6901. You recommend, I see, the institution of simultaneous examinations—Yes.

6902. I notice that, in arguing in favour of the simultaneous examinations, you say, at the end of the paragraph, that, should the Indians swamp the service, provision may be made against such a contingency?—Yes.

6903. Can you tell us what provision you would suggest, consistent with your proposal about simultaneous examinations?—By fixing varying minimum from time to time.

6904. By fixing a varying minimum for successful Indians in the two competitions in England and in India?—Yes.

6905. In default of having simultaneous examinations, you would have a separate examination for the whole of India for one-third of the vacancies?—Yes, a separate examination.

6906. Is this one-third intended to represent the posts that you mention in your answer to question (19)?—In the executive branch.

6907. Then this one-third will represent the posts such as two members of the Board of Revenue, one Secretaryship, two-thirds of the District and Sessions Judges, etc.?—Yes.

6908. Do you include in that provision Indians who may pass at the open competition in England?—No.

6909. Then would not the aggregate of the two come to rather more than one-third?—May come to a little more than one-third, because the present percentage of passes in England is very low and the two put together would be less than one-half.

6910. So your proportion would be nearer half than one-third, would it not?—Yes; it would work up to half. I have no objection to it.

6911. You have no objection to it?—No.

6912. I take it from your reply that you are anxious to see a substantial element of European representation?—Yes.

6913. You have no apprehension that, if half be the proportion, it would not discourage the best class of European candidates entering the examination?—I do not think that there would be discouragement; but if it should be a discouragement I would pay them a little more in order to induce them to come here.

6914. You would make the position of the service more attractive in the form of salary?—Yes, if necessary.

6915. Then in answer to question (10), you deal with listed-posts. You would under your scheme of recruitment, abolish the listed posts?—No.

6916. If simultaneous examinations are to be introduced or if a separate examination is instituted, then you will abolish the listed posts, taking into consideration vested interests?—With this qualification that the listed posts would continue, until, by the results of the separate examination, there should be a sufficient number of men to come up and occupy higher posts.

6917. It will take some time before the men passing through the simultaneous examinations can reach the higher posts; and until then you would keep the listed posts open to the Provincial Service; do you mean that?—Yes.

6918. When they are absorbed, the system of listed posts will come to an end?—Yes.

6919. Do you apprehend that it would have any injurious effect upon the calibre and the position of those who are in the Provincial Service, if this opportunity of advancement is taken away?—There is a special provision by which the Government can introduce into the Civil Service members of exceptional merit; and they can always encourage men in the Provincial Service who show by exceptional merit that they are fit to occupy higher posts. That is one inducement.

6920. Would you reserve that inducement under this scheme?—Yes.

6921. But that inducement would be a very much smaller one, much more slender than the present one with the listed-posts?—If my scheme for a separate Judicial branch distinct from the Executive branch should be accepted, there would really be no hardship, because the Magistrates and the Civil Judicial officers will have higher careers open to them in the Provincial Service as District Judges and High Court Judges, and native talent would have higher posts opened to it.

6922. Therefore, the attractive posts would be on the side of the Judicial to the exclusion of the Executive?—So far as the Provincial Services are concerned.

6923. And you do not think that that would have an injurious effect on the service and on the administration of the various districts in which the various officers are?—If magisterial functions are separated from the Provincial Service, I do not think that there can be any difficulty in the administration being carried on smoothly or vigorously.

6924. I would ask you for information on this point; is not the Executive branch a very important section?—Not so important from an administrative point of view, if the magisterial functions be separated from it: I mean the administration of the several branches of revenue.

6925. But the work that an executive officer has to do in the discharge of his duties would be as important in regard to revenue as it was formerly?—I do not see how that would be so important.

6926. The only point I was asking you about was whether you apprehended any difficulty in the direction of reducing the status and the position of the Provincial Service as such, by withdrawing the opportunity of rising to listed-posts from its members?—I would not be reducing the opportunities or the position of one branch of the Provincial Service which I am very keen about, that is, persons who exercise magisterial and civil judicial functions. They are the persons who have to be pure and efficient. But with regard to the collection of revenues, it comes in automatically and I think that any person of any authority would be able to do the work. It is these Magistrates and Judicial officers that have to be pure and efficient.

6927. You are looking mainly at the Judicial side?—Yes.

6928. You think that the question of corruption and so on is more important on the Judicial side than on the Executive?—That is the only side on which you need fear much. From a purely

revenue side, people are not likely to pay revenue officers very much.

6929. You are in favour of the separation of the Executive and Judicial functions, are you not?—Yes, except in so far as the powers under the Criminal Procedure Code in regard to the keeping of the peace, etc., are concerned.

6930. You will retain to the Collector and to his subordinates authority to enforce the discharge of his duty in regard to magisterial powers?—Yes, in regard to those branches.

6931. But all the Judicial work which he now performs you would hand over to the Judicial branch?—Yes.

6932. (*Sir Murray Hammick.*) What is it you would leave to the Collector in the shape of magisterial functions? In case the division of these two departments is effected, you say that you would leave to the Collector a certain amount of magisterial functions. What are they exactly that you would leave to him?—Binding over people for good behaviour, binding over people to keep the peace in cases of disputes as to immovable property, and taking action in urgent cases of nuisance under Chapters 10, 11 and 12 of the Criminal Procedure Code.

6933. Have you ever read the papers that were sent up from Bengal as regards the Executive being joined to the Judicial?—No.

6934. If you have never read them, then you do not know whether it was not chiefly by the action of certain Magistrates under these very powers that you mentioned that discontent arose in Bengal. It was for dealing with the cases of disputes about immovable property and urgent cases of nuisance that the so-called scandals arose in Bengal. You think you will be obliged to leave those cases to the Collector?—A certain amount of power must be left to him.

6935. You say that purity and efficiency are required in the Judicial service and they are not so much required in the Revenue service?—The opportunities for corruption are so very few, much fewer.

6936. There are very few opportunities in the Revenue service you mean?—Much fewer.

6937. Have you heard of corruption in the matter of distribution of water? It is commonly said that all through the Kistna and Gōdāvari districts and Tanjore a ryot very seldom gets hold of water without paying for it, over and above the water-tax: you never heard of that?—A certain amount of corruption does exist.

6938. You never heard of a great deal of corruption that is alleged to exist in buying and selling village offices; in paying tahsildars and subordinate officials to get evidence as regards the claimants to village offices?—Very rare.

6939. Have you ever heard of corruption in regard to income-tax, for a person being let off after being reported as liable to income-tax?—Not a very great evil.

6940. You think that it is not a very great evil for a person to pay money to get off paying the tax?—The cases are not very numerous.

6941. At all events there are all these opportunities for corruption in the Revenue service?—No one denies that.

6942. If you separate the Judicial side of the Provincial Service and strengthen it by offering a certain number of Judgeships, don't you think that all the best intellects out here would make for the Judicial service and we should get a second-rate lot into the Revenue service?—The Revenue side would be inferior to the Judicial.

6943. But you don't think that matters?—So far as those particular evils are concerned. The people will get that form of Government which they deserve, no matter what the administrative arrangement may be. Administrative arrangement has not been able to cure it in the past and I do not think that it will in the future.

6944. You think that people would continue to give bribes?—As long as they find it necessary to do so, they will.

6945. (*Sir Valentine Chirol.*) You advocate a better position for Sanskrit and Arabic in the examination, and the two reasons that you give are that you desire to encourage the study of the former among the students—and that is an excellent point—and to place the Indian students on a footing of equality with the British. In what way would it place them on a footing of equality with the British candidates?—Sanskrit carries at present 800 marks, whereas Latin and Greek carry each 1,600. It is not possible that in the ordinary course of things, the Indian student would take to Latin and Greek, and so he is handicapped in the race. I think 1,600 marks being given to Sanskrit and Arabic would help him considerably.

6946. There is one aspect in regard to which I should like to ask you whether you have considered it. It is your desire that the system of education should tend as much as possible to familiarise the Indian students with western ideas and with all that is the best?—Yes.

6947. From that point of view you think that it is an advantage to increase the attractions of Sanskrit and Arabic for an Indian student as against the attractions of Greek and Latin?—I think the English literature is about the best literature you can have. Almost everything that is useful and good can be found in English. I think a knowledge of English literature is quite sufficient.

6948. That we are agreed upon. I will put it to you in this way: students must choose out of different subjects and they cannot take all; and if an Indian student can devote only a certain amount of time to two out of four subjects, the two being Latin and Greek or Sanskrit and Arabic—either the one or the other it does not matter—don't you think that, from the point of view that you desire to promote, from the point of view of better acquaintance with western ideas, it would result in greater mental and moral advantages to him to take up Latin or Greek or both rather than Sanskrit or Arabic or both?—In this imperfect world, I might prefer Sanskrit, as Latin in the case of Indian students is not essential. With regard to a test of intellectual capacity, I think that a knowledge of Sanskrit would be just as good an intellectual test as Latin; and with regard to acquiring knowledge, English is a good medium. So I do not think Latin and Greek are necessary. Even in England there is a cry against Latin and Greek in favour of the sciences.

6949. (*Mr. Abdur Rahim.*) I suppose you know that Sanskrit literature and Greek literature are both very ancient literatures?—Yes, I believe so.

6950. But Arabic literature was developed later?—I have no personal acquaintance; but I believe it is later.

6951. You would expect that, in the ordinary course of things, so far as modern knowledge goes, there is not very much to choose between Greek literature and Sanskrit literature?—Absolutely nothing.

6952. If there would be any difference between the literatures in these languages, Arabic literature would give more modern knowledge, because it was developed later?—May be on different ideals.

6953. But even that will be out of date so far as modern knowledge goes?—Yes, certainly.

6954. I want to ask you another question and that is this: Is there any decided opinion in your profession as to the necessity for the recruitment of the judiciary more largely from the Bar?—There is.

6955. Is there a similar strong opinion as regards the necessity or advisability of separating the executive from the judicial functions?—Yes, there is.

6956. (*Mr. Madge.*) From your answers which are general to the first three questions, I gather that what you say with regard to the service recruited at home applies to the whole service recruited at home and to all parts of such service?—I do not quite follow you.

6957. Your answers are in two branches with which I shall presently deal. But I gather that these remarks apply to all members recruited at home in England?—Most of these remarks apply to the English members in the service—some of them.

6958. You exclude from those remarks the Indian members?—Portions of them. If you take up one by one, I shall be able to tell you. They are chiefly confined to the British members of the service.

6959. On what grounds do you exclude the Indian members from that category?—I do not exclude them from all branches. If you take one by one, I shall be able to tell you, because there are a number of remarks which I have made with regard to them.

6960. It seems to me—I hope I am not mistaken—that you practically decide in favour of competition on theory and then in practice object to it?—I am not aware of it.

6961. It does not appear to you that what you give with one hand you take away with another in conceding that the service has produced a very efficient and administrative machinery, but has these important defects?—Does not that seem paradoxical?—No system is perfect in this world. I think these are defects which we shall have to cure in the best possible manner.

6962. Then you speak of developing the resources of the country?—Yes.

6963. Do you not think that the duty of developing the resources of the country belongs to the capitalists of the country rather than to the Government?—It should certainly. But the Government has as much duty in advancing the industrial development of the country as the people themselves. When the people are highly civilised the function of the Government may not be that; but I think that, in the present state of Indian development, the Government has to do that and is doing it to a certain extent.

6964. In putting this question, I draw a distinction between educating the people in order to develop the resources of the country and actually developing the resources?—I would not put it as the duty of the Government to actually manufacture particular products, excepting so far as they have undertaken that already.

6965. When you say that they have not displayed "any real zeal or ardour in developing the resources of the country" you mean in not taking an active part in educating the people for it?—I have not the slightest objection to their undertaking a portion of the business of pioneering an industry. The Government are the manufacturers of salt; they have the monopoly of Railways. I do not see any reason why they should not teach us the necessary manufacturing skill.

6966. You say that many are believed to be opposed to the spread of education?—Yes.

6967. Is it seriously believed that the service as a whole is opposed to the spread of education?—My own belief is that the higher mind and the intellect of the British race and the service are in favour of this spread of education. But the doubt that very often arises in their minds is: would this spread of education lead to the permanence of our rule and oscillating between the two views; there is a hesitating policy which is likely to be misunderstood and which is being misunderstood.

6968. You say again that it is believed to be unsympathetic towards the legitimate aspirations of the people. By people, do you mean the whole country or just a very small class?—The whole country.

6969. The masses generally?—I do not draw any distinction between the masses and the classes.

6970. Have you travelled into the interior, into villages with the district officers, and seen what their treatment of the people is?—I have travelled in many villages in my district.

6971. When the district officers were there, did you watch their treatment of the people?—In my own district I was present when the district officers were in villages; but in other districts I have not seen that.

6972. Have you seen any famine administration?—Yes. I went into famine camps.

6973. Did you find the conduct of officers there unsympathetic?—Certainly not.

6974. Then to that extent the statement of yours is not quite correct or just to the whole service?—There is absolutely nothing in it against their being unsympathetic towards the aspirations of the people. That has nothing to do with the aspirations of the people.

6975. "Aspirations" is a very large word, including hopes and feelings of the masses, just as hopes and feelings of any other class, is it not?—The hope of being fed in a famine camp is not included in the expression that I used there.

6976. You would exclude from the phrase "legitimate aspirations" all the hopes that the masses may have generally in regard to British rule?—I used the words "aspirations of the people" in the sense that one day they will become a very civilised race, able to hold their own with the other races of the world.

6977. That would apply to particular classes or the whole country?—The whole country.

6978. Then you say under heading (*e*) that a large body of men composing the service are believed to have a narrow conception of their duties. By whom do you say that is believed?—By the educated classes. I would put it there.

6979. You made a remark in answer to a question already put to you that as regards the income-tax a comparatively small proportion of the amount taken goes to other pockets than the State. Have you not heard that a state of things does exist by which as much goes into private pockets as goes into the treasury?—So far as this Presidency goes I do not think that the accusation will be correct.

6980. Then in answer to question (6), you say that western culture is not now confined to the west. Do you think that it could be received fully in the east. I don't say that it is a reflection on the east, because there may be two different systems of things, but as a matter of fact you say that western culture is not now confined to the west. By that you mean that it may be obtained in the east?—That is my own belief.

6981. If that were generally conceded what would be the advantage of sending students or anybody else to the west?—Social institutions there are somewhat different from those here. You don't see the free institutions in actual working order in India, while you see them in England; you see the women at their best in England, while you don't see them so in this country. You see what a manufacturing country is and what the people who believe in their own freedom are. All these things you cannot see in India; and, therefore, it is absolutely necessary that any person, before he is appointed to a high office, should visit England.

6982. Then I understand you to include in "culture" all material improvements and everything else generally, not merely intellectual culture?—Certainly all broadening influences that are used as a means of culture.

6983. In reply to question (18), you say "the higher offices relating to the executive "administration of the country and referred to in "the schedule to the Act of 1861, should be reser-"ved by statute for the Indian Civil Service in "order that the best talent and culture available "in the Empire may be employed in the Govern-"ment of the country"?—Yes.

6984. That is to say, as I read it, the best talent, superior talent and culture available in India is required for the administration of the country?—Yes.

6985. You say that in any sense as distinguished between the executive administration on the one side and the judicial on the other?—I confine the term there to the executive department for this reason advisedly: they are the governing section in the sense that they lay down the policy and that they are the executive Government of the country, and secondly you must guarantee to the people who aspire to those offices certain appointments.

6986. That is hardly answering my question. I did not ask you what the Government may think about the matter but what you think about the matter personally?—I have excluded it from the Judicial department, because I have got a different mode of recruitment for that.

6987. (*Mr. Macdonald.*) Have you been in England?—No.

6988. Oh, you have not been in England yourself?—No.

6989. You do not know the sort of influences that decide whether a man would be selected for an office, if Boards of nomination were created?—I have no personal knowledge.

6990. If you have no personal knowledge, I will not pursue the subject. You want to give more marks to Sanskrit in the examination papers and I think there is a little misunderstanding about that. Is it your view that there is an important and valuable Asiatic culture embodied in Sanskrit which it would be a great pity if the educated and the governing youths of India should lose touch with?—That is my own personal opinion.

6991. Your opinion is—is it not—that, however valuable Western culture may be, it is not so valuable that Asiatic culture should be lost touch with altogether?—Exactly.

6992. That is, as a matter of fact, the man who is going to be a valuable Governor in India, whether he is a European or an Indian, should share the spirit of Asiatic culture as well as the spirit of Western culture?—Yes, in order to enter into the feelings of the people and to understand them properly.

6993. Would you say that some of these shortcomings mentioned in (*a*), (*b*), (*c*) and (*d*) of your reply to question (3), in so far as they really exist, are due to the fact that so many of the men coming out from England do not share the spirit of Asiatic culture?—I believe so.

6994. That the inner spirit of the Indian people is foreign to them; that they do not understand them and that they do not care to understand them?—And they cannot therefore sympathise with them.

6995. Have you heard the evidence given by certain European witnesses during the last three or four days?—I was present during a portion of the evidence.

6996. Did it convey to you any feeling that they were judging the world from a totally different standpoint from what you yourself did?—That was always our belief.

6997. You felt it hard and cruel? You have got all that in mind when you want to preserve Sanskrit not merely in a subordinate position but in an important position, as a test for the man who is going to enter into the service. As a matter of fact, in so far as the competitive examination is a test of intellectual sympathy as well as of capacity to pass examinations you think that a man who has read your literature—literature upon which your civilization is based—would be able to enter far more sympathetically into your point of view than if he did not read it at all?—It is absolutely necessary that he should know the literature of the people before he could understand the people.

6998. Another point that I want to ask you about—again I think there may be misunderstanding and I think it is in my own mind—is, you did not mean by what you said in reply to Sir Murray Hammick that you regard the bribery that exists in a lighthearted sort of way?—Certainly not. Any change that is undertaken must be undertaken very cautiously.

6999. Bribes are taken and given to a certain extent, to a varying extent, both in the judicial side and the executive side, and, as I understand, your view is that the conjunction of the executive and the judicial functions of the Government machinery is not going to protect you against those bribes?—It accentuates the evil inasmuch as people are forced into submission, because the

man that is the head of the Executive Government is also a Magistrate.

7000. You take that view and you supplement the evidence you have given by that statement? Your point is that the system of bribery is only going to be eliminated by the selection of better officers, giving them better pay and altogether making them more important men and more self-respecting men from their point of view?—And giving them fewer opportunities.

7001. (*Mr. Sly.*) You recommend that judicial officers should be appointed by the High Court?—Yes.

7002. That is, by nomination by the High Court or by examination held by the High Court?—It can only be by nomination.

7003. You do not fear any danger will occur by nomination such as you have referred to in nomination for other services?—Because it is only from among the Graduates in Law nomination could be made and therefore I do not see any very great evil except that particular classes may cry that they are not properly represented even there.

7004. Then you would provide for an English element in that service from the English Bar as I understand?—Yes, the English Bar.

7005. Do you mean that they should be recruited from European members of the English Bar practising in India?—If they cannot be had in sufficient numbers from the European members of the Indian Bar and if such men are available in England I would go there.

7006. Do you wish to lay down any specific proportion as between the European and the Indian members?—It must be necessarily varying; I should like to have it at present at one-third.

7007. In your Judicial service?—In my Judicial service.

7008. At the end of that question you have drawn a comparison between the number of civil suits decided by Munsifs and the number of criminal cases decided by Magistrates of a particular class. Will you tell us what the object of that comparison is?—The men who are appointed as Sub-Magistrates are not so efficient as men who are appointed as Munsifs. It is to show that that I have made the comparison. With regard to Deputy Tahsildars, they do not find it convenient to discharge the functions of Magistrates as well as of Revenue officials and consequently the work of the Magistrate suffers to a certain extent.

7009. You think that a fair comparison can be drawn from the number of criminal cases decided and the number of civil cases decided?—I should be far from saying that.

7010. That is what I want to get at. I do not know where the comparison comes?—It is more intricate to deal with civil litigation than with criminal litigation, and I therefore think it is more difficult to dispose of civil suits, such as land disputes within a certain amount of time. Barring a few rioting cases of exceptional difficulty, the ordinary run of criminal cases would be much easier than the ordinary run of civil suits.

7011. Then going to your proposals about the Provincial Service, I understand that you recommend a system of grouping in reply to question (52)—Yes.

7012. Districts should be grouped according to the language spoken and the competition should be confined to graduates whose mother-tongue is the vernacular of the group?—Yes.

7013. Then you wish to have a separate recruitment for different races or divisions in your Presidency?—Not separate representation.

7014. Separate recruitment, I think, I said?—I would make the knowledge of the vernaculars essential and therefore I draw that distinction.

7015. That is, for instance, you would have a separate examination for Telugus for Telugu districts and for Tamils for Tamil districts?—There are two or three million Telugu people living in Tamil districts and a certain number of Tamil people living in Telugu districts. Let us take this competitive examination, say, for Deputy Tahsildars. It is absolutely necessary that they should be able to read and write their vernaculars correctly and fluently before they can be appointed Deputy Tahsildars and such kind of knowledge you could get only from men whose mother-tongue is the vernacular or who had taken up that subject in the schools. Therefore, I would confine the recruitment to men who have that language as their mother-tongue whether they be Tamils or Telugus or Malayalam men. If it is their mother-tongue or if they have graduated in that language, I would allow them to compete for it.

7016. Suppose one of the vernaculars of India is his mother-tongue. Will he be allowed to sit for the examination?—He would not be allowed a place in the group if he does not understand the language of that group.

7017. Would there be one examination for each group or one for the whole Presidency?—The examination is the same for the whole Presidency; but the number for each group will be from men who know the language of that group efficiently.

7018. (*Mr. Gokhale.*) I think I heard you say, Mr. Sarma, that you thought that the number of marks assigned to Greek and Latin was 1,600 as against 800 for Sanskrit and Arabic. I understood you to say that in reply to a question?—Including Greek History, I think.

7019. I am coming to that. The number of marks, viz., 1,600 for Latin, would include marks for the History of Rome, and the number of marks for Greek would include the marks for the History of Greece?—Yes.

7020. Why do you include the marks for History in the number of marks for the language?—Because I took it that a knowledge of Greek and Latin was essential to pass those examinations and in order to read Greek and Latin authors in Greek and Latin. So also Indian History whould have to be included in Sanskrit when Greek History and Roman History are included in Greek and Latin.

7021. Practically you mean that the study of the History of Greece or the History of Rome would be incomplete without reading the authorities in the original?—I take it like that.

7022. Some questions were put to you about corruption in the Income-tax Department. I just want to ask you one or two questions on that. Is it not the complaint that the assessments are arbitrary rather than that there is corruption in the department?—The complaint is that the Income-tax officers in order to please the superiors assess men with income-tax, men who ought not to be assessed.

7023. The complaint is that the assessment is arbitrary ?—Yes.

7024. Not that there is much corruption ?—No.

7025. Is there much room for corruption ?—I do not think there is.

7026. What there is is really very small ?—Yes.

7027. Is it correct to say that half the amount of the tax goes into the pockets of private individuals and only the other half into the coffers of the State ?—I don't think that is a correct statement so far as this Presidency is concerned.

7028. You come from the mufassal ?—Until two years ago I lived in the mufassal.

7029. You are fairly acquainted with the opinion of the educated classes in the mufassal ?—I think so, because I had to be in touch with the other classes in connection with my elections.

7030. Do you think that among the educated classes who alone talk of fairness or unfairness of the existing arrangement, about Civil Service men and so on, there is a decided preference for European officers over Indian officers ?—I do not think there is any such feeling.

7031. You do not think that they prefer European officers to Indian officers, other things being equal ?—Certainly not.

7032. Ordinarily, would they prefer European officers to Indian officers ?—I do not believe they would.

7033. (*Mr. Chaubal.*) I will only trouble you with one or two questions. You have been answering the questions so fairly that I have no doubt that you will give a fair answer to this question of mine. In answer to question (8) you say, "There can be no question of "class representation in the highest service in "the land. A man actuated by class prejudice "or who thinks himself to be a representative of "a particular section has no place in a service "which should be swayed by no class considera-"tions, and efficiency should be the sole cri-"terion." My question to you is: In your experience can you say that even our best educated men are, as a class, free from this class bias? Have they not some preference; do they not show some indication of preference to men of their own community ? Do you feel yourself that even the best educated man of the University is free from that taint generally; I am not speaking of exceptions ?—If you say that a man is unconsciously biassed in favour of his kith and kin, I have nothing to say against that statement; but I do not think that any educated man consciously errs in that way.

7034. When one has got to look at the results, you find that what one may call conscious bias another man may call unconscious bias; the results indicate a bias whether it be conscious or unconscious ?—I do not think that there have been any officers in charge of districts against whom any statement of that description could properly be made.

7035. I am not speaking of high officers. I want you only to take, for instance, the Sherishtadar of the District Judge or of the High Court or of the Collector. Suppose that place is filled by a B.A. or an M.A., I want to know your experience—let us be frank about it—whether you think that he is likely to be quite free from class prejudice. There is such a deal in his hands as we all know; it may be small things; it may not be big things. Speaking about the effect of education, I want to understand what the feelings in this part of the country are as regards this point. I quite admit that the results would be the same if you have an officer of any class for the position I have mentioned. I do not mean to say that one class is free from that bias and another is not. My question is, do you believe that an educated man or the man whom we call educated is free from that sort of bias ?—I cannot say he is absolutely free.

7036. Then, about your separation of the executive and judicial functions, have you tried to calculate the amount of additional expenditure that the Indian revenues will have to bear if you separate the two systems ?—I cannot say that my calculations have been perfect. I have tried to go into that question to a certain extent. I do not think the cost will be prohibitive.

7037. Even supposing the cost were higher, supposing your position is that the system that you advocate should have been instituted from the starting, if any change is to be made the fact that you have to incur additional expenditure ought to be no point against it ?—No. It ought to be undertaken for the sake of the purity and efficiency of the service.

7038. Don't you think, Mr. Sarma, that the word "despise" in the early part of your answers is rather strong ? Do you think that they despise the Sanskrit language.? In that sense you also despise the Greek and Latin. It may be that for certain considerations Sanskrit is not given the same importance as other languages. But surely you cannot say that Englishmen despise the Sanskrit language ?—If they think that as much good would not be done by the study of Sanskrit as by the study of Latin or Greek, it comes to the same thing.

7039. Would you call it despising ?—When you look upon a thing as considerably inferior, you despise it.

7040. Can you be said to despise Latin or Greek ?—Most certainly not.

7041. You rather regret that you do not know it ?—I do regret.

7042. I would ask you one general question, and I want your opinion as an educated Indian on that point. Speaking about the duties of executive officers, do you think that the duties of the executive officers are at the present day more difficult or less difficult than in old days when an executive officer like the Collector was new, and when everything had to be introduced, when the whole machinery had to be cast and organization and initiation was largely necessary, do you think that the work is now more stereotyped and departmentalised ?—The whole thing works like a machine and the real ability of the man is tested only in times of crises, and therefore I think that the ordinary executive branch could be administered by an average man.

7043. When you speak of one-third of the Collectorships, do you speak of that one-third after your system of separation comes into force or as the system stands at present ? In answer to question (19), you specify what places should be reserved and what minimum proportion of

"Europeans should be employed. You say two "Memberships of the Board of Revenue, one "Secretaryship, two-thirds of the District and "Sessions Judgeships, one-third of the Collector-"ships, an Under Secretary's place, etc." ?—I think the figure ought to reach one-third.

7044. My point was whether it should be after your system of separation between the judicial and the executive functions or before ?—I think considerable approximation to that porportion can be reached even now.

7045. You don't yet follow me. I want to know what was in your mind when you wrote about separating the functions. A Collector has certain magisterial and executive functions at present In one part of your answers you talk of the separation of judicial and executive functions ?—Even if there be no separation, the Indian element can be one-third.

7046. But after the separation you think there would be no harm even if it were more ?—Yes.

7047. (*Sir Theodore Morison.*) With regard to the sentence at the beginning of your written answers to which Mr. Chaubal just referred, may I suggest that if you read it like this we shall all approve: "that to govern an eastern country "sympathetically and enter into the feelings of "the people, it is good policy to encourage "enthusiasm or interest in their literature and "culture." I am perfectly certain that we can go so far. But you make a positive statement. I don't want you to change it, if you are not for it. I think we agree in what you said to Mr. Macdonald as a general thing: that it is a good thing to encourage in the people who are to come out to be administrators of this country enthusiasm and interest in the culture of India ?—I will go further and say that it is essential.

7048. That it is essential I am quite prepared to agree with you. Do you not think that the proper way then is to make it obligatory on everybody who has once been admitted into the service ? What I want to get at is: this is a desirable thing, but it would be only very imperfectly secured ?—It cannot be.

7049. That is true. In the nature of things it is difficult. But the question is whether it could be secured even in any important degree by increasing the marks for Sanskrit and Arabic ?—If it is made to pay, an English student will learn it; I think he will.

7050. It is just that; you put the finger on the difficulty. Clearly, if we raise the marks, a larger number of people will take it up and Indian students will certainly take it up. Clearly in that respect, on the ground of fair play between the two communities, there is a very great deal to be said about it undoubtedly. But then when you put it to the other use, of encouraging Englishmen to take an interest in things Indian, which is desirable, I am not sure that it works so well. In the first place, it is optional ?—I do not think it could be made compulsory.

7051. In the open competitive examination, it must be optional ?—Yes.

7052. That is one thing; and secondly it is to be marked as high as Greek or Latin. I suppose it must be of the same standard ?—Yes.

7053. You will see in that division of Greek subjects or Latin subjects, there are four things: there is translation, prose composition, verse composition and literature, making altogether a total of 1,100 marks, to which you would also add, quite reasonably, Greek History and Latin History ?—Yes.

7054. Do you think we can divide Sanskrit in this way ? For instance can you have verse composition at the present moment ? I know nothing about Sanskrit and therefore I am asking you ?—Students can very well compose verses, and I do not think that there can be the slightest difficulty.

7055. It is not taught in the Universities of this country ?—They would attempt it without anybody teaching them.

7056. But clearly if you will go and introduce prose composition and verse composition in Sanskrit, you will be raising it to a standard that very few Europeans can take it up. It is very likely right and I do not deny it from an educational point of view; but I fear you will terrify all the European students so much that they would not look at it. May I put it to you, as an alternative, that we may secure this desirable thing very much better by having, in the period of probation, something less jejune than the study of the Indian Law or the Penal Code, which, I believe, will rouse no enthusiasm in anybody, lectures, not necessarily to be examined upon, by persons who are enthusiastic about the culture or the economics of India and it will be obligatory upon everybody to attend them ?—I do not think that an English candidate would begin or care for the study of Sanskrit after he passes the examination. If he is to learn it, he must learn it while he is young. I do not think that after 23 or 24 he would care to learn Sanskrit within the probation period.

7057. At what age do you think that to attain that standard, he will have to begin ?—I believe English students are not supposed to be very clever at learning foreign languages.

7058. We begin Latin at about 10 or 12 for reaching that standard ?—As we are component parts of the Empire, English schools should, I think, begin to teach Sanskrit and encourage the teaching of it very early.

7059. I quite agree with you. You say it must be begun early ?—For attaining that standard the study of it must be begun in the schools.

7060. (*Lord Ronaldshay.*) In answer to the first three questions, you have made certain statements to the disadvantage of the service. Most of these are generalisations and are mere expressions of opinion. One of them is a statement, apparently of a definite fact, viz., the statement made in clause marked (*d*). In your answer you say "the behaviour of a not inconsiderable "section" — of the Civil Service—"was until "recently scarcely such as will promote mutual "sympathy or cordiality between the two races." Could you tell me whether you had any particular instances of behaviour in your mind's eye when you wrote that ?—I had.

7061. Could you tell me the nature of the behaviour ?—I cannot say that it is the fault of the Englishman. I am disposed to view it in this way: the Englishman in his desire not to make himself cheap and in his desire to be feared by the Indian community puts on an attitude which, to the educated Indian, seems arrogant. I do not think that he does not sympathise with the Indian; I do not think that he does not feel for him. I think that, out of policy, whether

he is encouraged to do it or not, he assumes that attitude; and no educated Indian (I am not putting it in the English sense of the term) and no respectable Indian feels that he is treated with the proper courtesy that is due to him.

7062. Can you give me any specific cases of really bad behaviour on the part of officers of the service? That is what I want to know. You make a definite statement that the behaviour of a not inconsiderable section of the service was until recently scarcely such as will promote mutual sympathy or cordiality between the two races. I understand from what you have said just now, that you mean that the Indian Civilians are arrogant?—Or rather assume a tone which would appear to be arrogant to the people who deal with them. I do not say that they are arrogant; but whether they are really that or they assume that for a definite purpose, the result is the same.

7063. Then this is a mere generalisation again. You have not got any specific instances of bad behaviour on the part of particular officers in your mind's eye?—I can mention to you several instances, but I don't want to mention names. But I must say that the behaviour of the superior members of the service, especially in the Presidency towns, is not that. I think I ought to have added that.

7064. You qualify that statement to that extent?—Yes.

7065. In answer to question (6) you say "the recent reforms in the Universities, the curriculum of studies therein and the results of the examinations, show that young men here are receiving the best culture European literature affords." I am to understand from that I suppose that the character of education which is now obtainable in an Indian University is of a high type?—If the best English books can teach any lessons in character, I believe the Indian students are being taught those lessons.

7066. You misunderstood me. I mean the standard and not the character of the education which is now obtainable in the Indian Universities: I suppose it is high?—It enables Indians to read and write English with ease and fluency, and I think they will have read, before they pass the B.A. Examination, the highest or the best English authors; and if the assimilation of that knowledge so far as it is possible in India, can go towards culture, we have the best of western culture.

7067. What I want to get at is: do you maintain that the standard of education which is obtainable in India to-day is such as to give the candidates, who desire to go up for the Civil Service examination, a very fair chance of being successful in such an examination?—As regards the branches relating to sciences, I do not think we have got so many facilities perhaps as in England, and we have not got here as many coaches as we have in England. So far as literature goes we have the same facilities here as you have in England.

7068. I understand that your opinion is that if an examination for the Civil Service were instituted in this country those who desire to go up for that examination would not have such educational facilities in this country as would enable them to compete successfully?—They have not got at the present moment, but I suppose they will come in gradually.

7069. (*Mr. Oldfield.*) You referred to subordinate Magistrates and propose that they should be appointed by the High Court. I think it would be advisable that the Commission should know the position of these men. Is it a fact that the pay of the majority of these officers is Rs. 125 and of a few is Rs. 150 a month?—Yes.

7070. Up to last year it was only Rs. 100 a month and Rs. 125 in the case of a few?—It was so.

7071. That is to say much less than what our District Munsifs begin on?—Yes.

(The witness withdrew.)

M.R.Ry. T. V. SESHAGIRI AIYAR, High Court Vakil, Vepery.

Written answers relating to the Indian Civil Service.

7072 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—From the knowledge I have of the officers who have entered the Civil Service, I have no reason to think that the present system has not been successful.

I consider that the system is satisfactory in principle.

7073 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—With regard to the syllabus of subjects and the assignment of marks to certain subjects, I find the present system faulty. I suggest certain alterations in my answer to question (16).

7074 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not equally suitable for the admission of "Natives of India."

I would recommend the holding of simultaneous examinations both in England and in India, if the system is to work satisfactorily in the case of "*Natives of India.*"

7075 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I consider that the combination is advantageous for the following reasons:—(i) To my mind the fact that the examination is to be conducted by a central body of independent examiners like the Civil Service Commissioners is its chief recommendation. (ii) I also consider that the choice offered to candidates to elect for the Home and Indian Civil Services is a guarantee for the most intelligent young men being attracted by the examination.

7076 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—This suggestion is a sound one.

7077 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies

in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am against a separate examination in India. But if it be held that simultaneous examinations in India and in England are impracticable, I would propose the holding of a separate competitive examination in India as an alternative, subject however to the following conditions:—

(i) The examination in India should be of the same standard as that held in England.

(ii) There must be only one examination for the whole of India.

(iii) The successful candidates must undergo a period of two years' probation in England.

(iv) The recruits in both countries should be entered in one list and have the same chances of promotion.

(v) The proportion of the vacancies to be recruited by means of this examination should under present conditions at least be equal to that which is to be recruited in England.

I must add here that my committee does not at all approve of this alternative or of any other alternative scheme. The views set forth are my own.

7078 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of the methods suggested in (*a*) and (*b*), or of any other method. I consider that the Indian Civil Service should be recruited on the sole ground of efficiency and not upon claims based upon class or communal interests.

7079 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes. The simultaneous examinations and the separate examination should both be open to all classes of His Majesty's natural-born subjects.

7080 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—My recommendation is that the system of recruitment by simultaneous examinations as well as the alternative system I have proposed should be in lieu of the present system of recruitment by promotion to listed posts. I recommend the alteration suggested in my answer to question (52).

7081 (11). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose?—I take this question to mean that I should suggest a scheme for the recruitment of the entire judiciary. In my answer I include also the Provincial Judicial Service.

I am in favour of the separation of the Executive from the Judicial Service altogether. It is necessary that the Judicial Service should be under the control of the High Court. In the case of District and Sessions Judges, the appointment should be made by the Judges of the High Court subject to the approval of the Government. The Sub-Judges and Munsifs should be appointed solely by the High Court.

The service should consist of four classes: (*a*) Munsifs, (*b*) Sub-Judges, (*c*) District and Sessions Judges, in which may be included the Judges of the Court of Small Causes, the Judge of the City Civil Court and the Presidency Magistrates, (*d*) Judges of the High Court of Judicature.

The Munsifs should be recruited mostly from the practising bar. The High Court should be at liberty to appoint ministerial officers of the rank of bench clerks on a salary of Rs. 100 and upwards, provided they have passed the B.L. examination of the Madras University. But this should be done only in rare cases.

As regards Sub-Judges, I would recommend that one-half of them should be appointed by promotion from the ranks of Munsifs and the other half by selection from the bar.

The same principle should also be followed in the case of the appointment of District and Sessions Judges.

In the case of the High Court Judges, I would recommend the repealing of the present statute which fixes the proportion of Judges. The choice of His Majesty should not be limited by considerations of racial or service claims. It should be exercised solely with a view to give the people of this country the best judicial talent available.

In this scheme it is necessary that judicial officers should have training as Magistrates. I would recommend in this behalf that judicial officers from the rank of Munsifs and upwards should be invested with magisterial powers.

7082 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—No. (i) It is necessary to make provision for admitting to the examination Indians who happen to be born outside India (*e.g.*, in Ceylon or South Africa) where their parents go for purposes of trade but afterwards return to India and permanently settle here. (ii) It is also necessary to admit subjects of Native States. In order to give effect to these proposals I would omit the words "born and" after the word "person" and before the word "domiciled" and add the words "or born" after the words "His Majesty in India" and before the words "of parents."

7083 (13). If the system of recruitment by open competitive examination in England is

retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I do not recommend any alteration in the age-limits at present fixed.

7084 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I am satisfied with the existing age-limits. I do not recommend any differentiation in this respect for "Natives of India."

7085 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I recommend that Sanskrit and Arabic must be assigned the same number of marks as Greek and Latin. I also recommend that some of the most important vernacular languages of India should be included in the syllabus and placed on a par with French, Italian and German.

7086 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation is desirable.

7087 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes. I think that all posts mentioned in the Schedule to the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), except those under the heading "judicial" should be reserved for officers recruited to the Indian Civil Service. As the Judicial Service should be separately recruited according to my view, those appointments should not be reserved for the Indian Civil Service.

7088 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—My committee is of opinion that in the event of there being simultaneous examinations, there will be a fair proportion of Europeans in the higher posts of the civil administration. It therefore considers it unnecessary to make provision for a separate minimum.

7089 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I do not at all accept the present system as satisfactory in principle.

7090 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

7091 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I consider it very unsatisfactory. But if simultaneous or separate examinations be not granted, I accept it as an alternative. But I would suggest that the listed posts should be considerably enlarged. They should include—(i) One-half of the number of Sub-Collectors and Joint Magistrates; (ii) One-half of the number of Collectors; (iii) Two Secretaries to the Board of Revenue; (iv) Two Members of the Board of Revenue; (v) One Under Secretary to Government. (vi) One Secretary to Government; As regards District and Sessions Judges, I would recruit one-half of them direct from the bar and the other half by promotion.

7092 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

7093 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation should be two years. I would include "Hindu and Muhammadan Law" among the compulsory subjects. The present course of studies seems otherwise satisfactory.

7094 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

7095 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I consider that the probationers' course of instruction could best be spent in England. My answer is applicable to all alike.

7096 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Serivce, and possibly of other Indian Services recruited in England?—No.

7097 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

7098 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—As regards the Judicial Branch, please refer to my answer to questions (38) and (39). As regards the Executive Branch I have nothing to say except that "Hindu and Muhammadan Law" should be included among the compulsory subjects as stated in my answer to question (30).

7099 (38). Do you recommend any special course of study in Law in India for officers selected for the Judicial Branch?—My view, as already expressed, is that the Judicial Branch of the administration should be recruited mostly, from the practising bar. However if this view be not acceptable, I recommend that those who are recruited to the Judicial Branch should pass the examination in Law of one of the Indian Universities if they have not been called to the bar in England.

7100 (39). Do you recommend any special training in subordinate judicial post in India for officers selected for the Judicial branch? If so, please give details?—After they pass the examination or are called to the bar, I recommend that they should be employed as first-grade District Munsifs at least for a year. They should then undergo a further training for two years as Sub-Judges.

7101 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—I recommend the same period of probation and the same course of studies, as I have recommended in my answer to question (30).

7102 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I would recommend its abolition in the case of future entrants.

7103 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I do not recommend abolition with compensation in the form of increased salaries.

7104 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I approve of the arrangement generally.

7105 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—*Salary.*—I suggest that the pay of the Indian and of the European officers of the Civil Service should be the same. But I would supplement the salary of the European officer by a personal allowance (which should be graded) so that the actual salary that may be fixed for a particular grade together with the personal allowance for that grade may be equal to the salary which a European officer in that grade draws at present—*Pension.*—According to the present rule an officer of the Indian Civil Service is entitled to full pension after a period of service of 21 years. I would extend this period to 30 years.

Written answers relating to the Provincial Civil Service.

7106 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have the following recommendations to make in regard to the general rules issued by the Government of India:—(i) In rule I, I would omit the word "due" before the word "representation," and add the words "wherever possible" after the words "to secure." (ii) Rule VIII must be omitted. The direct appointments contemplated in the first part will injure the prospects of the Provincial Service, while the second part is unnecessary as I have recommended a separate method of recruitment for the entire judiciary.

7107 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—Such of the listed posts as belong to the executive branch of the Indian Civil Service would according to my scheme be re-absorbed into the Indian Civil Service. The executive branch of the Provincial Civil Service now consists only of Deputy Collectors and Magistrates. I would enlarge it so as to include Tahsildars and Deputy Tahsildars also. Recruitment to this service must ordinarily be by open competition. Ten per cent. of the vacancies may be recruited by promotion from the subordinate service and 10 per cent. may be reserved for recruitment by nomination in order to secure, wherever possible, the representation of all classes and communities.

7108 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

7109 (54). Are all classes and communities duly represented in the Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—The various classes and communities are represented in the Provincial Service. If by due representation is meant representation proportionate to the population, the answer must be in the negative. I do not consider that it would conduce to the efficiency of the service, that the various classes and communities should claim proportional representation. However, I have suggested a reservation of 10 per cent. for nomination in my answer to question (52) in order to secure wherever possible the representation of the various classes and communities.

7110 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—In this Presidency, the higher Revenue officers have generally magisterial functions. I consider that except as indicated below, the Revenue officers should not have magisterial work. In answer to question (11), I suggested that the officers of the judicial service (including those belonging to the Provincial Civil Service) should be invested with magisterial powers. I would take away from the officers of the executive service the power to try all ordinary criminal cases and would transfer it to the officers of the judicial service. I would give the executive officers the power to try cases coming under chapters X to XII of the Civil Procedure Code. I also think that those called upon to keep the peace or furnish security for good behaviour should be tried by the executive officers. I consider it inadvisable that there should be a combination of the revenue, magisterial, judicial

and police functions in the same official, even in what are known as "Agency tracts" in this Presidency.

7111 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

7112 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Two appointments on a salary of Rs. 1,000 a month may be created in the grade of Deputy Collectors, as I advocate there should be no listed posts open to officers of the Provincial Civil Service.

7113 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

Mr. T. V. Seshagiri Aiyar, called and examined.

7114. (*Chairman.*) You are a High Court Vakil and President of the Madras Provincial Congress Committee?—Yes.

7115. You have come to-day to speak in behalf of that Committee?—Yes.

7116. To give a corporate opinion?—Yes; I have also given my own opinions on certain matters; but generally I am speaking on behalf of the Committee.

7117. What is your caste?—I am a Brahman.

7118. I see from your answers to questions (6) and (7) thate you are in favour of simultaneous examinations?—Yes.

7119. In default of that, you advocate a separate examination for all India for filling up half the vacancies in the Indian Civil Service?—Yes.

7120. Do you think it would be probable that if the examination in India were purely competitive, a large bulk of the vacancies would be filled by a particular caste or would be absorbed by one or two particular provinces?—It is just likely that, for some time to come, some class may have a preponderance over other classes; but I think that, in course of time, it will adjust itself properly, and all the classes will be properly represented in course of time.

7121. Do you anticipate that any evil in administration would ensue whilst the process you allude to was just taking place?—No.

7122. I mean by the fact that these vacancies will be filled by one class or absorbed by one or two provinces?—I do not think so.

7123. Would you favour an alternative to that scheme; the system of separate recruitment in India in provinces?—Not in provinces. I will have one separate recruitment for the whole of India.

7124. I am talking of a third alternative. I am asking you whether you would favour a third alternative of separate recruitment in provinces?—I am not in favour of it.

7125. You don't anticipate, under your proposal, that there might be difficulties in the early years in filling appointments by Indians, say, by some from the northern provinces?—I do not.

7126. Your social conditions are quite different from theirs?—I have no experience of what obtains in the north. From what I know of Madras, I do not think that any such difficulty will arise.

7127. You have no experience of other parts of India?—I have no experience.

7128. You can only speak of your own locality?—Yes.

7129. Under your scheme the listed post system would come to an end?—Yes.

7130. Here again would you anticipate any grievance on the part of the Provincial Service by bringing the opportunities of filling higher positions open to them to an end?—As I have mentioned, instead of listed posts, there will be a larger number of appointments open to Indians; and the Provincial Service will not consider it a grievance if opportunities were given for simultaneous examination at once. It is just likely that the Provincial Service may not be able to get those posts for the time being; but they will be patriotic enough to feel that, in time to come, their countrymen will fill those higher appointments and they are not likely to grumble.

7131. I take it that when the opening of higher posts is brought to an end under your scheme, the Provincial Service would, for all time, have to be regarded somewhat in the light of an inferior service?—Certainly it will be.

7132. You do not think that the efficient administration in districts would be injuriously affected by that?—I don't think so, because those that compete for the Provincial Service now will compete for the simultaneous examination. There is only one opening now to the listed posts. Then they will be able to compete for the simultaneous examination, and will get in in that way.

7133. Those who fail to get into the Indian Civil Service would then try to get into the Provincial Service?—That is not what I mean. What I mean is that those who compete for the Provincial Service now will be able to compete for the simultaneous examinations and the result will be that they will find a larger number of Indians employed in the higher services. Therefore, they will not feel it as a grievance that some of the posts are taken away from the Provincial Service.

7134. What about those who are occupying the inferior positions; would they regard the proposal with equal feelings of satisfaction?—I think so.

7135. I notice in answer to question (19) you say that your Committee consider it unnecessary to provide for a minimum number of Europeans in the higher posts, the reason being that, even after the system of simultaneous examinations is adopted, there will still be a fair number of Europeans coming in?—Yes.

7136. Can you tell me what you mean by "a fair number"?—For a good long time to come, the Europeans would be more than half, even under the simultaneous examination scheme.

7137. What do you mean by "long time to come"?—Say for 50 years to come. I do not think that the Indians would swamp the Europeans; the Europeans will certainly be in the majority, so far as the Indian Civil Service is concerned. If, after 50 years, Indians are able to come in in larger numbers than Europeans, I do not think that will be a catastrophe, for by that time they will have imbibed all the lessons which Europe can give the Indians and I think that Englishmen will be able to entrust Indians with a larger measure of employment in this country.

7138. You give actually a definite time (it can only be hypothetical) when you give a period of 50 years?—Yes.

7139. Do you base that period upon the inferiority of the capacity to imbibe knowledge on the part of the Indian or the slowness with which educational facilities will be developed here?—Upon the slowness of the educational facilities; we cannot have the same educational facilities in this country as they have got in England.

7140. You anticipate a period of 50 years to establish them?—It will take a long time.

7141. I notice that in answer to question (50) you say that you will extend the period for voluntary retirement to 30 years?—Yes.

7142. We have had several witnesses saying that the Civil Servant in this country has passed his time for work at a very much earlier date than that which he will reach after 30 years' service. You don't agree with that?—I do not agree. My idea is that a Civil Servant gets into this country in his 24th year and he is entitled to full pension after 21 years, so that he will be 45 when he will have earned his full pension.

7143. The period is 25 years including the leave?—I think that until a man is 55 he ought not to be allowed to retire from the service, because it is only from 45 to 55 that the best energies are called forth and he is able to give the country all that is best in him. I therefore think that he should not be permitted to retire before he is 55. That is why I fix the 30 years' period for full pension.

7144. So you do not agree with those who think that a man is worn out at 50, but you think he has still work in him?—Yes, he has work in him; very often he works when he goes back to his country.

7145. In answer to question (52), where you deal with Provincial Service, you suggest that a certain proportion should be admitted by nomination?—Yes, I do.

7146. And you do so in order that certain communities may be represented?—Yes.

7147. Why do you suggest representation of communities with regard to the Provincial Service whilst saying it is not necessary in regard to the Indian Civil Service?—In my view the exclusive service, or the *corps d'élite*, should be regarded solely on the ground of efficiency; but in the lower ranks it is just possible to meet the wishes of certain communities and to give them a certain proportion by nomination. But that should not enter in the case of higher service where the only question should be one of efficiency and nothing else. That is the reason why I say that, although in the case of the lower service a certain amount of nomination may be accepted, yet in regard to the higher service this should be avoided.

7148. Do you think that the representation of communities is not necessary in the higher service?—No.

7149. To a certain extent you think that is necessary, in the lower?—I do not think it is necessary, but you may grant it.

7150. It is desirable?—Yes, it is desirable.

7151. You don't suggest that it is desirable among those officers who have greater authority?—No.

7152. In answer to question (16) you recommend that some of the most important vernacular languages in India should be included in the syllabus of the open competitive examination?—Quite so.

7153. Do these vernaculars that you allude to form part of the syllabus of the general education of the day?—In this Presidency you mean?

7154. In Madras for instance?—For the last one year I have been trying my very best to induce the Senate to accept vernaculars as a necessary subject in the curriculum of studies. A committee is now sitting, of which I am the convener, to consider the matter. I have been agitating for it and I am strongly advocating that vernaculars should be a part of the studies for the examination. I have been advocating it for a year now.

7155. Until an opportunity is afforded to learn the vernaculars there will be difficulty in the candidates passing them?—I don't think so. The vernacular being the mother tongue of the candidates, I do not anticipate great difficulty, although it is desirable that in the higher university courses also, they should learn vernaculars compulsorily. The fact that the vernacular is not compulsory in the higher university courses will not stand in the way of getting good marks at an examination.

7156. When you say vernaculars, how many do you suggest as important?—I would only recommend Tamil and Telugu so far as this Presidency is concerned.

7157. (*Lord Ronaldshay.*) I see you are in favour of the simultaneous examinations and I should like to ask you this question: should the examination papers under such a system be marked by the same examiners, that is to say, should the papers of the Indian candidates be sent up to England to be marked by the same examiners as mark the papers of English candidates in England?—Yes, certainly.

7158. A view has been expressed that the standard of education at the present day in this country is not as high as the standard in England, and that consequently very few Indians would for some years to come succeed in finding their way into the Indian Civil Service even by means of a simultaneous examination. Do you take that view yourself?—To a certain extent that is a correct view; that the standard of education in our universities is not as high as it is in Oxford or Cambridge. The further difficulty is that a person who has graduated in Madras or Bombay will, in order to make up 6,000, have to take up a large number of subjects, and the result of it will be that he will have to devote a great deal more time to fresh subjects, and therefore there will be great difficulty before an Indian is able to compete successfully.

7159. Putting aside for a moment the question of simultaneous examinations. You say that speaking purely for yourself if simultaneous examinations were found to be impracticable, you would advocate separate examinations in India?—Yes.

7160. On the condition that the examination should be of the same standard as that held in England?—Yes.

7161. To ensure that the candidates who went up for that examination pass the examination of the same standard they will have to obtain a minimum number of marks?—Yes.

7162. You advocate that half the vacancies in any one year should be filled through the Indian examination?—Yes.

7163. My difficulty is this: suppose you do not get a sufficient number of Indians who secure the necessary minimum of marks in the examination, how would you make good the deficiency then?—I think I made a mistake in making that admission that there should be a minimum. But if you are going to have an examination of equal stiffness, here, then just as in the case of England, you have a certain number recruited, having regard to the necessity for filling up vacancies, similarly in India you will go down to a particular number. Suppose the number that is required is 54, then 27 will have to be recruited in England and 27 from India, and 27 could be arranged in the order of merit in England and 27 could be arranged in the order of merit in India, so that there will be no special minimum required in either case.

7164. The result of that would be, I am afraid, that if we accept the view which seems to be generally held now that the educational standard in this country is not as high as it is in England, the result of that would be—would it not—that the candidates who get into the service through the Indian examination would, generally speaking, be not quite so highly qualified as candidates who get through the English examination?—I do not anticipate it, for this reason: that you will find a large number coming from all provinces, and if in England there are 100 or 200 competing for the examination, you will find in this country 500 competing for it. I expect a large number coming in in this way, and it is not likely that the minimum will be lowered in that way.

7165. You anticipate no difficulty in filling up half the vacancies in any one year with Indian students whose qualifications are quite as high as the qualifications of the English students who pass through the London door?—I do not anticipate any difficulty.

7166. There is one other question that I want to ask you. In answer to question (57) you say that you would take away from the officers of the Executive service the power to try all ordinary criminal cases, and would transfer that power to the officers of the Judicial service?—Yes.

7167. From that answer I assume you are not altogether satisfied with the present system?—No.

7168. I should like to know if you can tell me briefly in what respects you are dissatisfied with the existing system: in what respects, in your opinion, is the present system defective?—The co-ordination of Magisterial and Executive functions in the same officer very often leads to denial of justice. In magisterial cases a Magistrate happens to learn, in his executive capacity, a good deal from Police officers and others; and with that bias or prejudice he begins to try criminal cases, and as a result of that the trial is not as impartial as one would like to see that these criminal trials should be.

7169. Do you think that there are a certain number of unjust convictions as a result of the present system?—Probably in most cases they are set right by Appellate Courts; but it is not unlikely there have been convictions in cases in which there should not have been any convictions.

7170. Would you think that is rather a widespread evil: do you think that the number of unjust convictions is considerable?—As I said, it is just likely that these have been set right by Courts of appeal; but there the evil does exist and even if there is one single case of unjust conviction I should say that such a system as this should not be allowed to continue.

7171. (*Sir Theodore Morison.*) You take an interest in the higher development of vernaculars?—I do.

7172. I think it would be of great use to the Commission if you would not mind telling us the part that the vernaculars play in the University education of this country?—Up till now?

7173. I will ask questions and perhaps that will be the simplest method. I have the University calendar with me and I think that you will probably explain better than I can find the details in it. Is the study of the Indian vernaculars compulsory for the Matriculation examination?—Until the new curriculum was introduced it was compulsory in the Matriculation examination.

7174. Compulsory?—Yes, it was.

7175. But now?—Now after the new scheme, which is called the school final scheme, was introduced we have what is known as composition, which alone is compulsory.

7176. Composition in which language?—In the vernacular. That is compulsory: but the study of a text-book is not compulsory.

7177. I see there are nine vernaculars; do you still recognise as many?—Yes.

7178. They are all recognised?—Yes.

7179. And these examinations are conducted in the student's mother-tongue?—Yes.

7180. They are not foreign languages which they are learning?—No, each student takes his mother-tongue.

7181. At present no text-books are read?—Not compulsorily.

7182. That is for the Matriculation?—Yes.

7183. What about the Intermediate?—Until the new curriculum was introduced three years ago, it was compulsory even in the Intermediate.

7184. Now it seems to be optional?—Yes, optional; but here also there is composition in the vernacular which is compulsory. It is in group 2.

7185. Does he receive any instruction for that in the college?—Those that advocate that there should be no change say that when composition is insisted upon, it does mean the study of some text-books. I deny that is correct. I believe that in taking composition, students do not really study any text-books. That is my point of view.

7186. Therefore they do not read any of their mother-tongue; at any rate they are not compelled to?—They are not compelled to; but all the teachers say that they do study.

7187. Is it from the point of view of study?—To enable them to pass the composition test.

7188. For that reason?—Yes.

7189. Is it linked with a classical language or not?—A man for the Intermediate examination can take a vernacular and a classical language.

7190. Can he take a vernacular language without a classical language?—Two vernaculars will have to be taken, I believe. I am speaking without the book.

7191. It says any of the following subjects in group 3: a classical language, a second language, or any of the following Indian vernacular languages?—It is open to a student to take up a classical language, a vernacular and one other subject.

7192. He can take up three?—Yes.

7193. He might take up ancient history and a vernacular?—Yes, and a classical language as well.

7194. He can omit a classical language?—He can.

7195. For the B.A.?—It is the same thing. There it is translation instead of composition that is compulsory. I think that in the Honours course there is nothing compulsory.

7196. A man might give up vernaculars altogether?—He might.

7197. But vernaculars do have a place among the optional subjects?—They have a place.

7198. So that even in the B.A. vernaculars figure?—Oh! yes.

7199. Am I right in saying that one of these must be a classical language; that is how I have understood it?—There can be two vernaculars or a classical language. The vernacular is among the optional subjects. I think a man might take two vernaculars or a classical language and a vernacular.

7200. I am looking at page 135 of the calendar. You see it has two things, one being the classical language already studied in the Intermediate course; it was that about which I was asking you?—I think you are right. In the B.A. he must take one classical language and a vernacular.

7201. That was what I thought and I was not quite sure of it. For this he will have to read text-books, I see?—Oh! yes.

7202. Text-books are given later on, are they not?—Yes.

7203. In Tamil and Telugu they have a fairly good list: I am quite incapable of judging it?—There are a very large number of text-books and very good text-books too.

7204. Does that include ancient Tamil?—Yes, that also. It covers the whole ground.

7205. As much as the English syllabus?—Just the same thing.

7206. From Chaucer to Shakespeare?—Yes from Chaucer to Shakespeare.

7207. Do you take Chaucer in your B.A.?—Yes, I think so.

7208. It covers the whole range of the language?—Yes.

7209. You said something just now that in your opinion you only wanted Tamil and Telugu; but I suppose you have got books in Canarese, Malayalam, and I daresay Urdu also?—Canarese and Malayalam are really off-shoots from Tamil and I do not think that there is much literature either in Canarese or Malayalam, but Tamil and Telugu contain the best literature.

7210. Is the Honours degree substantially different from what I was asking you about, the B.A. degree, which is the ordinary degree?—It is a pass degree.

7211. Is the Honours degree any different?—Not very much.

7212. From the point of proficiency regarding languages?—It would be more difficult than the pass course.

7213. On page 170 you have it: is that what you referred to?—Yes.

7214. Two languages other than English?—Yes.

7215. We concluded that one of these must be a classical language?—Yes.

7216. This list which is given on pages 171 and 172 in regard to Tamil and Telugu languages represents a good course?—A very good course.

7217. Would you mind telling us something about Tamil and Telugu literature: are they beginning to embrace all the modern European sciences?—There are translations from modern scientific works into these vernaculars. They do comprise modern scientific knowledge also.

7218. What is the possibility of having a complete modern education in Tamil to make what you call a cultivated, educated man. You just gave fifty years: would it be fifty years before it is possible?—I do not quite understand your question.

7219. It is not possible, I presume, to give an all-round modern education yet in Tamil, is it; perhaps you think it is?—A good deal of modern education could be given in Tamil as it is.

7220. You would not advocate teaching it for the B.A. degree; I mean Tamil?—Why not?

7221. I am quite ignorant about it and that is why I ask you?—I do not see any difficulty about it.

7222. I have some Indian friends who say that they would like to see a purely vernacular University. You think that that would be possible here?—Yes, I think it is possible here.

7223. You will teach those other things that they have in the Honours degree, History, Economics, Philosophy—of course Philosophy I have no doubt—and this long list of scientific subjects?—Probably not all of them, but a good many of them can be taught through the medium of Tamil or Telugu.

7224. Do books already exist?—I do not say that the books already exist. A good many will come into existence if you once create the taste.

7225. Suppose a man wants to study Darwin's *Origin of Species*?—I am not in a position to tell you that.

7226. If he wanted to learn about the doctrine of evolution?—I think he will find books treating about it.

7227. Not text-books I mean, but serious scientific books?—I have not seen them, but I believe there are.

7228. In the subject that I am interested in—political economy—are there any books?—I know there are books on political economy in Tamil.

7229. Not only text-books but serious books?—Yes, there are, I know. I can speak from personal knowledge.

7230. Things like Marshall's book?—There are a good many books on political economy in the Tamil language.

7231. (*Mr. Chaubal.*) You don't want to encourage the study of vernaculars at the cost of English literature?—No.

7232. (*Mr. Gokhale.*) You are a Fellow of the University?—I am a Fellow.

7233. You represent the University in the Madras Legislative Council?—I do.

7234. Will you tell us what is the number of Fellows in the Senate?—About ninety. One hundred is the maximum, I think.

7235. What proportion is appointed by the Government?—There are only 25 that are elected. The others are all nominated by the Government.

7236. Are the majority Englishmen?—At present the majority are Englishmen.

7237. It is the Senate that determines the curriculum of studies in colleges?—Yes.

7238. I believe there is some misapprehension (at least I have not understood you correctly) as regards your answers to Lord Ronaldshay. Do you mean to say that, at present, educational facilities exist in India by means of which half the recruitment for the Civil Service could be secured through the Indian door in India?—No.

7239. If simultaneous examinations are instituted you said that a large number of candidates would appear in India and there would be no difficulty in filling half the number of vacancies by means of this examination held in India. Do you mean to say that would happen now or at some remote time?—Lord Ronaldshay asked me about a separate examination.

7240. I fear there has been some misapprehension?—I thought that His Lordship was asking me about the separate examination; about one-half being filled by a separate examination in India.

(*Lord Ronaldshay.*) What I asked the witness was that if a separate examination of the same standard as that of the English examination were to take place here, would Indian candidates with qualifications equal to those of the English candidates be forthcoming?

7241. (*Mr. Gokhale.*) If an examination of equal standard, meaning, of course, of equal difficulty with the examination at present held in England—if an examination like that were held to-day in India, do you mean to say that you can get as large a number of men who would pass that examination here as you would get in England?—No.

7242. The same facilities do not exist here for passing the examination as are available there?—Not at once.

7243. The opinion of educational experts is that the Civil Service examination is, on the whole, twice as difficult as the M.A. Examination of any University here?—I have heard of it.

7244. I have looked up the curriculum for your M.A. and your M.A. will have to take up something like 3,000 marks worth of other subjects, to make up 6,000?—Yes.

7245. If he takes up Mathematics, Mathematics carries only 2,400 and therefore it will be less than half?—Yes.

7246. He will have to take up some of the natural sciences?—Quite so.

7247. For each one of the subjects, the Civil Service standard is higher than that of the M.A.?—Yes, except in Mathematics.

7248. At what age do you get your M.A.'s?—At about 21 or 22.

7249. A man cannot be a B.A. till he is 19?—Yes. It will be 21 before he can be an M.A.

7250. Then he will have studied up to half the Civil Service standard?—Yes.

7251. If the colleges remain as they are and if the curriculum in colleges remains as it is, young men who want to go up for the Civil Service will have to get up other subjects, after going through the University course?—Quite so.

7252. If any establishments come into existence for helping them, at what stage will they take the students; have you any idea about it? Do you anticipate that any private establishment like Wren's would come into existence to take up young men when they are undergoing their school course; do you anticipate that?—I do not think that in the near future it will come into existence.

7253. Then how do you make out that for a good many years to come any considerable number of Indians will get into the Civil Service if simultaneous examinations are instituted?—It will not be so. For a good long time to come, a good many cannot get into the Civil Service, through the simultaneous examinations.

7254. So that by the simultaneous examinations or by a separate examination of the same difficulty as the examination held in England you do not think that a considerable number will get in, leave alone half the number?—No.

7255. The Provincial Service, as it exists to-day, is regarded as an inferior service?—Yes.

7256. Your standpoint is that the listed appointments have only been thrown open to the service in response to Indian agitation for employment in the higher branches?—Quite so.

7257. If that employment is secured for the people of this country in any other way, though there may be some grievance on the part of the present members of the Provincial Service, yet there would not be any grievance, so far as the people are concerned?—No.

7258. If the rights of the existing members are safeguarded everybody interested in the welfare of the country will accept it?—There will be no complaint.

7259. One more question and I shall have done. As regards the caste feeling which may exist or may be alleged to exist in the inferior officers in India, does this caste feeling exist in what may be called superior officers; those who get in by the London door; the Indian Members of the Indian Civil Service?—I do not think so. My impression is that those who come in by the competitive examination do not exhibit the same caste prejudices as persons who have been recruited in this country do.

7260. Suppose a certain number of Indians were recruited in India and sent to England for two or three years and then they came back afterwards, do you anticipate that they will exhibit the same caste feeling?—All their angularities will have been rounded off and they will be all right.

(Adjourned for a short time.)

7261. (*Mr. Gokhale.*) I should like to ask you one more question and that is about Tamil literature, in regard to what you have said in reply to questions from Sir Theodore Morison; you do not mean to say that you have in Tamil an extensive range of literature on various subjects, scientific, philosophical and so forth?—No.

7262. What you meant was that Darwin's book and books of that kind have been translated?—Yes.

7263. But there are no original books of that kind in Tamil?—No.

7264. (*Mr. Sly.*) You told us you considered a minimum of Europeans necessary at the present time?—Yes.

7265. But you think there is no necessity to lay down a minimum because the number of Indians getting in by the simultaneous examination will be small?—Yes.

7266. Do you contemplate a reduction in the number of Europeans employed in the services?—At present there will be no reduction at all.

7267. Let us come to your other scheme. Under your scheme for a separate examination in India you would have half the appointments filled by that examination?—Yes, by Indians.

7268. So that in so far as half that service is concerned, about half the Europeans would disappear at once?—Quite so.

7269. Then in the Judicial branch of the service you want recruitment out in India to which you would admit a certain number of European Barristers, I suppose, practising at the Indian Bar?—Yes.

7270. The number of those would be small?—Yes.

7271. So that on the Executive side half the Europeans would disappear and on the Judicial side all the Europeans would disappear except the few English Barristers left?—Yes.

7272. So that if your scheme were introduced there would be a reduction of certainly two-thirds in the number of Europeans employed in India?—It may be.

7273. You do not consider that that would be reducing the European minimum below the proper standard at present?—I do not think so.

7274. Then take your proposals for the Provincial Civil Service: you want to abolish the listed posts and as compensation give them two appointments of Rs. 1,000?—Yes.

7275. You are taking away from that service eight appointments at pay varying from Rs. 2,000 to Rs. 1,000, and as compensation you are giving them simply two appointments at Rs. 1,000?—Yes.

7276. On the Judicial side you want to recruit half the Sub-Judges from the Bar, so that on that side also you would do serious damage to the prospects of the Provincial Civil Service?—Some damage.

7277. You say you would safeguard the interests of the present members by not introducing this scheme until they have been provided for?—That is so.

7278. If your scheme were introduced do not you think the future of the Provincial Civil Service would be extremely poor, and that we should get a very poor lot of men to accept it?—No. They will have on the other hand some posts among the District Judges. I want the whole of the District Judges to be recruited in India from the practitioners at the Bar and from the service; some will be able to become District Judges.

7279. In your recruitment for the Judicial Service?—Certainly: that will give them good compensation for what they may temporarily lose.

7280. Then you do not want the Judicial Service wholly recruited from the Bar?—No, that is not my scheme at all.

7281. Your claim for the employment of Indians in India is largely based on improved education and the advance that the Indian community has made in recent years. You represent the Universities on the Council, do you not?—Yes.

7282. I do not wish you to go into detail, but can you give us some statistics showing in Madras what that increase of education is?—I have compiled a table, taking the figures from 1886, since the date of the Public Service Commission, and arranging it in period of five years. The rate of progress of the Muhammadans and non-Brahmans is greater than that of Brahmans.

7283. Will you put that statement in please?—Yes: it is as follows:—

Graduates.

Year.	Brahmans.	Non-Brahmans.	Europeans.	Christians.	Muhammadans.
1886–1890	563	145	13	51	10
1891–1895	1,021	248	25	131	14
1896–1900	1,453	404	23	141	29
1901–1905	1,673	304	21	143	30
1906–1910	1,688	545	34	201	32
Total number of graduates from 1861–1910	7,013	1,815	164	763	119
	Total .. 9,874				
Percentage	71 per cent.	18 per cent.	1·7 per cent.	8 per cent.	1·2 per cent.
Percentage of population	3·2 per cent.	85·6 per cent.	0·1 per cent.	2·7 per cent.	6·6 per cent.

7284. The number of Brahmans is about 1,688?—Yes, in 1910. I have another statement with regard to general education which shows the progress of the community.

7285. (*Chairman.*) You need not read it but perhaps you will put it in?—Yes.

The following table was handed in :—

PROGRESS OF GENERAL EDUCATION BOTH "ENGLISH AND VERNACULAR."

Statistics of British India, Part VII—Education, Page 79.

CLASSIFICATION of scholars on 31st March according to race or creed.

Males.	1906-1907.	1907-1908.	1908-1909.	1909-1910.	1910-1911.
Brahmans	101,883	105,460	107,510	110,576	116,388
Non-Brahmans	578,548	612,834	643,698	692,756	706,476
Muhammadans	96,593	102,273	103,968	110,111	113,021
Christians	56,332	55,589	53,739	58,692	61,648

7286. (*Mr. Madge.*) Have you travelled much in the interior of this Presidency?—I come from the interior.

7287. But you may have come from the interior without having travelled much in it. Have you had considerable experience of villages in remote parts?—I think I have.

7288. The object of my question is to see whether you reflect the opinion of large classes or only the residents of large cities?—I have some acquaintance with the mufassal, where I go pretty often, and I also come from it, and I believe I am to some extent at any rate reflecting the opinions of my countrymen in the mufassal.

7289. You have travelled in other parts of the mufassal besides that from which you come?—Yes.

7290. And you have made enquiries amongst all classes?—Yes.

7291. In connection with the separation of the Executive from the Judicial service, you have not ignored the fact that in the earlier period of their service members of the service acquired valuable experience in the exercise of Executive functions which afterwards became of use to them when they went into the Judiciary?—I do not think the experience gained in the Executive line is of considerable importance in disposing of civil cases or even of criminal cases.

7292. I do not now refer only to the technical knowledge of particular classes of duties, but to the knowledge of the peoples' habits of thought and feeling and their ways generally. Do you think all that is of no use to a Judicial officer?—If it were left to me I would say it is better that he should know a little of them, but he should really go by the evidence given before him and by what takes place in court, and he should not be guided by anything gained by his experience. That is all I would say generally.

7293. Would that reply refer equally to cases in the court of appeal and to cases in courts of first instance?—I think it would apply to both classes of cases.

7294. You must be aware that a record of a case conveys a very inadequate idea of what the demeanour of the witness may be in a Court of First Instance?—I do not think so. The demeanour of the witness is gathered from what he says in the witness box, not from an outside knowledge of the country.

7295. But I mean the way that a particular witness will give his evidence?—I think that is gathered from him when he is in the witness box.

7296. But the Court of Appeal, which goes upon the record, has not that advantage?—There will be the notes of the lower court to guide the Appellate Court.

7297. Do you think that that would convey the same kind of vivid idea to the Appellate Court that the Court of First Instance acquires from actual visual acquaintance with the witness himself?—It may not be to the same extent.

7298. To that extent it is a want that is not otherwise supplied?—I do not know whether it is a want. It is better that the Judicial officer should be untrammelled by any experience outside the case that comes before him.

7299. In answer to question (18) you say you think that all posts mentioned in the schedule to the Indian Civil Service, except those under the heading "Judicial", should be reserved for officers recruited to the Indian Civil Service. Here you draw a broad line of distinction between two classes of office, and you reserve one exclusively for those who have passed out from what you admit to be a higher test. The Civil Service test is a higher test than any you can have in this country?—Yes.

7300. And as you purpose recruiting the Judicial service as well from English Barristers as from the legal profession in this country, in reserving only the Executive service for Indian Civilians are you not unconsciously admitting that a higher standard is needed in the one than in the other?—The kind of work that is done by an Executive officer is different from the kind of work a Judge has to do. You should not underestimate the practice acquired at the Bar and the legal knowledge acquired by passing the Bar examination or the Law examination. If you combine that with practice at the Bar I do not think you would be right in saying that a man is inferior in any respect to the man who gets into the Executive service.

7301. I was not separating the Barrister from home from the Advocate or Pleader promoted here. You divide the Judicial from the Executive service and reserve the Executive appointments for the men who have had all these superior advantages?—I do not concede it is a superior advantage. It is a stiffer examination, but that does not make the man superior to the man who has passed the Law examination and has also gained experience in the profession.

7302. In that respect you differ from all the witnesses, who have said that the test being superior the men who come out from home have certain advantages up to which the country has not risen yet?—I do not know whether they have said that they are superior to the Judges.

7303. I do not say that the men were superior, but that they are tested by a higher test?—Higher educational tests undoubtedly: I do not deny that.

7304. Does that mean nothing?—I never said it means nothing, but when you find in the case

of the person employed in the Judicial service that he has to pass a high examination, and a difficult examination, and also that he gains experience in the profession for a number of years, I think it might be said that the man who ultimately becomes a District Judge would be equal in calibre to the man who had come in by the door of the competitive examination in England.

7305. (*Mr. Oldfield.*) Is your practice on the Civil Appellate Side?—Generally.

7306. Have you had much criminal practice?—Not very much.

(The witness withdrew.)

M.R.Ry. M. RAMACHANDRA RAO PANTULU Garu, High Court Vakil, Ellore.

Written answers relating to the Indian Civil Service.

7307 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I regard the present system of recruitment by open competition in England for the Indian Civil Service as generally satisfactory in principle except in regard to the Judicial branch.

7308 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—If by this question is meant whether the principle of competition is calculated to obtain suitable material from the Natives of India, as in the case of other natural-born subjects of His Majesty, my answer is in the affirmative.

7309 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons? I consider the existing system advantageous. My reasons are—(i) There is a chance of drawing better material for the Indian Civil Service. (ii) The examination is now under the control of the Civil Service Commissioners, a body of established independence and authority in these matters.

7310 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—Please see my answer to question (1).

7311 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of a system of simultaneous examinations in India and in England for the Indian Civil Service open in both cases to all natural-born subjects of His Majesty.

7312 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I would not favour any scheme of the kind in view of my answer to question (6).

7313 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am against any of the methods suggested in the question for the recruitment for the appointments now held by the Indian Civil Service. Efficiency is the first consideration, and to the extent to which efficiency does not suffer there would be no objection to considerations based upon due representation of classes or communities prevailing. But in the case of the Indian Civil Service these considerations ought not to prevail.

In the case of persons of proved merit and ability belonging to the Provincial Civil Service the Government have now the power of promoting them to the Indian Civil Service, but this should be done very rarely.

7314 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes.

7315 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I advocate the institution of simultaneous examinations in lieu of promoting members of the Provincial Civil Service to listed posts. As a consequence, the listed-posts will have to be merged in the Indian Civil Service.

7316 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I am strongly of opinion that the method of recruitment for judicial appointments now held by the Indian Civil Service should be based on an entirely different principle and that the members of the Indian Civil Service as now recruited should not as a rule be appointed to these posts. The Judicial branch of the Indian Civil Service and the Provincial Civil Service (Judicial branch) should be constituted into one service, and the recruitment to this combined service should be placed on the same footing on which other professional services like the Engineering, Medical, etc., are now recruited. Previous training in Judicial work, either at the Bar or in the appointments now held by the Judicial branch of the Provincial Civil Service is essential. There is no longer any necessity for the compulsory appointment of the members of the Indian Civil Service as Judges of the High Court, and the law in this

respect may be amended. The recruitment to this service need not necessarily be at the bottom in all cases. In order to secure a flow of promotion to those members of the service who now join as Munsifs, I would set apart half the number of appointments of District Judges to this branch of the service, the remaining half to be recruited from the Bar. If it is considered essential that the Indian Civil Service Judicial and Executive branches should be linked together to some extent I would suggest as an alternative that one-third of the posts (District Judges) be set apart for the members of the Indian Civil Service, the remaining two-thirds to be recruited equally from the Bar and the Judicial branch of the Provincial Civil Service. I would also suggest that a new grade of Subordinate Judges on Rs. 1,000 should be added to the present cadre of the Provincial Civil Service.

7317 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The definition may be so amended as to bring persons born of parents habitually resident in India within it, whatever may be the place of their birth. Subjects of Native States in India may also be admitted.

7318 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I am satisfied with the existing age limits.

7319 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I would not recommend any differentiation such as that suggested herein.

7320 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—(i) The classical languages of India should find a place in the first examination, being placed on the same footing as Greek and subjects akin to it. (ii) Indian History may also be included and placed on the same footing as Greek and Roman History in the first examination. (iii) The question papers on Roman History, Greek History and Roman Law should not require a knowledge of the languages.

7321 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

7322 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—If security in pay and promotion should be afforded to the members of the service, it would be necessary to reserve by Statute the posts now reserved for the Indian Civil Service with the exception of the appointments held by the Judicial branch.

7323 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I consider the European element essential, but I would not secure it by fixing any definite proportion. I believe that under a scheme of simultaneous examinations the European element would still preponderate. I consider that Natives of India may be admitted under present conditions to half the number of posts now included in the cadre of the Indian Civil Service (Executive branch) and to all the posts in the Judicial branch. In regard to the latter branch of the service I would leave the exact proportion of the European element to be determined solely with reference to the considerations of efficiency.

7324 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?—No.

7325 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

7326 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion should it be adopted?—The system does not prevail in this Province.

7327 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—Please see my answer to question (22).

7328 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—If simultaneous examinations or separate examinations—*vide* my answer to question (28)—for the Indian Civil Service are conceded there will be no necessity to list any posts for the Provincial Civil Service. I would in that event suggest the abolition of the list. The system of the listing of posts does not meet with my approval.

7329 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—Please see my answer to question (24).

7330 (26). Are you satisfied with the system by which most of the inferior listed posts are

merged in the Provincial Civil Service?—Please see my answers to questions (24) and (28).

7331 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Please see my answers to questions (24) and (28). If the listed-posts are however to continue, the list should be enlarged by including the following appointments:—(i) Two Members of the Board of Revenue, (ii) one Secretary to Government, (iii) one Secretary to the Board, (iv) two Under Secretaries to Government, (v) Collectors, one-third, (vi) District Judges, one-half, (vii) Sub-Collectors and Assistant Collectors, one-half, (viii) Registrar of the High Court.

7332 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—If simultaneous examinations are not granted, I would suggest that one-half of the vacancies in each year be recruited by a separate competitive examination of an equal standard held in India, and that candidates so selected be compelled to undergo a two years' probation in England, the successful candidates in England being asked to undergo a similar probation. Preference should, in my opinion, be given to a course of studies at the Universities in England during the period of probation. The recruits in India and England should be brought on one list and be eligible for promotion alike.

(ii) The separation of the judicial from the executive functions should be carried out entirely. Please see my answers to questions (11), (57) and (64).

7333 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

7334 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

7335 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In England. My answer is equally applicable to all probationers.

7336 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

7337 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I am not in a position to state whether the knowledge of the vernaculars has deteriorated, but I believe that the members of the Indian Civil Service do not attain as a general rule adequate proficiency in the Indian languages. I do not think that under existing conditions of administration in this province it is possible to remedy this defect to any appreciable extent.

7338 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I have already stated in answer to question (11) that the Judicial branch of the Indian Civil Service should be placed as on the footing of other professional services. If this is not accepted, the members of the Indian Civil Service proposed to be appointed to the Judicial branch should after five or six years' service be appointed as District Munsifs and for some time as Subordinate Judges. Their total service as Munsif and Subordinate Judge should be sufficiently long as to enable them to have a thorough grasp of this class of judicial work. They may also be encouraged to qualify themselves for the Bar.

7339 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Please see my answers to questions (11) and (37).

7340 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—Please see my answers to questions (11) and (37).

7341 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

7342 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation is in my opinion necessary.

7343 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance should not be granted in the case of future entrants.

7344 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I generally approve of the arrangement if the services are to be separately recruited with different conditions of pay and service.

Written answers relating to the Provincial Civil Service.

7345 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial

Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I would allow members of the Provincial Civil Service to look to Rs. 500 as the limit of their ambition by right of seniority.

7346 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—I would strongly urge the reintroduction of a system of competition for the recruitment of the Provincial Civil Service and promotion from lower posts should not be the sole method of recruitment. Please see my answer to question (64).

7347 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

7348 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I believe there is a fair representation of all classes and communities in the Provincial Civil Service and no special arrangements are needed in this province to secure this representation. I rather think that the representation of classes has been carried rather too far to the detriment of efficiency.

7349 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—Under the system of recruitment now adopted officers appointed to the Provincial Civil Service Executive branch are already trained men in service and the members of the Judicial branch receive their training either in service or at the Bar. If a system of competition is adopted for the Provincial Civil Service, a two years' probation will be necessary.

7350 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I think that the various grades of Deputy Collectors in this province require regrading. A Deputy Collector is not able to reach usually anything higher than Rs. 500 grade at the end of his service. I think a few more posts to each of the grades over Rs. 500 ought to be added and I believe a more satisfactory flow of promotion ought to be secured by reducing the posts at the bottom and adding them on to the posts carrying salaries of Rs. 500 and above. I have already suggested that a new grade of Deputy Collector on Rs. 1,000 should be added.

7351 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The Sub-Magistrates and Divisional Magistrates should be separated from the Executive service and placed in the Judicial branch and the service must be organised so as to avoid the combination of executive and judicial functions. Please see my answer to question (64).

7352 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I do.

7353 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Please see my answer to question (56).

7354 (61). Do you approve of the arrangement by which officers of the Provincial Service holding listed-posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I think the principle on which the pay of Provincial officers holding listed-posts is fixed is sound.

7355 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views making any suggestions that appear to you to be suitable?—I am not at all satisfied with the existing organisation of the Provincial Civil Service in this province—

(i) If simultaneous examinations are conceded, listed-posts for this service will have to be abolished and the service will have to remain practically on its present basis. I would add however a new grade of Deputy Collector on Rs. 1,000.

(ii) The combination of executive and judicial functions in the Executive officers is undesirable. I would suggest that magisterial and other judicial functions now exercised by Executive officers should be transferred to the members of the Judicial branch of the service. This would necessitate a re-arrangement of the cadre of the Executive branch and a corresponding addition to the Judicial branch of the service.

(iii) I would also add to this service all posts of Deputy Tahsildar and upwards. As thus constituted the service would consist of Deputy Collectors, Tahsildars and Deputy Tahsildars.

I would recruit this service by a system of limited competition and start the recruits as Deputy Tahsildars on Rs. 125. I have already explained my views as regards the constitution of the Judicial branches of the Provincial Civil Service and the Indian Civil Service. I would suggest that the Sub-Magistrates should be added to this service and recruited in the same way as the Munsifs at the bottom of the service and on the same pay as Munsifs. I think that by a suitable delegation to Panchayats and Benches of petty criminal litigation, the reorganization can be carried out without any extra cost.

Mr. M. RAMACHANDRA RAO PANTULU, called and examined.

7356. (*Chairman.*) What position do you occupy?—I am now Chairman of the Ellore municipality and Additional Member of the Legislative Council of Madras, and I practise in the courts of Godavari and Kistna.

7357. How long have you been a Member of the Legislative Council?—Two years.

7358. What is your caste?—I am a Brahman.

7359. I see in your answers that you are in favour of simultaneous examinations?—Yes.

7360. And in default of simultaneous examinations you would advocate a separate examination for half of the vacancies?—Yes, as an alternative proposal.

7361. And as a third alternative, in default either of simultaneous or separate examinations, you would suggest a considerable increase in the listed posts?—Yes, I would. We do not know what the result of any enquiries with reference to increasing the Indians in the Public Service would be, and my proposal with reference to the listing of posts on a larger scale is the last proposal I put forward. I bring it forward as an alternative if the other two are not accepted.

7362. I will not occupy your time by going through the questions because I see your answers almost entirely correspond with those of the former witness?—I do not know what the former witness has said.

7363. (*Mr. Sly.*) In answer to question (4) you say that a combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is advantageous, and the second reason you give for that is that the examination is now under the control of the Civil Service Commissioners, a body of established independence and authority in these matters?—Yes.

7364. As a matter of fact, before the examination was combined, the examination was also under their control, and under the statute of 1858 is bound to remain under their control?—Yes.

7365. So that that reason does not affect it at all?—I contemplated also the case where the examination might be placed under a different body altogether.

7366. But by statute it cannot be?—No, it cannot be.

(The witness withdrew.)

Dr. T. M. NAIR, Madras.

Written answers relating to the Indian Civil Service.

7367 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I do not think that the present system of recruitment by open competitive examination in England for the Indian Civil Service is satisfactory. Nor do I accept it as generally satisfactory in principle. My reasons are (i) that while the present system ensures intellectual ability of a certain type, it is not at the same time a guarantee that the men selected under it have the other qualities so indispensable in a sympathetic and successful administrator. (ii) While the present system has given us some very good men, who have proved highly satisfactory administrators, it has also given us a far larger number of men about whom I cannot say the same. And as the latter class constitute a very appreciable portion of the Civil Service, it has contributed not a little to the unpopularity and inefficiency of the administration in India.

7368 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system admits men into the service whose antecedents and moral equipment are practically unknown quantities. They show a general incapacity to view things in all their aspects and to treat individuals and masses of people over whom they are placed in authority in a sympathetic spirit, mainly owing to their failure to realize the points of view and the feelings, traditions and sentiments of a people different from their own. Hence their arrogance and intolerance of criticism.

The alteration that I would suggest is that there ought to be a careful selection before competition and a more thorough training of the successful candidates than is given now. I would propose that at least double the number of men as there are vacancies should be selected and permitted to compete for the vacant posts.

7369 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—My remarks in answer to question (2) apply equally to Natives of India and to other natural-born British subjects.

7370 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—There is no particular disadvantage in combining the competition for the Indian Civil Service with that of the Home and Colonial Service, as I find that the Indian Civil Service is able to secure generally as good (if not better) men as the Home or the Colonial Service. I am of opinion that the subjects of the initial competition should be of a general character which will ensure a wide and accurate range of knowledge and culture, which will be of use even to those who may be unsuccessful in the competition and who may never come out to India.

7371 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I would suggest a careful selection and a competitive examination of the selected candidates.

7372 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of simultaneous examinations in England and India.

7373 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am in favour of recruiting a certain proportion of the Indian Civil Service appointments in India; but I would not restrict the Indian recruitment to Natives of India. I would recruit one-third of the total number of executive appointments in the Indian Civil Service in India and

two-thirds in England. The recruitments both in India and in England I would open to all British subjects, European and Indian. But I would make a difference in the scale of pay of those recruited in England and in India.

7374 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I have already stated that I would reserve a certain proportion of the appointments in the Indian Civil Service to be recruited in India. This proportion in the Executive branch of the Indian Civil Service I have suggested as one-third. In the Judicial branch of the service (my proposals connected with which follow), I put the proportion as two-thirds to be recruited in India. Of the total number of appointments to be recruited in India I propose that one-third should be left open to competition after selection as proposed by me in reply to question (2), the other two-thirds to be filled up by the local Governments by nomination after the results of the competitive examination are announced, giving due consideration to the claims of the various sections, classes and communities of His Majesty's subjects in India who have failed to secure their legitimate share of appointments in the service through competition. I would, however, lay down a minimum educational qualification for the selected candidates, which for this Presidency I would suggest at least a second class in the B.A. pass examination.

7375 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I have already proposed that both the recruitments in India and in England should be open to European and Indian British subjects alike. Therefore my reply to this question is in the affirmative.

7376 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—My proposal to recruit one-third of the Executive and two-thirds of Judicial appointments in India is in lieu of promoting to listed posts officers of the Provincial Service. Under my proposal I would make the members of the Provincial Service eligible for selection by the Local Governments in filling up two-thirds of the number of the Indian-recruited posts referred to in the previous question, the minimum educational qualification fixed for the selected candidate being also applicable in the present case.

7377 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I am of opinion that the Judicial and Executive branches of the Civil Service should be separated from their very commencement. I would even go so far as to say that their recruitment ought also to be separate. I would recruit two-thirds of the Judicial appointments in India, the remaining one-third in England. In England all the appointments will be filled by a combined method of selection and competition from among candidates who must have been called to either the English or the Irish Bar or be members of the Faculty of Advocates of Scotland. Of the appointments to be recruited in India, one-third I would recruit by selection and competition, the remaining two-thirds being filled up by nomination by the Local Governments, regard being had to the claims of the various classes, sections and communities in India. Those recruited in India either by competition or nomination should be vakils or advocates of any of the Indian High Courts of at least five years' standing

7378 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present statutory definition of the term "Natives of India."

7379 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I would propose an age limit of twenty-three to twenty-five for those recruited for the Executive branch of the Civil Service, and twenty-four to twenty-eight for those recruited for the Judicial branch.

My reasons for these recommendations are—(i) The candidates for Civil Service must in my opinion be University men; and the University training must precede and not follow the competitive test. (ii) It is easier to determine the character of a man of more than twenty-three years of age than of an undeveloped youth. I want also to give the aspirants to the Indian Civil Service a little more time to study the institutions of their own country before they undertake to control those of another country. (iii) By later recruitments I hope to prevent early retirements. There are a number of civilians who under the present system retire between the ages of forty-six and fifty-two at a time of life when their services are of greater use to India than those of boys of the ages of twenty-four and twenty-five.

7380 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—About twenty-seven or twenty-eight.

7381 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—The same age that I proposed for Europeans I propose for Indians. I recommend no differentiation between the ages of the Natives of India and of other natural-born subjects of His Majesty.

7382 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—The only suggestion that I have to make is that all the classical languages such as Sanskrit, Persian, Arabic, Greek and Latin should be treated alike and equal number of marks assigned to them.

7383 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No. I do not propose any differentiation.

7384 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I do not see any necessity for reserving any post by *Statute* for the members of the Indian Civil Service. The Governments who make the appointments may be relied upon to exercise their judgment properly.

7385 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I myself do not think any minimum necessary. But I know that many Europeans consider an irreducible number of European Civil Officers in India in the highest posts absolutely necessary. I respect their sentiments.

7386 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes. I approve of recruitment of Indians to the Civil Service partly in England and partly in India and I have explained my meaning in answer to question (8).

7387 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No. If the system of recruitment that I have suggested is carried out, there will be no necessity for the revival of the old system of appointment of Statutory Civilians.

7388 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—I am not in favour of this system.

7389 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—See my reply to question (18).

7390 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—See answer to question (18).

7391 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I have already said that there need be no listed posts.

7392 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—In the case of recruitment in England I should restrict the recruitment to University graduates.

7393 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes. Except in the case of those nominated from among the Provincial Services in India.

7394 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—A probationary period of one year and the subjects of study to comprise, among other things, Indian History, the languages of the Province in which the officer is to serve, the customs and manners and the general history of the people of the Province.

7395 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not want any differentiation.

7396 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The probationers' course of instruction should be undergone in India.

7397 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No. I do not think any college is necessary.

7398 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes. I do consider it desirable.

7399 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—If the training given during the probationary period is what I have suggested the present arrangement for training of junior officers after their appointment will be enough.

7400 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I do not know what was the extent of the knowledge of the Indian languages possessed by Indian Civilians in years gone by. It could not possibly have been less than that of the average present day Civilian. The cause seems to me to be the want of sufficient interest, isolation and aloofness of the Civilians from the people of India and the ease with which they can get on with English alone on account of the knowledge of English possessed by all the subordinates, and possibly also due to the average Englishman's contempt for every language but his own, and the greater facilities of communication between England and India, and between one part of India and another.

7401 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—As I have already suggested that the Judicial branch of the Indian Civil Service should be separate from the Executive branch, and as the Judicial branch is to be exclusively recruited from members of the legal profession, I do not propose any further theoretical legal training for them. In the way of practical training I would start them as District Munsifs and Sub-Magistrates combined, and keep them at that duty for at least two years before they are promoted.

As for the Executive branch, I would give them instruction in Revenue and Criminal Law. As my proposal is never to give them magisterial powers to try and dispose of criminal cases finally, and never to invest them with civil jurisdiction, the training which I have proposed will be quite sufficient.

7402 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Only the study of Civil and Criminal Procedure.

7403 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details.—Yes. See answer to question (37).

7404 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation.

7405 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—Exactly the same as for those who are recruited in England.

7406 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—I do not propose any differentiation.

7407 (43). Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions?—In the probationary training of Executive officers to which I have alluded, I would include practical knowledge of the administration of the village acquired on the spot, together with the duties of Revenue Inspector and Tahsildar. In the case of Judicial officers, I have already suggested that they should begin their official career as Munsifs and as Magistrates of the second and third class only. I might also say that the entire control of the Judicial branch of the service should rest with the High Court and not with the Government.

7408 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—In my opinion, the exchange compensation allowance should be abolished unconditionally.

7409 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?—As I do not propose any compensation allowance, no reply is needed.

7410 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—As I have already suggested that no listed-posts are necessary, and as I have proposed that one-third the number of executive and two-thirds of the number of judicial appointments should be recruited in India, my suggestion is that officers recruited in India should only draw the same pay as the officers recruited in England up to a salary of one thousand rupees a month. In places carrying a salary of over a thousand rupees the Indian recruited officers should be paid two-thirds the salary of the English recruited officers or a thousand rupees a month, whichever is greater. I make this proposal as in my opinion members of the Indian Civil Service are paid far too much, and the only practical manner in which I can propose a reduction is by proposing a lower scale of pay for those recruited in India. I would have proposed a reduction in salary for those recruited in England also if there was the remotest possibility of my suggestion being accepted.

7411 (48). Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—I have not studied in detail these rules. But I am of opinion that no more leave ought to be allowed to them than is absolutely necessary to maintain their health.

7412 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed-posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—As I have all along remarked, I do not intend making any difference between the rules applicable to Indians and Englishmen.

7413 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—I have proposed that one-third the number of executive appointments should be recruited in India. I have to add that if after the experience of 10 or 15 years the Indian recruitment works successfully, then the proportion should be raised to one-half.

Written answers relating to the Provincial Civil Service.

7414 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions referred to in the Government of India Resolution No. 1046-1058, dated 19th August 1900, are generally suitable. The only addition I have to make to it is to prescribe the minimum educational qualification which, I should say, should be a Graduate in Arts of a recognized University.

7415 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—If the Provincial rules will carefully carry out all the instructions mentioned in the Government of India Resolution above referred to, and prescribe the minimum educational qualification as above, I shall be quite satisfied.

7416 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

7417 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—They are not adequately represented. Yes, I consider that it is not only desirable, but essential. I recommend the same plan of recruitment which I proposed about the recruitment in British India.

7418 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I think the present arrangements are fairly satisfactory except that some arrangement by which they could be made to get a closer and intimate acquaintance with the conditions and wants of village life be added.

7419 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I am not able definitely to answer that question.

7420 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—At present they are not differentiated to any appreciable extent. Radical changes are necessary. The nature of the changes I have already indicated.

7421 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I cannot find any objection to retaining the name "Provincial Service."

7422 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I believe the principle laid down by the Public Service Commission of 1886-87 is a sound one. I do not propose any alteration.

7423 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes. They are quite adequate, so much so that I have never heard of any one leaving the service or declining to join the service on account of the inadequacy of the pay.

7424 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes. But I have already said that there ought to be no listed-posts.

7425 (64). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—With the alterations I have indicated in answers to previous questions, I think the organization of the service would be satisfactory.

Dr. T. M. Nair, called and examined.

7426. (*Chairman.*) Will you tell the Commission what positions you occupy?—I am a medical practitioner, a Municipal Commissioner, a Fellow of the Madras University and a Member of the Madras Legislative Council.

7427. Have you lived for many years in Madras?—Yes, I have practised now about 17 years in Madras.

7428. I noticed that in your answer to the first question you say you do not think the present

system of recruitment by open competitive examination in England is altogether satisfactory?—That is so.

7429. And you do not agree either with the results of it or with the principle of an open competitive examination?—Not entirely with the principle.

7430. Your belief is that under a selective system a more suitable class of candidates could be secured than by leaving it to open competition?—By a combination of selection and competition I think a better set of men would be obtained.

7431. How many would you select for the vacancies available?—I would select at least double the number of candidates as there are vacancies, and let them compete for the vacant posts.

7432. What would be your form of selection?—I would entrust it to a Board who could from personal experience and from investigation find out men of good character and attainments and men who were generally reliable.

7433. What would be the constitution of the Board?—It depends on where the Board is to be constituted whether it is in India or England.

7434. Where would you suggest it should be?—For selection in India I would have the Board in India, and for selection in England I would have the Board in England.

7435. Let us take England: what would be a suitable constitution for a Board in England?—I could not give the exact constitution now. You would have to find out individuals who are competent to discharge this duty.

7436. You would have to have a Board composed of people who would have a previous knowledge?—Yes, previous knowledge of the candidates.

7437. Might that not be a difficult matter?—It may be difficult but it is not impossible.

7438. Do you think it would be difficult to constitute a satisfactory Board of this character in India?—I think we might constitute one.

7439. Have you any idea as to the constitution of a Board of Selection in India?—I have not got it in my mind at present, but I could draw up a scheme if I were asked to do so.

7440. You are not prepared to inform us on that point now?—No, I have not gone into the details of the constitution.

7441. In your subsequent answers to questions you put forward a scheme of recruitment. As regards the Executive branch you suggest that two-thirds of the vacancies should be filled in England, one-third being filled in India?—Yes.

7442. For the Judicial branch you recommend a complete separation of the Executive and the Judicial, and separate recruitment?—Yes.

7443. Of the Judicial branch one-third is to be recruited in England?—Yes.

7444. And the remaining two-thirds in India?—Yes.

7445. In answer to questions (8) and (11), as regards the vacancies to be filled in India, you would suggest filling a part of them by competition amongst candidates who have been selected in the way you alluded to, and two-thirds by nomination?—Yes.

7446. Would you have separate recruitment under this proposal of yours for the various provinces or would it be one scheme of recruitment for the whole of India?—I would rather have it for the whole of India, of course bringing in the aid of the Local Governments where selections are concerned.

7447. Would you regard as important in the selection of the candidates for this competitive examination that consideration should be paid to their representing the various provinces?—Not necessarily for the competition. I have provided for that in the nominations of the remaining two-thirds.

7448. Assuming your scheme was carried out you would abolish the listed-post system?—Yes I would.

7449. But you would open the Provincial Civil Service to nomination?—Yes.

7450. Do you think that this scheme would meet with general approval amongst the members of the Provincial Civil Service?—I have not consulted them, but it ought to. It certainly makes their chances better than what they are, and in no way injures them.

7451. Is this a scheme which you have worked out as the result of your own observations in the past years?—Yes.

7452. You have worked it out more or less as a theoretical ideal in your own mind?—Yes.

7453. In answer to question (13) and subsequent questions you suggest that candidates for the Executive branch should be between the ages of 23 and 25?—Yes.

7454. And then you suggest a year's probation in India?—Yes.

7455. In a subsequent reply I understand you suggest they should start their work in India, after the probation, somewhere at the age of 27 or 28?—That would be about a suitable age, but according to this scheme it would be 26.

7456. It does not quite correspond with your scheme, does it?—I do not think there is very much difference.

7457. Do not you think 27 or 28 is rather too old to commence a career?—No, I do not think so; they can earn their pension by 55.

7458. What are the advantages of postponing entry to so much later an age, than it ever has been in the past or is being suggested in the present?—As I have explained in my proof, in the first place it helps us to select better men. The older they are the easier it is to select them. Secondly, I want to prevent them retiring very early. Under the present conditions it is quite possible for a man to retire when 46 or 47 and most valuable services are lost to India thereby. Under this scheme it will not be possible for him to retire before he is very nearly 55.

7459. You do not agree with the opinion of some witnesses that a man is worn out at the age of 47?—I do not think so.

7460. Generally speaking?—I am about that, and I hope I am not worn-out.

7461. You do not think that the age of 27 or 28 is rather late for a young man to come out and to assimilate the work out here?—I do not think so.

7462. You lay stress on the probation being in India?—Yes.

7463. Why have you come to that conclusion?—I want the probationary course to be in India in order that the men may familiarise themselves with Indian conditions, before they actually begin work. I believe in some cases in Madras a young civilian has been actually made to work as a village karnam. My idea is that

their probation should partake more of the nature of that sort of training.

7464. Do you think he will better adapt himself to the experience and habits of the people by a probation out here than at home?—Yes.

7465. In answer to question (47), in regard to pay, you suggest that the pay up to Rs. 1,000 a month should be the same?—Yes.

7466. But you would allow a third more over that amount to Europeans?—Yes, not for Europeans but for the men recruited in England.

7467. The members of the Indian Civil Service from England?—Yes.

7468. I gather from this proposal that you think the member of the Indian Civil Service who gets over Rs. 1,000 a month should be receiving more. Would it occur to you that those who are in receipt of lower pay would suffer proportionately more by the reduced proportion?—Those who are below Rs. 1,000 would not because they would be all receiving full pay up to Rs. 1,000. I suggest that both men recruited in England and in India should receive the same pay up to Rs. 1,000, but after that I would give the men recruited in India two-thirds. I do not see any hardship to the man who is drawing a salary below Rs. 1,000.

7469. With regard to leave you have rather a rigid view; you say that in your opinion no more leave ought to be allowed to them than is absolutely necessary to maintain their health?—I was under the impression that leave was intended for the purpose of recruiting one's health after hard work.

7470. You do not take into consideration any element of relaxation?—That would be included; relaxation is one of the methods of recruiting one's health.

7471. Do you suggest a reduction in the period that at present exists?—I have not studied the leave rules very carefully.

7472. You merely lay down a general proposition on the subject?—Yes.

7473. In answer to question (54), in regard to the representation of communities in the Provincial Civil Service, you say that in your judgment the communities are not adequately represented at present?—That is so.

7474. And you regard it as essential that they should be to a certain extent represented?—Yes, represented in order to have the people contented and to remove all causes of friction. That is my object in making the suggestion.

7475. Is your suggestion made from the point of view of attaining a smooth form of administration in the various districts?—Precisely.

7476. And you would attain that object by the system of nomination which you suggest?—I think so.

7477. (*Lord Ronaldshay.*) What are your main objections to the system of simultaneous examinations?—My main objection is that, at the present time, if we have simultaneous examinations hardly any Indians will get in, and I am anxious that more Indians should be in the service.

7478. But do you think that under a system of simultaneous examinations you would have less Indians in the service than you have now?—Possibly, because the few Indians who go to England to compete may not then go; their parents might think that since there were examinations here they might compete here and save money.

7479. Would not they go up for the examination in India?—They might go up for it, but the question is whether they will get in.

7480. If they are capable of getting in through the English examination they would certainly get in through the Indian examination?—They get through the English examination with the help of the training they have in England. When they appear for the examination in India they would not have had that training. I think, under the present educational facilities in India, any one trained in the Indian system cannot get through an examination like that of the Indian Civil Service.

7481. In answer to question (19), you say you do not think any minimum of Europeans is necessary?—I do not think it necessary.

7482. Do you think there would be no danger to the efficiency of the administration if the whole of the high administrative posts were filled by Indians at the present time?—I do not contemplate such a contingency.

7483. There is a distinction between thinking that no minimum is necessary and thinking that it is not necessary to lay down a minimum. I understand that you do not think it is necessary to lay down a minimum?—I do not think it necessary to lay down a minimum and I do not think any minimum is necessary either.

7484. Do not you think it is desirable that a certain number of posts should be held by Europeans?—No.

7485. (*Sir Theodore Morison.*) With regard to your answer to question (2), do the criticisms which you make on the conduct of the officers refer to all English officers in the different services or only to the Indian Civil Service?—In the different services, but I am now confining myself to the Civil Service.

7486. These are general English characteristics, and not peculiar to the Civil Service?—Perhaps not.

7487. I understood you to say that a Selecting Board would have previous knowledge of the candidates?—Not necessarily personal knowledge.

7488. Would you have a Board for the two-thirds to be selected for the executive in England?—Yes.

7489. That would be about forty posts?—Yes.

7490. And you would nominate by selection and get about eighty, and allow them to compete *inter se*?—Yes.

7491. You would rather not volunteer suggestions as to how the Board would work in England, perhaps, but can you give an outline of how the Board would work in India? Say you have in India twenty posts to fill and forty candidates selected?—You could allot the number of vacancies there are for each Presidency and you could ask the Local Governments to nominate the necessary number.

7492. You would ask each Local Government to select a certain number?—Yes.

7493. Can you give me any idea of the kind of Board in this Presidency you would empanel?—I would leave that to the Local Government to decide; the Local Government would nominate the Board.

7494. You cannot give any help to the Government as to how it can be done?—I can give my ideas, but I do not know whether they would accept my ideas. A system of selection already

exists in India for the competition to the Finance department; they are first selected and then they go in for the competition. I have never heard anything against that and everybody seems to be satisfied with the system.

7495. As far as you know it works satisfactorily?—As far as I know it works satisfactorily.

7496. In regard to your answer to question (47), do I gather that you clearly think the salaries of the Civil Service are very high?—I do.

7497. How do they compare with professional incomes?—I think they make more than members of the professions taking them on an average.

7498. I do not know whether it is so in your profession, but I suppose in the legal profession the higher incomes are much larger?—Yes.

7499. Is it so in your profession?—Yes, the highest incomes are fairly large. But if you take the average, neither in the legal profession nor in the medical profession are they very high in Madras.

7500. Do you think they are considerably lower than the average Civil Service salaries?—Yes.

7501. On the whole it is the plums a profession offers which induce young men to go in?—Yes.

7502. Are the plums in the medical profession 50 per cent. or 100 per cent. higher than the salaries of the service?—I do not think there will be any medical man who makes a higher income than an Indian civilian who has reached the highest post available to him.

7503. What would you put the maximum professional income of a doctor at in Madras?—I think if he makes on an average Rs. 3,000 a month that would be a very high income.

7504. That would be about the best professional income in Madras for a doctor?—Yes.

7505. Probably it is higher in other places?—It may be higher in other places.

7506. It is much less than a successful lawyer makes?—Yes.

7507. (*Mr. Chaubal.*) I gather you are against a simultaneous examination in England and in India, but you are in favour of a separate examination in India?—Yes.

7508. And you desire that this separate examination in India should be an examination by selection and competition, just as you desire the examination in England to be by selection and competition?—Yes.

7509. The only difference is that for the Indian examination, the separate examination which you want for the recruiting of the one-third, you do not want so high a standard as for the English examination?—I would have a standard suitable for the educational conditions of India.

7510. Not suitable for the aims of the service?—I do not know whether the educational conditions have any connection with the aims of the service; you only want to select a number of good men.

7511. I mean efficient. If you want to turn out Civil Servants at the same standard of efficiency as the English examination does, assuming for the moment that it is conducted on your principle of selection and competition, is it not desirable that when you are trying to find out a system of recruitment for the proportion of that service, the men who should compete at that examination should be expected to turn out men of the same efficiency as the English examination turns out?—To begin with I do not admit that there is any relationship between efficiency and the difficulty of an examination. I do not think that by mere examination, however difficult it may be, you can ensure efficiency in the selected candidate. What I mean is that in England the standard of education is high and unless you have a very stiff examination you cannot select the best that is there. Similarly, in India, you must consider the standard of education and have as stiff an examination as that standard will bear in order to select the best that you have here.

7512. For the purpose of the selection of the best you put in the principle of selection both in England and in India?—Yes.

7513. You want the examination to be conducted in England by the combined process of selection and competition. You do not call your Indian examination a simultaneous examination?—No.

7514. You want it to be a eparate examination?—Yes.

7515. On the same principle as the English examination?—Yes.

7516. Where does the difference come in?—The difference comes in in the nature of the examination.

7517. Do you want the nature of the examination to be more stiff or less stiff?—Proportionate to the standard of education attained in each country it will be equally stiff.

7518. In any examination you propose would the curriculum be as high as that of the present Indian Civil Service course?—No, it will not be so high.

7519. Then you do want an examination less stiff?—Yes, compared with the English examination it would be less stiff.

7520. Would you put the men who come through the English door and the men who come through your separate examination on the same level for the same services?—Yes.

7521. Do you expect a young man in England to remain without a definite career until the age of 27 or 28?—I suggest 27 or 28 for the Members of the Judicial branch, not for the Executive branch.

7522. You were asked in question (14), what you thought was the most suitable age at which junior civilians recruited in England should commence their official duties in India, and you said about 27 or 28. At what time do you think, according to your standard, the English youth would begin to earn?—That depends. The English youth who goes to the Universities does not begin to earn until he is past 25.

7523. Supposing that junior civilians are not expected to come out to this country until they are 27 or 28, at what age do you expect a young man to earn?—I did not say 27 or 28 for everybody; I had the Judicial branch in my mind, and I have stated here that for recruitment to the Judicial branch the candidate must be a Barrister-at-Law of either the English or the Irish Bar.

7524. What age should it be for the other branch?—The Executive branch will come out at about 25 or 26 and the Judicial branch a little later.

7525. From your reply to question (11) it seems that you want a further examination for the Judicial branch to which the practising lawyer or a member of the Faculty of Advocates of Scotland, or of the Irish bar, has to submit himself?—Yes, that would be the competitive test.

7526. Have you any experience yourself of the Executive or Judicial branches?—No, except as an outsider.

7527. Going back to your answer to question (2), are the remarks there based on your own personal experience?—Partly on my own personal experience and partly on what I have gathered from others.

7528. (*Mr. Gokhale.*) I am not sure that I clearly understand your scheme. Would you leave the English door open to Indian candidates?—Yes.

7529. But they must first be selected by the Board that you would set up in England?—Yes.

7530. At what age must they proceed to England in order to qualify themselves for being selected?—They usually proceed at least a couple of years before the examination.

7531. How will that previous knowledge that you require be available in England in regard to the Indian candidates going there?—I should expect that on the Board there would be retired Indian officials who would communicate with India and find out.

7532. You do not mean that there should be a Board in India to select candidates who are to appear at the English examination?—I do not mean that.

7533. The Board in England is to select Indian candidates as well as European candidates?—And the candidates who appear in England.

7534. By what standard are they to proceed in their selection? How many Indians are they to take?—I do not lay down any maximum or minimum so far as Indians are concerned. I treat all the candidates there as one lot.

7535. We will take it for granted that the Board is sitting; you expect that each candidate who wants to be selected will bring forward some testimonials regarding himself and also state his educational qualifications?—Yes.

7536. What testimonials do you think Indian candidates should produce?—That is a matter of detail which will be for the Board to decide. I do not want to lay down that by hard and fast rules; it should be any testimonial which will satisfy the Board.

7537. As a matter of practical discussion, while the Board sitting in England will recognize the educational institutions in England, do you expect they will similarly recognize educational institutions in India?—I expect so; I do not see why they should not do so, impartially.

7538. It is possible they may have no personal knowledge of the educational institutions in India?—I expect them to make enquiries.

7539. How can any Board sitting in England make enquiries about educational institutions in India?—By correspondence with the Local Governments and the officials here.

7540. Then I come to the Indian Board, do you want one Board for the whole country or a Selecting Board in each Province?—A Selecting Board in each Province.

7541. The number of candidates will be double that of the vacancies?—I have said at least double; it may be more.

7542. And you would allot the number amongst the different Provinces?—Yes.

7543. And the Board in a Province will recommend a certain number of candidates according to that distribution?—Yes, precisely what is being done in the Finance Department.

7544. Do you know that complaint has been made in regard to the Finance Department that a very considerable majority have been Brahmans from Madras?—Yes.

7545. Do you share that objection?—To correct that I have suggested something else to follow.

7546. In itself, if that result occurs you would not mind?—No, I would not.

7547. Because you have a corrective in the other thing you have suggested?—Yes. Without a corrective it would be objectionable.

7548. Roughly speaking you would fill about one-ninth of the executive side by a competition among selected candidates in India?—Yes, about one-ninth of the total Civil Service on the Executive side, and about two-ninths of the Judicial service.

7549. (*Mr. Macdonald.*) In answer to question (1), you mention certain shortcomings which you think English officials have, and you consider it would be desirable to eliminate these shortcomings from the service?—Yes, as far as possible.

7550. One of your objects in suggesting the Board of Selection is to try and overcome those shortcomings?—Yes.

7551. You group the qualities which you think would overcome these shortcomings under the general term "Character"; you want men of character?—Yes.

7552. The Indian Government in its despatch dated Simla November 1, 1893, goes a little bit more into detail; it says that the moral, the social, and the hereditary attributes of a candidate are all equally important to his education. Now the service which is described in those words is moral is it not?—Yes, the service is moral.

7553. Of course, in this case it is not the service as an abstraction, but individuals composing the service?—I think they are moral.

7554. If you were a member of this Board of Selection you would find that they were moral?—Yes.

7555. I suppose you would find that each member had more or less a good social status?—I do not know what you mean by social status.

7556. I can only put a meaning upon the word used by the Indian Government which appeals to myself; for instance, a man who is able to go to Oxford or Cambridge I should say required to have some social status before he got the money to pay his fees?—I do not necessarily mean that a man must go to Oxford or Cambridge, he may go to one of the Scotch Universities, which are far more democratic.

7557. If a man was only able to go to a Scotch University with a Carnegie grant, you would not say that disqualified him from being included in the social category?—Not at all.

7558. So that the service, as we have recruited it, comes from classes which would not be barred by any standard set up for the purpose of discovering men of social status?—No.

7559. The third category is heredity. I suppose if any examination had been made of these men they would not have been disqualified on any hereditary grounds?—Yes; if he were

the son of a lunatic or dipsomaniac one might expect him to become the same later on.

7560. True, but that is not an answer to my question. You may recruit your service and every man who is getting into it may have a good hereditary status, not be the son of a lunatic or dipsomaniac, and yet have every one of the shortcomings to which you refer in answer to your first question?—That is quite possible, but it is less likely.

7561. Is one of the reasons why you have been able to describe the service in that way the fact that there are sons of lunatics and dipsomaniacs in it?—Not necessarily. What I say is that nothing has been done to try and find out their moral character.

7562. Do you think that you could have selection which is perfectly correct so far as hereditary influences are concerned and which would yet show in its operations all the shortcomings you have mentioned in the first question?—It is quite possible, but in the majority of instances you will not get it. You may have instances here and there. If you paid attention to all those things you are less likely to get men of this character than if you did not, that is my meaning.

7563. Considering the way in which we have recruited our service, the various avenues through which they have to go on their way through the public schools up to the Universities, the way in which they have had to pay heavy fees, until they were finally instituted as members of the Indian Civil Service, do not you agree that that has been a test both of their social position and of their hereditary qualifications?—Hereditary financial qualifications, if you please, but nothing else. If you mean by hereditary qualifications that the father is able to pay for all this I could accept that, but nothing more. Could you tell me where the test of character came in at all in all these different things you have described?

7564. If I were a witness I would answer with great pleasure. I see the point, but I want to test how far certain proposals made will enable us to secure these good results, and the point I am putting to you is that character is a very general term, used very loosely by people who do not think it out in its content, and the only reasonable attempt I have yet come across in these official documents to analyse character into its content are these words in this despatch of 1893, and the three tests are the moral test, the social test, and the hereditary test, the three together, according to the Government of India, producing "Character"?—Producing character more than it would otherwise.

7565. More than it would otherwise and superimposing itself upon the pure educational test which the present examination papers afford. As you have thought out this system of nomination in a more detailed way than any witness who has yet come up, the profitable question I thought I would like to put to you, in order to get your opinion for my own guidance, is this. You have made certain reflections on the service?—Some of the members of the service.

7566. Which have become attributes of the service as a whole, according to you?—No, I would not attribute it to the whole service; their individual characteristics.

7567. We are trying to get that eliminated so far as it exists?—Yes.

7568. I am assuming that your evidence can be borne out in detail by facts. I am not saying whether I associate myself with it or not. If you test on those three grounds, the moral, the social, and the hereditary attributes, will not men who have not come up to these tests reproduce in their actions precisely those shortcomings of which you complain?—No. A certain number of them may, because no test can be applied to character absolutely. You cannot apply a mathematical test. The chances are that a large proportion would be better.

7569. Is not the thing we want to get at that curious sort of indefinable, spiritual sympathy which enables a man to get into touch with all sorts of people and all sorts of cultures?—Exactly.

7570. You can have a man at the age of twenty who is a very moral man, but who has not got that capacity?—It is quite possible.

7571. You can get a man at the age of twenty whose social position is good and who because his social position is good has not got that quality?—It is quite possible.

7572. You can get a man at the age of twenty who comes of a very old, very ancient, very respectable and honourable family, and who because he has that inheritance is unable to be sympathetic with people outside his own class and outside his own experience?—Yes. But what I should like to get hold of would be a number of men who could choose men, who understand men, in order that they might, without applying any absolutely rigid mathematical formula, try and make a selection of men who are likely to be the best men. It is impossible to lay down exact rules for selection in these matters, but this selecting Board, men of experience who understand men, ought to use their discretion in the matter and select the best.

7573. I am very anxious really to get some light on this difficult proposal. What your proposal amounts to is that you will have a Board or Boards consisting of a small number of men—I suppose you would consider that essential?—A suitable working Board; if it consisted of a large number it would be unwieldy.

7574. Would you make it seven?—Any number like that.

7575. You will give this small Board or Boards practically the final word as to what small group of men is going to be constituted the reservoir from which the whole Public Service of India is going to be drawn?—Yes.

7576. (*Mr. Madge.*) In the course of your 17 years' medical practice have your visits been confined mainly to Madras or to other portions of the Presidency?—To all portions of the Presidency; I get patients from all parts of the Presidency.

7577. Do you go out to various parts of the Presidency?—Sometimes I do, when called out.

7578. Do you go often enough to all places to get the real feeling and opinion of all classes all over the country?—Yes, I go out often enough apart from my professional capacity.

7579. Men residing chiefly in cities are most likely to get the opinions of residents of cities?—I think I have the opinion of practically the whole Presidency.

7580. You say in answer to question (1) that the present system has given some very good men who

have proved highly satisfactory administrators, and that it has also given a far larger number of men about whom you cannot say the same. According to your own personal observations the majority of the Indian Services have been failures?—From my point of view I am afraid they are.

7581. You are quite prepared from your own observations to place yourself against the opinion of a large number of men who have had better opportunities of observation?—These are the results of my observations: you may take them for what they are worth.

7582. I am not at all disposed to disagree with you that the educational test is inferior to the test of character provided you can get a satisfactory test. You have suggested a Board, one of the necessary conditions of whose efficiency is a previous knowledge of the persons who are coming out, but on analysis this previous knowledge means knowledge acquired from testimonials and other sources which in the ordinary acceptation of the word is not personal knowledge?—I did not say it must be from testimonials.

7583. When a question was put to you as to how the knowledge was to be obtained, did not you use the word testimonials?—No, I said from enquiries. Testimonials are very often valueless, because if a man is asked for it he will often give a testimonial. In a private enquiry it is quite different.

7584. Would you trust a private enquiry to procure from distant persons a knowledge that would satisfy yourself and your own standard of character?—That is the only test we have and we must rely on the opinion of men who are competent to speak.

7585. How would you decide they are competent?—It is for the Board to decide to whom they refer the question.

7586. But the Board existing in one place will not have sufficient knowledge of the persons to whom it applied all over the country?—Then it must get it through the Local Governments.

7587. If you distrust the Government and its officials you might also distrust any nominations that they might put forward?—I did not say I distrust the Government.

7588. The Government consists of a certain number of officers of whom you said the largest number were failures?—I did not say that the Government consisted entirely of failures.

7589. Mainly of them?—No, I did not say even mainly.

7590. I am glad to have your opinion that men are not worn out at 47 or thereabouts and that they are good for a longer period of service. Do you think that of all classes, of Europeans and Indians?—Yes, I think so.

7591. In answer to question (11) you say: "I am of opinion that the Judicial and Executive branches of the Civil Service should be separated from their very commencement." For a certain number of years of their early experience, it has been so far apparently admitted on all hands that a certain kind of valuable knowledge is acquired by Executive officers. There may be a difference of opinion as to how far that is useful knowledge on the Bench, but it may be useful for their purpose?—I do not agree.

7592. In that respect you put your opinion against that of all the experts who have hitherto spoken on the subject?—Yes, if it be so.

7593. In question (38) you were asked whether you recommend any course of study of law in India for officers selected for the Judicial branch, and you say only the study of Civil and Criminal procedure. Do you consider that all the legal equipment necessary for a Judicial officer?—According to my suggestion the men who are recruited are all to be lawyers of some standing.

7594. (*Sir Valentine Chirol.*) Are you aware that in England, for the Navy, which is a service to which naturally we attach the greatest importance, a service which requires above all things character to deal with unforeseen emergencies, and which is composed of a number of men prepared to meet many dangers not only in time of war but in time of peace, we have decided to adopt the principle of selection; that is to say that at the age of 12 or 13 boys are brought up before a Board of selection which there and then decide whether they are fit to take up the Navy as a career?—I have heard of that.

7595. Therefore you will be prepared to assume that if it is possible to constitute Boards which can make a selection with regard to the character of boys, immature as boys of 12 or 13 must be, *a fortiori* it must be quite possible to constitute a Board which will be able to form some opinion as to character in regard to candidates of a much more advanced age?—Yes.

7596. That it would be easier in the second case than in the first?—Yes.

7597. Is it for that particular reason that you wish to temper competition with selection?—Yes.

7598. In answer to question (8) you wish due consideration to be given to the claims of the various sections of the classes and communities in India who have failed to secure their legitimate share of appointments in the service through competition; I presume for reasons which you have given in your previous answers you wish a share of the appointments to be given to these sections, classes and communities because, though they may have failed in the purely intellectual test of the competition, they yet provide certain qualities of character which entitle them to a share in the administration of the country?—Yes.

7599. You do not think that under the present conditions they obtain the share to which they are entitled?—At present they do not.

7600. Do you think that, apart from the injustice that may be done to individuals on that account, injustice is also done to the communities at large?—Yes, injustice is done and consequently it serves as a source of irritation.

7601. Can you explain to me in what form that injustice manifests itself?—I cannot say exactly in what form it manifests itself. The greatest danger is dissatisfaction amongst communities and consequently less smooth administration.

7602. Would you consider it a sentimental grievance rather than a material grievance?—I think it is both sentimental and material.

7603. Dissatisfaction may arise from a sentimental grievance, but how far would it arise from a material grievance?—The material grievance would be by keeping them out of the emoluments of office; from an economic point of view it is an injury to them.

7604. You consider the salaries of the Indian Civil Service to be too high?—Yes.

7605. I think we shall both agree that your object and our object would be to get whatever English element remains in this country of the best possible material?—Yes.

7606. You compared just now the average of incomes in the Civil Service with the average incomes of professional men. We want to attract Englishmen; do you think we can attract the best Englishmen by promising them merely an average remuneration?—Englishmen go out to other parts of the world for considerably less. It ought to be attracting good men. Take the neighbouring island of Ceylon, which is under the Colonial Government, the conditions are practically the same as in Southern India, and yet the Europeans who come out there get considerably less pay than they do here.

7607. But you consider it is an element to get the best possible men?—Yes.

7608. With regard to the conditions of leave, you said you considered health above all things and that health included relaxation. Is there not also one element to be considered in regard to the leave of the European service in this country, apart from relaxation, and that is the natural desire to return from time to time to see their friends and relations at home and all the old familiar surroundings from which they are cut off while serving out here, in a way in which no Indian is cut off?—At reasonable intervals you ought to permit them to go.

7609. You would be prepared to that extent to amplify your statement?—Yes.

7610. (*Sir Murray Hammick.*) Have you any idea as to how many civilians there are in Ceylon?—I cannot say how many, but there are some.

7611. Have you any idea of the responsibility that falls upon the Ceylon civilian as compared with the responsibility which falls on a District officer in Madras?—No, they come out from the same examination. I have not gone into the question of Ceylon.

7612. Have you any idea of the size of the districts in Ceylon?—I have no idea.

7613. You will find that the responsibilities are very much less than they are here. Also in Ceylon the civilian has a very much better climate, most of the country being considerably above the sea-level?—I would not say most, three of the head-quarters are, but all the others are just the same as Madras.

7614. Do you know whether there is a good deal of dissatisfaction now among the young civilians who come out at 26—the oldest age they can come out at—with regard to the amount of petty supervision and petty training they have to undergo for a couple of years before they are given any authority?—Yes.

7615. You have heard there is a good deal of dissatisfaction on that ground?—Yes.

7616. Would not that be accentuated a good deal by bringing them out at 27 or 28?—I do not think so. They would chafe a bit in the beginning anyhow, no matter what age.

7617. Do you know that in the early days of the Company's rule in this country, most of the writers used to come out at 13, 16 or 17?—Yes.

7618. And they were as a rule very successful administrators at that age?—Perhaps successful in some respects, but I should not like the present day civilians to reproduce some of the characteristics of those days.

7619. You do not think the man who comes out at 26 or 27 is less likely to take kindly to the country than the man who comes out earlier?—I do not think a few years' difference would matter.

7620. In your answer to question (37) you say "As my proposal is never to give them magisterial powers to try and dispose of criminal cases finally, and never invest them with civil jurisdiction:" have you any idea what would be left to an assistant if you took away all those powers from him?—I have heard civilians say that their revenue work is very heavy.

7621. Do you know what class of work it is?—I have some idea.

7622. Do you think it would be a very interesting life for a young man of 27 to start off on that?—It ought to interest him because it is his life's work.

7623. You have said that your main reason against simultaneous examinations was that they would not admit any Indians at present?—Yes.

7624. But I suppose another reason is that if they did admit Indians they would not admit that selection from all classes and communities which you consider essential?—No. That is one of my reasons, but that is not the main reason?

7625. You do consider the representation of all classes and communities in the higher services essential?—Yes.

7626. (*Mr. Gokhale.*) I want to put one more question to you. Will you expect your candidates to appear before the Selection Board?—It is for the Board to decide whether they want them personally there or are satisfied without.

7627. But do you expect the Board to select candidates without seeing them personally?—No.

7628. Therefore you will expect the Indian young men who are candidates to proceed to England with their testimonials and take the chance of being selected or not?—Yes.

7629. You put two difficulties in their path where only one exists now?—Yes.

7630. The complaint at present is that they have to go to a distant country and incur heavy expenses on the mere chance of passing a difficult examination, but you will add another difficulty to that, namely, they will have to proceed to England on the mere chance of being admitted to the examination?—Yes, but they can go up for the examination here.

7631. Do not you think that in practice it will shut off all Indians from entering for the examination?—To a small extent it might.

7632. (*Sir Valentine Chirol.*) With regard to the interesting point Mr. Macdonald raised as to a man with many apparent qualifications still lacking sympathy, I believe you have made a certain study of English character?—Yes.

7633. May I suggest to you that one of the qualities which the Englishman as a rule lacks is imagination, and that is one of the reasons why he is very often devoid of what is called sympathy, which is after all the ability to put yourself into another man's position and to imagine what he would feel. You would agree that might possibly be an explanation?—Yes.

(The witness withdrew.)

(Adjourned.)

At Fort St. George, Madras.

Thursday, 16th January 1913.

EIGHTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
SIR VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. } (*Joint Secretaries.*)
R. R. SCOTT, Esq. }

M.R.Ry. G. A. NATESAN Avargal, B.A., Editor of the *Indian Review*.

Written answers relating to the Indian Civil Service.

7634 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept as generally satisfactory in principle the present system of recruitment by open competitive examination in England for the Indian Civil Service. But in practice the system has been found to be exceedingly unsatisfactory, as it suffers from the inherent defect of denying to Indian candidates the same facilities and advantages which it undoubtedly gives to English candidates. Indeed I would hazard the statement that the rules framed for the examination in regard to the place in which it is to be held, the subjects to be studied and the apportionment of marks to them, seem to meet only the needs and requirements of English youths.

7635 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I regard the present system of recruitment by open competitive examination in England alone as faulty in many details and in justice to Indian candidates several alterations ought to be made. (The alterations are referred to in the answers to the succeeding questions.)

7636 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alterations do you recommend? (5) If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. (6) In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—(3), (5) and (6) The system is entirely unsuitable for the admission of "Natives of India." The competition is by no means equal and fair. We are told that the door for the Civil Service is at present "open" to all, irrespective of race and creed, but it is conveniently forgotten that the so-called open door is more than 6,000 miles away from our country. It does not require much argument therefore to convince any one that the consequence of holding the examination solely in England affords extraordinarily unfair advantage to English youths. The injustice of holding the examination exclusively in England has been recognised by some of the authorities themselves, and even a bird's-eye view of the history of the agitation for simultaneous examination will show how the sons of the soil have been seriously handicapped in their attempts to obtain entrance by the honourable door of competition.

The Act of 1833 declared "That no native "of the said territories nor any natural-born "subject of His Majesty resident therein, shall "by reason only of his religion, place of birth, "descent, colour or any of them be disabled from "holding any place, office or employment under "the said Company."

The Court of Directors in forwarding a copy of the statute which contained this clause to the Government of India took care to point out—

"The meaning of the enactment we take to "be that there shall be no governing caste in "British India; that whatever other tests of "qualification may be adopted, distinctions of "race or religion shall not be of the number; "that no subject of the King, whether of Indian "or British or mixed descent, shall be excluded "either from the posts usually conferred on our "uncovenanted servants in India, or from the "covenanted service itself, provided he be other-"wise eligible consistently with the rules and "agreeably to the conditions observed and enacted "in the one case and in the other."

But though the Statute of 1833 removed all racial disability, still for all practical purposes, it

remained a dead letter. For, when in 1853 the question was again taken up in the House of Commons by friends of India like the late Lord Stanley and the great tribune of the Indian people, John Bright, it was admitted that "the "Statute of 1833 made the Natives of India "'eligible to all offices' under the Company. "But during the twenty years that have since "elapsed not one of the natives has been appointed "to any office except such as they were eligible "to before the Statute."

The only thing which Parliament did in 1853 was to abolish the system of nomination and patronage and to throw open all the principal civil appointments for competition among the natural-born subjects of Her Majesty. But though competition was introduced, the examination was in effect closed to Indians, as the authorities laid down strictly that it was to be held only in London and not simultaneously in India. No wonder that Lord Stanley declared that "he "could not refrain from expressing his conviction "that in refusing to carry on examinations in "India as well as in England—a thing that was "easily practicable—the Government were, in "fact, negativing that which they declared to be "one of the principal objects of their Bill, and "confining the Civil Service, as heretofore, to "Englishmen. That result was unjust, and he "believed it would be most pernicious.

"Let them suppose, for instance, that instead "of holding those examinations here in London, "that they were to be held in Calcutta. Well, "how many Englishmen would go out there—or "how many would send out their sons perhaps to "spend two or three years in the country on the "chance of obtaining an appointment! Never- "theless that was exactly the course proposed "to be adopted towards the Natives of India."

Another Member of Parliament went so far as to state "that the bill would prove delusive and although it professed to show justice to the natives, the spirit of monopoly would still blight the hope and break the spirits of the Indian people." Nothing was done to right the wrong till 1858 when Her Majesty proclaimed:—

"We hold Ourselves bound to the Natives "of Our Indian territories by the same obliga- "tions of duty which bind Us to all Our other "subjects; and those obligations, by the blessings "of Almighty God, We shall faithfully and con- "scientiously fulfil.

"And it is Our further will that, so far as "may be, Our subjects, of whatever race or creed, "be freely and impartially admitted to offices in "Our service the duties of which they may be "qualified by their education, ability and in- "tegrity duly to discharge."

But despite the Acts of Parliament and the solemn promises and pledges of Her Majesty, the monopoly continued as also the obstacle to the Indian entering the service of his own country. An agitation was consequently set up and pressure was brought to bear upon the then Secretary of State for India to consider the gross injustice that was being done to the sons of the soil. As a result thereof, a committee was appointed by the Secretary of State for India composed of some of the most experienced Members of his own Council. It presented its report on 20th January 1860. And the following are extracts from the same:—

"It is obvious, therefore, that when the "competitive system was adopted, it could not "have been intended to exclude Natives of India "from the Civil Service of India.

"Practically, however, they are excluded. "The law declares them eligible, but the diffi- "culties opposed to a Native leaving India and "residing in England for a time are so great, "that, as a general rule, it is almost impossible for "a Native successfully to compete at the peri- "odical examinations held in England. 'Were "this inequality removed, we should no longer be "exposed to the charge of keeping the promise to "the ear and breaking it to the hope.'

"Two modes have been suggested by which "the object in view might be attained. The first "is, by allotting a certain portion of the total "number of appointments declared in each year "to be competed for in India by Natives, and by "all other natural-born subjects of Her Majesty "resident in India. The second is to hold "simultaneously two examinations, one in Eng- "land and one in India, both being, as far as "practicable, identical in their nature, and those "who compete in both countries being finally "classified in one list, according to merit by the "Civil Service Commissioners. The Committee "have 'no hesitation in giving the preference to "'the second scheme,' as being the 'fairest,' and "the most in accordance with the principles of "general competition for a common object."

I regret to say that this report so favourable to Indians was suppressed and it was only brought to public gaze by private individuals. The question however was again raised by the late Mr. Henry Fawcett in the House of Commons, and he moved the following resolution:—

"That this House whilst cordially approving "of the system of open competition for appoint- "ments in the East India Civil Service, is of "opinion that the people of India have not a fair "chance of competing for these appointments, as "long as the examinations are held nowhere but "in London; this House would therefore deem it "desirable that simultaneously with the exami- "nation in London, the same examination should "be held in Calcutta, Bombay and Madras."

The outcome of all this agitation was the enactment of Regulation 6 of the Statute of 1870. According to it—

"The Indians were to have a distinct pro- "portion of appointments (which was fixed by the "Government of India to be about one-fifth, or "about 7 every year) in the *Covenanted Civil* "*Service*—which meant that in the course of 25 "to 30 years, the duration of the service of each "person, there would gradually be about 180 to "200 Indians admitted into the Covenanted Civil "Service."

It is deeply to be regretted that Anglo-Indians, officials and non-officials, tried to create obstacles in the way of giving effect to the Act of 1870, and the Government of India went so far as to suggest that Indians should be prevented altogether from entering the Civil Service and advocated a "Close Native Civil Service" and thus attempted by law to shut up the sons of the soil "in a lazaretto of a miserable close service."

In the face of these facts it is not strange to read that Lord Lytton exclaimed:—

"I do not hesitate to say that both the Gov- "ernments of England and of India appear to

"me, up to the present moment, unable to answer "satisfactorily the charge of having taken every "means in their power of breaking to the heart the "words of promise they had uttered to the ear."

It took nine years for the authorities to give effect to the Act of 1870. Long and vexatious was the correspondence that ensued and the so-called Statutory Service was launched in 1880—fully ten years after the Act of 1870. The designation Statutory Service itself "was unhappy", in so far as it seemed to suggest that the whole Covenanted Service itself was not statutory; and far-sighted Indians ventured to prophesy that the distinctive appellation of Statutory Civil Service meant that it should be regarded as a separate service and might, at any time, therefore, be conveniently abolished. But the cry for simultaneous examinations continued as vigorously as ever.

The Public Service Commission of 1886 which was appointed "to devise a scheme which may "reasonably be hoped to possess the elements of "finality and to do full justice to the claims of "Natives of India to higher and more extensive "employments in the public service" damaged the interests of Indians a good deal, and among other things the Commission pronounced itself against the holding of simultaneous examinations in England and India. It is difficult to give adequate expression to the discontent caused by the results of the Public Service Commission and its hostility to simultaneous examinations. Fortunately for India, in 1893 Mr. Herbert Paul, M.P., succeeded in carrying the following resolution in the House of Commons:—

"That all open competitive examinations here- "tofore held in England alone for appointments "to the Civil Services of India shall henceforth be "held simultaneously both in India and England, "such examinations in both countries being iden- "tical in their nature, and all who compete being "finally classified in one list according to merit."

The Secretary of State in forwarding the resolution to the Government of India took care to ask them to examine the question and state "under what conditions and limitations this re- "solution could be carried into effect," and he laid down the condition, "that it is indispensable that "an adequate number of the members of the Civil "Service shall always be Europeans, and that no "scheme would be admissible which does not "fulfil that essential condition."

The Despatch of the Secretary of State to the Government of India was also accompanied by a number of hostile pronouncements against the holding of simultaneous examinations by several members of the India Council, all of them retired Anglo-Indian officials. The country had not to wait long to know the attitude of the Local Governments on this vexed question. All the Local Governments were against the holding of simultaneous examinations. The Madras Government alone in a singularly sympathetic and unique document said:—

"His Excellency in Council considers, there- "fore, that it is expedient to remove, by the "institution of simultaneous examinations, the "disabilities which now tend to hinder the entry "of Natives into the Civil Service proper. This "step will remove an injustice, or what has almost "the same consequences, a feeling of injustice, "and it will not endanger the British supremacy "or impair the character of the administration as "a civilised and enlightened Government. It "may possibly, in certain circumstances, weaken "executive action; but the disadvantages in this "respect are not so certain or so grave as to "outweigh the advantages. The increase in the "proportion of Native candidates selected is, "moreover, not likely to be so great as is sup- "posed, and it would be advantageous to remove "the dissatisfaction and discontent which un- "doubtedly exist among the Natives by some "such measure as is now under discussion.

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

At the risk of making my answer somewhat lengthy, I have ventured to draw the attention of the Commission to the history of this question with a view to show clearly and on official authority that as far back as 1853 it was clearly recognised, that the system of competitive examinations held in London for the recruitment of the Civil Service does not at all give a fair opportunity to Indians to compete on equal footing with their English rivals, that the case of the Indians for simultaneous examinations was advocated in 1860 by a committee of officials of the Secretary of State for India's Council, and was recognised by the Madras Government so late as 1893, that the late Duke of Argyle admitted that "we have not fulfilled our duty or the promises and engagements we have made," that Lord Lytton confessed that the authorities had been from time to time in regard to this matter adopting "deliberate and transparent subterfuges for stultifying the Act and reducing it to a dead letter," that all attempts made by good and well-intentioned English friends in Parliament to treat Indians justly in regard to this matter have failed, that the Statutory Civil Service created in virtue of the Act of 1870, which attempted to rectify in a small measure the wrongs done to Indians, has also been killed, and that the Public Service Commission of 1886 which was appointed with the express object of devising "a scheme which will do full justice to "the claims of the Natives of India to the higher "and more extensive employment in the public "service" has lamentably failed to fulfil the expectations formed of it; nay, on the other hand, it has taken away even the little that we possessed previously. And so it has come to pass that large numbers of capable Indian youths, who could undoubtedly hold their own if the competitive examination for the Civil Service were held in India, have been unjustly denied the privilege of serving their country and their sovereign. In the present condition of the country it is only an infinitesimally small percentage of the flower

of Indian youth that can afford the wherewithal to go to England and appear for the competitive examination with the attendant risk of failure, not to mention the other inconveniences which such a step will cause to their families and their social and religious life. The net result has been that the Civil Service has virtually become the monopoly for English youth and the danger of warding off the creation and perpetuation of the "governing caste" so thoughtfully foreseen by the Court of Directors in 1833 has become an actuality. And in effect the Civil Service has become a close service. Almost all the lucrative and honourable offices of the State have been earmarked for it and towards that "holy of holies" the Indian dare not even cast a glance. With the exception of a microscopically small number of the so-called higher berths which a few Indian officers are supposed to be eligible to hold, the vast majority of Indian officials who, given fair prospects and equal chances, would as well adorn the Civil Service, have been consigned to an inferior service which the venerable Indian patriarch, Mr. Dadabhai Nowroji, has characterised as the "Pariah Service." It is difficult for any one to believe that the Provincial Civil Service, the pet creation of the Public Service Commission, is in any way a compensation for the injustice of not holding simultaneous examinations in India. For, the distinction between the higher Civil Service, more or less the monopoly of Englishmen, and the inferior Indian Provincial Service, brands them with the stigma of inferiority; it makes them feel that they have absolutely no comradeship and equality in common with those who serve their sovereign and their country; it makes them feel at the outset of their official career that in the administration of the country almost all the higher offices are denied to them.

7637 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I consider that the combination of the open competitive examination for the Home and Colonial Services with that for the Indian Civil Service is to the advantage of Indian interests. It is possible that a separate examination for the Indian Civil Service may restrict the number of those who compete for it, and as it is to the best interests of India that as large a number as possible of the best of English youth should also compete for the Indian Civil Service, I am in favour of the existing system. Further, the existence of a body like the Civil Service Commissioners ensures independence and impartiality.

7638 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am strongly against the idea of filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India. It will tend to create a distinction between the candidates who enter the service by the open competitive examination in England and those recruited by means of a separate examination in India. It is likely that those who enter by means of competition in England may think themselves superior to those who enter the service by a separate examination in India. And in the long run, it may result in an artificial distinction of superiority and inferiority, the inevitable consequence of two separate examinations. We want no special favour. What we want is equal facilities with Englishmen for entering the Civil Service by the honourable door of competition. At present we have "equality in law" which exists only on paper, but we insist on this theoretical equality being made a reality and on our being afforded "equality of opportunities and equality of facilities."

7639 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am a staunch advocate of simultaneous examination by open competition. In selecting men to fill the highest offices of the State, efficiency should be the sole test.

Nomination, combined nomination and examination, or any other method, will inevitably result in favouritism, and favouritism will in many cases be the parent of jobbery.

A higher appointment conferred on an individual because he is his father's son or on account of the fact that he is the representative of some class or community will lower the prestige of the service in the estimation of the people and, more than anything else, will introduce an element of discontent in the service itself. For the belief that even the highest appointments can be had for considerations of birth and class and communal representation will deprive the individuals aspiring to them of the incentive to make themselves deserving of the same by superior educational qualifications. And I can say from experience that, even as it is, the facilities given for certain communities to get fat and comfortable berths, irrespective of their fitness, has had a prejudicial effect on their educational advancement. To deprive a man of an appointment to which he is entitled by virtue of his superior capacity and attainments with a view to provide berths to men admittedly inferior to him purely on considerations of caste or creed is a manifest act of injustice. It means in effect a handicap on merit and a premium on incompetency.

While holding these opinions I am strongly in favour of the Government affording special educational facilities for classes and communities which, in their opinion, deserve encouragement.

While it is undesirable that any relaxation should be made in favour of any community or class in filling up the highest offices, I would not strictly enforce this rule in the case of other appointments. But when such exceptions are made, a minimum of educational qualification

must be insisted on, say, the Bachelor-of-Arts Degree of the Madras University.

7640 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—It has been admitted on all hands that Indians have done very well in the Judicial Service. Many well-known Indian lawyers and judges have been pronounced to be even superior to their English compeers. Dr. Sir S. Subramania Aiyar in Madras, Sir Romesh Chander Mitter in Calcutta and Sir Narayan Chandavarkar in Bombay were appointed to officiate as Chief Justices, and every one of them has acquitted himself creditably in the responsible office. The chief solicitude of every Government should be the impartial administration of justice and to inspire in the people a confidence in the judiciary of the country. I think this object will be best promoted if the Judicial Service is kept entirely distinct from the Civil Service. Further there is no use disguising the opinion fairly prevalent that the failures in the executive branch are dumped on the judiciary and that some of the civilian District Judges have exhibited no special qualifications for occupying those posts. There is, in my opinion, absolutely no need for the Government to appoint some of its own civilians to the judiciary or keep even the appointments in the upper ranks of the judiciary in their own hands. There is no special interest which Government has to protect in the administration of justice. It has no further interest in the administration of justice than to see that the best legal talent is employed for presenting its case. I would therefore make the Judicial Service quite a separate service and all appointments to be made to it only by the High Court. No places should be reserved to the members of the Civil Service either in the High Court Bench or among the District and Sessions Judgeships. I would divide the Judicial Service into an upper and a subordinate branch, the upper branch consisting of all the District Judges and the Subordinate Judges, and the subordinate branch of all the Munsifs. The present method by which the High Court appoints men to the post of District Munsifs has been found to be satisfactory and may be continued. In recruiting, however, for the higher branches of the judiciary, I would suggest that two-thirds should be recruited from the service itself and one-third from among the legal profession.

7641 (12). Are you satisfied with the present statutory definition of the term, "Natives of India," in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The present statutory definition of "Natives of India," though generally satisfactory, still requires a little amendment. As pointed out by the late Sir T. Muthuswamy Aiyar, "if a child is born to an Indo-European when he is staying for a short time in England, that child according to the statute is not born within the Dominions of Her Majesty in India." It would meet the requirements of the situation, therefore, if we omit the words "born and" before the word "domiciled." An apprehension has been expressed that advantage may be taken of the present clause, "of parents habitually resident in India," to evade the spirit of the Act in the anxiety to enter the Civil Service. It would also be desirable, therefore, to insert the words "who has previously resided in British India for not less than seven or ten years" in lieu of the words "of parents habitually resident in India."

7642 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I am quite satisfied with the present age limits prescribed.

7643 (15). What age limits of the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I think the present age limit best suits the requirements of both English and Indian candidates. I am not for any differentiation in their age limits. As I have said once before, we require no differentiation in treatment, no favour; we only ask for fair field, equal opportunities and equal facilities.

7644 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I have several alterations to suggest not only in regard to the subjects but also in regard to the assignment of marks, especially with a view to remove the disabilities under which Indian students at present labour. I will add to the list of subjects for the open competitive examination:—(*i*) Indian History including Indian Constitution. (*ii*) Hindu Law. (*iii*) Mahomedan Law. (*iv*) The Vernacular Languages of India—

(*a*) Hindustani.
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I may add that these are the languages prescribed for the final examination by the Civil Service Commissioners.

My reason for adding Indian History, including Indian Constitution, is that Indian students will have better opportunities to score a good number of marks in it as against English students who may take up Roman, Grecian, and English and Modern History. Further, one would expect that in a competitive examination for an Indian Civil Service a knowledge of the History of India is a *sine quâ non*.

When Roman Law and English Law are included as subjects for the examination, it is difficult to conceive of any satisfactory reason for the omission of Hindu and Mahomedan Law.

I feel strongly the omission of the Indian vernaculars from the subjects. For it comes to this: that an English student may take up his own language along with French, German or Italian, but an Indian student is denied the privilege of taking up his own vernacular language for acquiring any or all of which he has great facilities. I need hardly add that the complaint

of Indian youth that can afford the wherewithal to go to England and appear for the competitive examination with the attendant risk of failure, not to mention the other inconveniences which such a step will cause to their families and their social and religious life. The net result has been that the Civil Service has virtually become the monopoly for English youth and the danger of warding off the creation and perpetuation of the "governing caste" so thoughtfully foreseen by the Court of Directors in 1833 has become an actuality. And in effect the Civil Service has become a close service. Almost all the lucrative and honourable offices of the State have been earmarked for it and towards that "holy of holies" the Indian dare not even cast a glance. With the exception of a microscopically small number of the so-called higher berths which a few Indian officers are supposed to be eligible to hold, the vast majority of Indian officials who, given fair prospects and equal chances, would as well adorn the Civil Service, have been consigned to an inferior service which the venerable Indian patriarch, Mr. Dadabhai Nowroji, has characterised as the "Pariah Service." It is difficult for any one to believe that the Provincial Civil Service, the pet creation of the Public Service Commission, is in any way a compensation for the injustice of not holding simultaneous examinations in India. For, the distinction between the higher Civil Service, more or less the monopoly of Englishmen, and the inferior Indian Provincial Service, brands them with the stigma of inferiority; it makes them feel that they have absolutely no comradeship and equality in common with those who serve their sovereign and their country; it makes them feel at the outset of their official career that in the administration of the country almost all the higher offices are denied to them.

7637 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I consider that the combination of the open competitive examination for the Home and Colonial Services with that for the Indian Civil Service is to the advantage of Indian interests. It is possible that a separate examination for the Indian Civil Service may restrict the number of those who compete for it, and as it is to the best interests of India that as large a number as possible of the best of English youth should also compete for the Indian Civil Service, I am in favour of the existing system. Further, the existence of a body like the Civil Service Commissioners ensures independence and impartiality.

7638 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am strongly against the idea of filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India. It will tend to create a distinction between the candidates who enter the service by the open competitive examination in England and those recruited by means of a separate examination in India. It is likely that those who enter by means of competition in England may think themselves superior to those who enter the service by a separate examination in India. And in the long run, it may result in an artificial distinction of superiority and inferiority, the inevitable consequence of two separate examinations. We want no special favour. What we want is equal facilities with Englishmen for entering the Civil Service by the honourable door of competition. At present we have "equality in law" which exists only on paper, but we insist on this theoretical equality being made a reality and on our being afforded "equality of opportunities and equality of facilities."

7639 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am a staunch advocate of simultaneous examination by open competition. In selecting men to fill the highest offices of the State, efficiency should be the sole test.

Nomination, combined nomination and examination, or any other method, will inevitably result in favouritism, and favouritism will in many cases be the parent of jobbery.

A higher appointment conferred on an individual because he is his father's son or on account of the fact that he is the representative of some class or community will lower the prestige of the service in the estimation of the people and, more than anything else, will introduce an element of discontent in the service itself. For the belief that even the highest appointments can be had for considerations of birth and class and communal representation will deprive the individuals aspiring to them of the incentive to make themselves deserving of the same by superior educational qualifications. And I can say from experience that, even as it is, the facilities given for certain communities to get fat and comfortable berths, irrespective of their fitness, has had a prejudicial effect on their educational advancement. To deprive a man of an appointment to which he is entitled by virtue of his superior capacity and attainments with a view to provide berths to men admittedly inferior to him purely on considerations of caste or creed is a manifest act of injustice. It means in effect a handicap on merit and a premium on incompetency.

While holding these opinions I am strongly in favour of the Government affording special educational facilities for classes and communities which, in their opinion, deserve encouragement.

While it is undesirable that any relaxation should be made in favour of any community or class in filling up the highest offices, I would not strictly enforce this rule in the case of other appointments. But when such exceptions are made, a minimum of educational qualification

must be insisted on, say, the Bachelor-of-Arts Degree of the Madras University.

7640 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—It has been admitted on all hands that Indians have done very well in the Judicial Service. Many well-known Indian lawyers and judges have been pronounced to be even superior to their English compeers. Dr. Sir S. Subramania Aiyar in Madras, Sir Romesh Chander Mitter in Calcutta and Sir Narayan Chandavarkar in Bombay were appointed to officiate as Chief Justices, and every one of them has acquitted himself creditably in the responsible office. The chief solicitude of every Government should be the impartial administration of justice and to inspire in the people a confidence in the judiciary of the country. I think this object will be best promoted if the Judicial Service is kept entirely distinct from the Civil Service. Further there is no use disguising the opinion fairly prevalent that the failures in the executive branch are dumped on the judiciary and that some of the civilian District Judges have exhibited no special qualifications for occupying those posts. There is, in my opinion, absolutely no need for the Government to appoint some of its own civilians to the judiciary or keep even the appointments in the upper ranks of the judiciary in their own hands. There is no special interest which Government has to protect in the administration of justice. It has no further interest in the administration of justice than to see that the best legal talent is employed for presenting its case. I would therefore make the Judicial Service quite a separate service and all appointments to be made to it only by the High Court. No places should be reserved to the members of the Civil Service either in the High Court Bench or among the District and Sessions Judgeships. I would divide the Judicial Service into an upper and a subordinate branch, the upper branch consisting of all the District Judges and the Subordinate Judges, and the subordinate branch of all the Munsifs. The present method by which the High Court appoints men to the post of District Munsifs has been found to be satisfactory and may be continued. In recruiting, however, for the higher branches of the judiciary, I would suggest that two-thirds should be recruited from the service itself and one-third from among the legal profession.

7641 (12). Are you satisfied with the present statutory definition of the term, "Natives of India," in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The present statutory definition of "Natives of India," though generally satisfactory, still requires a little amendment. As pointed out by the late Sir T. Muthuswamy Aiyar, "if a child is born to an Indo-European when he is staying for a short time in England, that child according to the statute is not born within the Dominions of Her Majesty in India." It would meet the requirements of the situation, therefore, if we omit the words "born and" before the word "domiciled." An apprehension has been expressed that advantage may be taken of the present clause, "of parents habitually resident in India," to evade the spirit of the Act in the anxiety to enter the Civil Service. It would also be desirable, therefore, to insert the words "who has previously resided in British India for not less than seven or ten years" in lieu of the words "of parents habitually resident in India."

7642 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I am quite satisfied with the present age limits prescribed.

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is not unoften heard that the Civilians who come out to this country are ignorant of the vernaculars. And such ignorance has often been the cause of a good deal of misunderstanding between the rulers and the ruled.

Now as regards marks, I would reduce the marks for Greek and Latin to 800 and thus keep it on a par with the marks assigned for Sanskrit and Arabic. For Hindu and Mahomedan Law, I would also give 500 marks as has been assigned to Roman and English Law. With regard to the Indian vernaculars I would give 600 to each of them as has been done in the case of the Italian, French and German Languages.

It is presumed that if any suggestions of mine in regard to the subjects and marks are adopted, the consequential changes will be made in the subjects prescribed for the final examination.

7645 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I am not for any differentiation in the subjects for the open competitive examination in England between candidates who are "Natives of India" and others: I am only keen on "a fair field, and no favour."

7646 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—While I consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, I am of opinion that the following posts should be taken away from the Civil Service cadre and thrown open to the Madras Provincial Civil Service:—

2 High Court Judges,
1 Member of the Board of Revenue,
1 Secretary to Government,
22 District and Sessions Judges,
9 Collectors,
1 Registrar of High Court,
3 Under-Secretaries to Government.

Thus, according to my ideas, out of the 175 posts reserved for the Indian Civil Service cadre in Madras I would deduct the 39 offices above named, thus leaving only 136.

7647 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—While I am strongly of opinion that in the best interests of our country it is necessary that there should be a fair number of European subjects of His Majesty employed in the higher posts of the Civil administration, I think it unnecessary to fix any proportion between the European and Indian elements. Any such attempt will be a distinct violation of the spirit and intention of the Act of 1833 and of Her Majesty's Proclamation of 1858. Apart from this, I do not think there is any need to apprehend that the European element in the Civil Service will be swamped by the Indian element if the Civil Service examinations are held simultaneously in India. As pointed out by the Madras Government in their communication to the Government of India, dated the 7th September 1893, I am by no means convinced "that the result of the "concession of simultaneous examinations would "be, as its opponents suppose, an increase in the "proportion of Native candidates selected. That "proportion appears at present to be about 9 per "cent. It is probable that fewer candidates would "appear in England and that more Native youths "looking to the Civil Service would take their "chance in India. But the educational facilities "in this country are much inferior to those in "England and the chances of candidates who "might rely upon the former would be less. "With the means of instruction here available, "only young men of quite extraordinary capacity "could hope for success. The number of Native "candidates would doubtless be enormously "increased, but it is not so certain whether the "number of successful candidates would be." I may also say that I do not believe that there is a single thoughtful Indian who contemplates the idea that Indians should swamp the services and drive Englishmen out from the offices altogether. Every far-sighted Indian is anxious that British supremacy should be continued and all reasonable safeguards provided for the maintenance of the same. But this does not justify the perpetuation of "a governing caste in India."

7648 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—For reasons given in answer to the questions above, I have to say, no.

7649 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I am not for reviving the Statutory Civil Service.

7650 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Neither as a compensation for depriving us of the privilege of simultaneous examinations in India, nor even as a substitute for the old statutory system, could it be said that the present system of listing certain posts reserved for Civil Service is in any way satisfactory. For, the abolition of the Statutory Service has deprived the officer of the Uncovenanted Service of the one avenue by which he could enter the Covenanted Service. Under the Statutory scheme one-sixth of the total number of recruits were to be appointed in India, and this would have given to Indians access to a decent number of the posts in the Superior Civil Service; and even this, the Provincial Service has lost. It would be a mistake, however, to suppose that the loss has been only in regard to the opportunities for rising to the higher appointments. Under the Statutory scheme, its members were regarded as equals of the Civil Service men, were placed in the same gradation list and, except perhaps in regard to pay, were in all other respects regarded as their equals. The Statutory Civilian had the same opportunities, too, for promotion with his brother, the competitionwallah. But it is no exaggeration to say, that as things stand at present, exceptionally fortunate should be the individual who, on the eve of his retirement, will feel the satisfaction of having acted as a collector. That the Provincial Civil Service officer is regarded as an inferior being, is made more manifest still in sundry other ways. He gets less travelling allowance, less tentage allowance and, in fact, less consideration is shown for his feelings and his conveniences. That this exceedingly unsatisfactory state of things has been acknowledged by the Government itself is proved by the fact that in 1893 when the Madras Government gave its opinion in favour of the Civil Service examination being held in India, it urged among others the following grounds:—

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

7651 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—I am not.

7652 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I am not satisfied, as the inferior posts listed have become so merged as to be quite unidentifiable.

7653 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

7654 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—I think the existing system is fairly satisfactory.

7655 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

7656 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The present system of having the probationers' course in England may be continued, and I would urge it in the case of successful Indian candidates who might have passed the simultaneous examination in India.

7657 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

7658 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes.

7659 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

7660 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or to be restricted to future entrants?—Yes, it should be abolished, but the allowance may be retained in the case of those already in service.

7661 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I approve of the present arrangement.

Written answers relating to the Provincial Civil Service.

7662 (51) to (65). *Vide* preliminary list B. With regard to the Provincial Civil Service, I believe that if simultaneous examinations were granted and opportunities afforded to the flower of Indian youth to enter the higher appointments thrown open to the Civil Service, much of the present discontent will disappear. But to improve the prospects and promotion of the members of the Provincial Civil Service I would add to it the following appointments which, as I have said, ought to be taken away from the Civil Service cadre:—one Member of the Board of Revenue; one Secretary to Government; nine Collectors and three Under Secretaries to Government.

I would recruit the Provincial Service as follows:—Two-thirds by an open competitive examination and the remaining one-third by nomination by the Government. It is necessary that the Government should have the power of nomination as they will have to consider the claims of officers of merit and ability already in the subordinate service. It is also possible that occasionally a contingency may arise when they may have to set right certain inequalities by nomination. But I would make it a condition that in the case of nominations by Government there should be a minimum of educational qualification, say the Bachelor of Arts degree of the Madras University. I also think that it is absolutely necessary that the rules and conditions of the Provincial Service should be embodied in a statute, so that they may not be changed or altered at the whim and pleasure of every Provincial Government, open as it is to constant changes in *personnel*.

Mr. G. A. Natesan, called and examined.

7663. (*Chairman.*) You are the editor of the *Indian Review*, are you not?—Yes.

7664. And you are also an elected Fellow of the Madras University, and a Commissioner of the Madras Corporation?—Yes.

7665. I understand that you have been a resident in Madras for many years?—Yes.

7666. And you are acquainted with the outlying districts of the Presidency as well as with the City of Madras?—Yes, I belong to the Tanjore district, and I have lived there for a number of years.

7667. I notice in answer to question (1) that you are not by any means satisfied with the present system of recruitment by open competitive examination in England to the Indian Civil Service?—In so far as the admission of Indians is concerned.

7668. And you base that objection mainly on the grounds, first, that the distance from India to England is so great that it deters many Indians who would otherwise enter for the competition; secondly, that the subjects which have to be passed in that examination are not altogether suitable for Indians; and, thirdly, that the marks given for those subjects act as a disability to Indians?—Yes; and I would add that I am for simultaneous examination, as it is an act of justice and expediency and political wisdom.

7669. You are strongly in favour of introducing a system of simultaneous examination in England and in India?—Yes.

7670. In advocating that system, I notice, in a subsequent answer, you say that were such an examination established in India there would undoubtedly be a large number of Indians who would be placed in the position of having a fair chance of success in competing at that examination?—Yes, if the gates were open to them free.

7671. May I therefore assume that if that examination were established the result in the early future might be a very substantial modification of the European element?—No. What I contemplate by my statement is this. At present the Civil Service is virtually shut out to Indian youths by the examination being held solely in England; if, however, the examination was held in India, and the door thrown open, the facilities to us will be great, though I expect, for a long, long time to come, several obstacles will have to be overcome before even a decent number of Indians can have any opportunities for entering the Civil Service.

7672. Do you believe that it would be many years before an appreciable number of Indians would be successful in that examination?—I believe so, having regard to the educational disabilities we labour under at present.

7673. From your knowledge of the educational facilities here, would you say that it would take many years to create the change in that curriculum and standard which would enable Indians to compete successfully?—Yes.

7674. I see that you are opposed to the other alternative, which is a separate examination?—Yes, I am strongly opposed to it.

7675. You are opposed to it on the ground that it would tend to create an invidious distinction as between the European and the Indian?—Yes, I am.

7676. You believe that a system of nomination, or selection, would only lead to methods of favouritism?—Favouritism, which would undoubtedly result in jobbery, sometimes.

7677. I understand generally by your answers that you desire for purposes of Government through the medium of the Civil Service, to regard India as one great unit, and you do not think the fact of it being composed of several provinces, occupied by several various creeds and castes, need modify your view in this respect?—I do not think so at all. The difficulties mentioned in that direction could easily be overcome, and they are not so great as they are often exaggerated to be.

7678. Are you speaking from a fairly wide experience of India?—I should say my experience is fairly wide, because in connection with the Congress I have gone to different parts of India, and I have had the opportunity of enjoying the intimate friendship of several of the leading men in different parts, and I have discussed several of the questions to which I have given answers with (what I consider to be the peculiar fortune of my life) the brightest and best representatives of the Indian communities all over India.

7679. The results of those conversations have been that you do not agree with those who hold the opinion that an official of a particular province, or of a particular caste, would in any way be an unsuitable official in another province where there is an entirely different caste?—I do not think so; because the view I take is that if an Indian from one province rules in another province the people will be quite reconciled to him, because, after all, an Indian is very much nearer home to them than an Englishman from outside.

7680. In answer to question (11) you recommend the complete separation of the Judicial branch, and under your scheme that branch would be recruited in India, mainly, or very largely, of Indians?—Not necessarily, because I do not in the least mean that the English members of the Bar should be shut out.

7681. Would not the result of your proposal be that the posts in the main would be filled by Indians?—That depends upon the number of English barristers who come to India and settle and practise here, and others who may be appointed from the Bar.

7682. As regards that particular opening which you mention, would you anticipate that many English barristers, under those circumstances, would come and practise in India?—I should think so; because, according to my scheme, as I do not contemplate the existence of Civilian Judges in the High Court, there will be some appointments open to them there.

7683. On the executive side you would throw one-third of the higher posts into the Provincial Service: that is in answer to question (18)?—Yes.

7684. Would not the upshot of your scheme be to transfer to Indian agency by far the larger proportion of the higher posts now included in the Indian Civil Service?—I do not think so, because in the evidence I have given I have proceeded on one assumption—that simultaneous

examination should be given to us purely as a matter of right, and also because it is promised to us on paper. But there are grave disabilities laid at our door, and I am aware of the fact that, even if simultaneous examinations were to be held in India, for a long number of years to come, not many of my countrymen will be able to have a chance of gaining an appreciable number of the posts there.

7685. You look forward with a sanguine hope to that time in the future when you would be able to obtain a great many of the higher posts?—I cannot say I look forward with any certain feelings, but I am looking forward to the day when the disabilities which are placed against us will be removed, and to that extent I take a cheerful view of the future.

7686. You do not advocate the fixing of a minimum proportion?—I am strongly against it.

7687. You would not be prepared to say what, in your judgment, would be a proper proportion under existing conditions?—I consider the fixing of any proportion would be against the Act of 1833 and the Proclamation of Queen Victoria. Those are two things which we hold dear.

7688. I am not speaking as regards the letter of the Statute, or of the Proclamation; but I would ask you as a practical man what, in your judgment, would be the ideal proportion of Europeans to Indians?—I am unable to see the necessity of conceiving that situation, because I feel sure that many of our men will not be able to get into the Civil Service, even if the door was open to them. Further, if such a contingency does arise at all in the near future, there will be only two alternatives. If Indians enter the Civil Service in very large numbers, the Government of that time will have to ask themselves this question: "Look here, so many Indians have entered the Civil Service: has this service improved: has the efficiency of the administration become better, and are these people loyal?" If they find that the service has improved, that the country is attached to them, that the officers do their duty faithfully and loyally, it may be that in accordance with the better mind of England, and the promises made in the past, that English statesmen who face the situation, as I conceive it, may say, "Look here, let the present state of things go on, it is quite a cheerful state of things and quite in harmony with British traditions."

7689. That is the hope and sanguine anticipation; but in an enquiry like this we have to look at both sides. What would you say if that anticipation was not realised, and the inverse took place; would not you agree with me that it would then be very difficult for the Government to come in and suggest any modifications or alterations?—I cannot conceive of any great difficulty, because in the past we have been accustomed to things being given and taken away. It is a somewhat normal state of things, I am sorry to say, in this country.

7690. If your suggestions were realised, that unhappy state of things would be removed, and you would become more accustomed to giving than to taking away?—Yes.

7691. Referring to question (11), one of the main objections to the present system of recruitment for the higher posts in the Judicial branches, in your judgment, is that it has constituted itself a dumping ground for what you term "the failures of the Executive branch"?—Yes.

7692. Is that your opinion, based on a certain amount of experience?—On a certain amount of experience, in this sense; I have done legal reporting for an Anglo-Indian paper, where I was on the staff for a year, and I have constantly watched several important cases being tried here and in the mufassal, and I have had the unique privilege of enjoying the friendship of many members of the Bar, and particularly of one who had a very large and lucrative practice.

7693. With regard to what you term "failures in the higher posts in the Judiciary," are they not due to the previous lack of training which those officers have received in the specific branch of the Judicial service?—It may be due to two causes:—that the Government expected them to come up to a certain ideal in the Executive branch, or they might have displeased them in some respect, and therefore they were dumped on the Judiciary.

7694. You suggest that they have been recruited to the Judicial branch as a kind of punishment?—There is no other way of dealing with them. Dismissing them would be the only alternative, and that is a course which many would be unwilling to adopt.

7695. Do you not think that the reorganisation which has recently taken place will, at any rate, largely contribute towards a more efficient Judiciary in the immediate future?—It might to some extent improve, but I cannot say that it will largely contribute towards it as you have suggested.

7696. You do not think that it would so largely improve as it would under your scheme?—I think that under my scheme there is a great probability of improvement.

7697. In the last paragraph of your answer to question (10), you say, "While it is undesirable that any relaxation should be made in favour of any community or class in filling up the highest offices, I would not strictly enforce this rule in the case of other appointments." Could you tell me what you mean by "other appointments"?—Appointments to the Provincial Civil Service.

7698. So that you would not maintain the rigidity of your principle in regard to the Provincial Service. You would allow the principle of the recognition of communities to a certain extent?—I would not maintain the rigidity of the principle; I should like a relaxation to be made occasionally.

7699. There might be a danger of a slightly inefficient administration if you did not make an exception to this rule?—No, there would not be inefficient administration. There might be a little discontent among certain communities.

7700. You do not think that that discontent in certain communities would extend itself by the adherence of your principle to the highest posts?—I do not think so.

7701. In answer to question (19) you say "The "number of Native candidates would doubtless "be enormously increased, but it is not so certain "whether the number of successful candidates "would be." Do you regard that as an unalloyed benefit in the future?—The words I have quoted there are the words of the Madras Government. In the copy that I printed I put them in smaller type to show that it was a quotation.

7702. They do not appear to be a quotation, but you say that they are not your words?—I agree with the idea, but the words are those of the Madras Government.

7703. You agree with them?—Yes, I agree with them.

7704. The substance of that paragraph is that you would throw on to the market, in the immediate future, a mass of unsuccessful candidates at the examination?—It may be so for two or three years; for the first two or three years. Naturally when something like a prize is given to people, a large number would scramble for it. But in course of time candidates will find their level, and many of them will not appear. I know that the Provincial Civil Service Examination here was a fairly stiff examination, and there were not many candidates for it. Only those who took a first class competed for it. I do not think we are likely to be threatened with a large influx of candidates.

7705. It would result, would it not, in a certain superfluity of men of this standard of education?—I do not think so. As I have said before, probably for the first two years a large number of students will go in, but the number of failures will be a warning to the rest not to go up afterwards and failure will delay their entering life.

7706. So that after a year or two there would not be so many coming up, and the number would be reduced?—Yes, considerably reduced. I may add that many students cannot afford to go in for this examination, because it will involve two or three extra years of their lives, and they will have to take to some vocation or other.

7707. In the event of their missing this examination, what would they have to fall back on?—I take it that if a simultaneous examination were held here, students who have passed the B.A., perhaps with Honours, would make an attempt for this examination, and it will take them two or three years to prepare for it. Only the best students would go in for the examination. Their number will be naturally limited; and if they fail their career in life would be marred. They would have gone in for professional examinations like those of engineering, medicine and law. If any mistakes are made it would perhaps be for the first two or three years and the succeeding batch of students will not come into this field. It would handicap them in after life if they failed.

7708. With regard to listed posts, I see in answer to question (24) you object to these posts on account of the inferiority of the position in which officers filling them are placed?—Yes.

7709. Would that objection be in any way modified in your judgment if these listed posts were placed on exactly the same basis as the Indian Civil Service?—It depends upon the method in which they are appointed. It could also be done by competitive examination, but the objection would be less.

7710. Your objection to the listed posts is that when a man gets to a listed post he is neither one thing nor the other: he is neither an Indian Civil Service man, nor a Provincial Civil Service man. If you made him a *pukka* Indian Civil Servant, when he is placed in the listed post he would be part and parcel of the Indian Civil Service without this invidious distinction. I am asking you whether your objection would be removed if that took place?—I have suggested in my evidence that certain posts, such as those of Collectors and others, should be taken away from the Civil Service cadre altogether and transferred to the Provincial Civil Service.

7711. They would remain then for all time in the Provincial Civil Service?—Yes.

7712. Your idea is rather to enhance the position of the Provincial Civil Service?—Yes.

7713. And get rid of the listed posts?—Yes.

7714. You think that is a preferable scheme to the one I was referring to?—Yes.

7715. (*Sir Murray Hammick.*) With reference to question (16), I should like to ask you whether you do not think the chances of success of Indian students in the simultaneous examination would be very much enhanced if you had Indian History, Hindu Law and Muhammadan Law made the subjects of open competition?—It would place them in a more equal position to compete with English candidates.

7716. You are a member of the Senate, I believe?—Yes.

7717. You remember the discussion which took place a few years ago as to the revision of the curriculum of the University?—Yes.

7718. And you remember that in the scheme which the Senate sent up the vernaculars were entirely omitted?—Yes.

7719. And that it was only on the express orders of Government that the literary composition paper, which is now part of the Matriculation examination, was inserted?—Yes.

7720. Therefore the Senate thought so little of the vernacular that they thought it unnecessary that any student who matriculated should show any acquaintance with any vernacular at all?—That is a wrong inference to draw. I know the details of the proceedings which took place then. You get faddists everywhere. Some thought that vernaculars should not be made compulsory, and that proposition was carried by a narrow majority. I happen to know that some distinguished Indians who voted against the abolition of vernaculars as a secondary subject were themselves instrumental, and were anxious to see that vernaculars were inserted in their proper place. It is because we feel that the Senate of that day made a great mistake that anxiety has been expressed. This question has constantly been brought before the Senate, and a committee of experts is now sitting and dealing with the matter in order to rectify the mistake.

7721. With regard to your reply to question (24), you seem to be more or less satisfied that if the statutory scheme of one-sixth of the total number of recruits to be appointed in India had been worked up to, that scheme would more or less have satisfied the wants of Indians of that time—in 1886-87?—Not at all. I have met one of those instances in which some attempt has been made by the Home Government to do us justice, and every attempt has been made by the Government of India to defeat that object. It is an instance of the many numerous acts of injustice.

7722. You are inclined to think that if the statutory scheme had been properly worked out it might have been a success?—I do not say it would have been a success. It would, perhaps, have lessened the feeling of discontent which there is now, but it would never remove the feeling of discontent and inferiority which we feel as far as the recruitment of Indians to the service is concerned.

7723. You say "under the statutory scheme its members were regarded as equals of the Civil Service men, placed in the same gradation list, and, except perhaps in regard to pay, were in all other respects regarded as their equals. The statutory civilian had the same opportunities, too, for promotion with his brother, the competitionwallah." I take it that you accept the fact that the entrance was by nomination. You would be fairly satisfied with the post of the statutory civilian had it been continued?—Not at all. I gave that description to show the inferior position which members of the Provincial Service are in, and to what they have been subjected.

7724. And you do that by saying that the statutory scheme was more or less a satisfactory scheme?—Not at all. I object to the statutory scheme, and I have said so in my answers very definitely.

7725. You say that its members are regarded as equal to the civilians?—That is when I compare the position occupied by members of the Provincial Service now: it is a distinctly inferior service.

7726. I see you put in big type a description of the Provincial Service which was given, no doubt for rhetorical effect, by Mr. Dadabhai Nowroji. I suppose you do not accept that at all, but you think that the Provincial Service has not the same opportunities you would like it to have. I suppose you regard it as an honourable service to which honourable men may belong?—I think that every educated man would feel that that description is most proper.

7727. Do you not think that the Provincial Service is regarded by most people as a very honourable service?—In the sense that every man considers Government service is honourable, it might be.

7728. (*Sir Valentine Chirol.*) Am I right in understanding that the real grievance at the present moment which you feel, and many of your friends feel, is not so much the actual preponderance of British officers in the Indian Civil Service, as the disabilities, through the examination being held in London, placed upon Indian youths in trying by their own efforts to modify that preponderance?—We feel the preponderance, and we feel still more strongly the reasons for the facilities which give Englishmen an opportunity of occupying the posts.

7729. With regard to the introduction of a simultaneous examination in India and in London, what, in your view, should be the body which would conduct this simultaneous examination?—I want the same Board, the same set of examiners, the same subjects, everything to be identical with that of the English standard. I make that clear. I want no exception or favour: I want equal rights, and equal opportunities.

7730. You propose that the answers be sent to London?—Yes, and the papers set in London will be sent here.

7731. You say that you anticipate in the first few years that a considerable number of Indian students will go up?—Yes.

7732. But that very few of them will get through in India?—Might.

7733. That is your impression, and you say that it is not likely for many years to come that it will have any serious effect in displacing the preponderance of English officers?—That is what I calculate upon in the existing circumstances.

7734. What I want to ask you is, do you not think that there is a somewhat serious danger that students who have failed in this country will be inclined to suspect the impartiality of the examining Board in London, if, for instance, fewer Indian students on the Indian side pass than Indian students who still get in through the English door?—If there is any reason to suspect the Board, they will; otherwise, I do not think there will be.

7735. Otherwise! Will not the mere fact that a very large number go up in India, and very few pass, whereas a much larger proportion of the young Indians who go up in England pass,—will not that be likely to create a suspicion, not, perhaps, unnatural, but still absolutely unfounded, and very dangerous?—I have answered the question with regard to the combination of the Home and the Indian Civil Service. I take it that an independent Board like the Civil Service Commissioners, who are at present in charge of it, will make things quite safe; and I do not believe that Indian students who fail in large numbers will be foolish enough to attribute improper motives to the Board. I may state that with regard to every examination there are a large number of unsuccessful candidates, and there will be a lot of discontent. I believe all the world over that failed students do grumble.

7736. There is a natural disappointment to people in connection with all examinations; but here you have an entirely new circumstance, namely examination papers being sent out here and being examined in England by a Board entirely removed from the students whose papers they examine?—I may state that our faith in English justice is very strong.

7737. I understand that you wish Indian History and Indian Constitution to be included in the curriculum?—Yes.

7738. I entirely sympathise with that. I think the study of Indian History is a most desirable thing, but I do not quite understand what you mean by Indian Constitution?—I mean in the same way as you understand English Constitution. It is the Constitution of the Government of India. There is Sir Courtenay Ilbert's book, which I studied when I was reading for my B.A. It is being prescribed for the examinations here.

7739. (*Mr. Abdur Rahim.*) I believe you know something about the Muhammadan movements in this Presidency during recent times?—Yes.

7740. Has there been any marked improvement in educational activity among the Muhammadans here?—I should say that there has been a fairly marked improvement.

7741. Within what time—within the last five or six years?—Since the time of Sir Syed Ahmed Khan.

7742. In this Presidency within the last six or seven years there has been a marked educational activity among Muhammadans?—Yes.

7743. In answer to question (8) you say: "I can say from experience that, even as it is, fitness, has had a prejudicial effect on their educational advancement". You do not think that applies to Muhammadans?—To a very small extent to Muhammadans. I had the Anglo-Indian community in view.

7744. As a matter of fact, you know that there has been considerable activity among Muhammadans to push forward education in this Presidency?—I know that.

7745. And it is an increasing activity?—Yes, a very increasing activity.

7746. You know the history of English education in India: it was introduced mainly in the beginning in order to obtain recruits for certain ranks in the Government service?—Yes.

7747. And that in order to encourage people to take to this education promises of appointments were held forward?—Certainly.

7748. That was how English education was spread in this country in the beginning?—Yes.

7749. Do you not think that there is another side to this question which you have referred to, namely, that if you shut out the higher appointments—I mean that if the higher appointments are shut out from certain communities, that will have a deleterious effect instead of a stimulating effect on the spread of English education in that community?—If none of the representatives of certain communities find a place in any of the higher appointments, there might be.

7750. If they are a very insignificant number, I suppose it would stand on practically the same footing. That is another aspect of the question to be considered?—Certainly it is an aspect to be considered.

7751. I should like to know something with regard to the vernaculars. You have set out in answer to question (15) your view. Would you allow a candidate to take up more than one vernacular?—I would allow him to take two.

7752. Have you made that quite clear in your answer?—I thought I had not made myself quite clear with regard to that; and I was expecting some gentlemen to refer to it in order that I might make it clear.

7753. (*Mr. Madge.*) I gather from what you have said that you have conceived a time—so can I—when it may be wise to Indianise the administration more than it is now—whether from the point of the larger number of Indian officers employed, or for any other reasons—but that under existing circumstances you thought it necessary to maintain a British element, and a British tone as far as possible in the administration?—I am sorry that you should put into my mouth the word "Indianise." When I say "Indians" should be employed, I do not mean "Indianise". I should like to have a large number of Indians. You must tell me clearly what you mean by "Indianise."

7754. I can conceive a time when the genius and the instincts of the people may be better understood, and perhaps more sympathised with and make it necessary not to have such a decidedly European Government as we have now owing to the general progress of the country?—Allow me to put this to you. There may be a large number of Indians, but that does not mean that the administration is Indianised. A number of Europeans might Indianise the administration. What I gather you to mean is, a large number of Europeans as against a large number of Indians. Is that what you intend?

7755. Not exactly. If you have no answer ready with regard to that I will go on to my next question. Supposing the machinery of the administration to be made as perfect as it can be under present conditions, and perfect ideals, do you think that its character depends upon the character of the machinery, or upon the personality of the officers working in it?—I hold that it is quite possible that the number of Indians could be British in spirit, British in character, and British in tradition. It is because I feel that we possess it to some extent after the 100 years of education we have had that I have given my evidence on those lines.

7756. And those who have risen to that state have done so partly under our system of education?—Certainly, we owe everything with regard to education to them.

7757. Do you, or do you not, think that our education has been largely directed in recent years towards the passing of examinations, and not towards the higher purposes of true education?—I do not think that the result is worse than what takes place in the west. I have read the criticisms of the highest English authorities about the "craze" for examinations in the west.

7758. As regards the recent development of education in any country you like, and this country amongst others, do you, or do you not, think it has been more directed towards the passing of examinations than towards education in the higher sense? Some educational officers say so, and others say the reverse. What is your opinion? Do you think that education, as at present carried out in India, has in view the passing of examinations more than really the education of the mind? I understand by education, the bringing out of the mind, educing the mind, so that it may find its proper relations with surrounding circumstances and people. Is that object fulfilled under our present system of education, or is education more directed towards the passing of examinations?—I am not in a position to say; and it would be extremely difficult for others to hazard a statement in the form in which your question is put to me. It would be exceedingly difficult for me to answer.

7759. You do not think, as I am sometimes tempted to think, that some of our best Indian officers have come to the front in spite of, or rather because of, our system of education?—There are exceptions everywhere.

7760. Do you think that the educated classes generally have sufficient intimacy with all rural areas to be familiar with the feeling and desires of the masses generally?—They are born in the country, bred and living amongst the people, and they must be expected to know it, and they do know it better.

7761. You have referred casually to the Anglo-Indian community, and the great drawbacks and disabilities in their way; but do you, or do you not, think it is possible to have a kind of reversion to the British type of character so as to make it a matter of secondary importance whether they pass a particular examination or not? As a matter of fact, have not sufficient numbers of them reverted to the British type of character to make it possible to advance them in the public services, not wholly regardless of educational tests, but without attaching primary importance to examination passing?—If you will kindly explain to me what you mean by "reverted to the British type of character," I can perhaps give you an answer definitely—Anglo-Indians reverting to the British character.

7762. They have been placed in posts in which they have behaved exactly as any British officer, both as regards moral courage, and physical courage, and even cleverness and talent in administration, what about that?—I am sorry you have put a question which I am expected to answer frankly, as it may offend some people. I know English officers who seem to think that Anglo-Indian men who have been put in service are not quite up to their expectations, and who seem to think that they possess the faults of the Indian community as well as the faults of the English community. I must ask your pardon for giving this answer.

7763. You do not offend me in the very least, because you are stating what may strike people as a fact?—There are several exceptions. I know several class mates of mine who have reverted to the British character.

7764. What I mean is this. I am sorry I have not it here, but there was published in the Calcutta newspapers three years ago a statement giving the total population of the domiciled community, and the number of men who had risen, I will not say to distinction, but to eminence, amongst them, and the writer of that article said that the proportion of them who had risen to eminence was greater relatively than in any other race in the world. You did not see that statement?—I did not see that, though I am careful reader of newspapers; nor do I find many who would justify that statement.

7765. At any rate you are familiar with the names of Sir George Kelner and other men of that stamp, who have risen to the highest eminence not only in this country, but who, when they retired, have been sent to other British possessions to govern there?—None of my answers have suggested that they do not rise. Many rise to positions of eminence.

7766. (*Mr. Macdonald.*) I should like to ask your help to get me out of one or two difficulties. In your answer to question (4) you say you are willing that the present mixed examination should be held in London—an examination common to the Home and Indian Civil Services?—Yes.

7767. And at the same time you want a simultaneous examination in India?—Yes.

7768. There is a difficulty that arises there. I should like you to tell me if you have thought it over, and what conclusion you have come to. If you have a common examination for Home and Indian appointments, and have the examination placed both in London, and, say, in India, if an Indian candidate who has passed successfully in that examination desires a Home appointment, must he not get it?—He must get it, and I should rejoice at it, because it would weld the British Empire; we must be real members of the British Empire.

7769. The simultaneous examination is not for Indian appointments, but for Indian and Home appointments, is it not?—It will reduce itself to that position.

7770. If you have an examination for Home appointments in India, must you not, in order to do justice to other sections of the Empire, have the same examination in Melbourne, Wellington, Ottawa, and so on?—If they feel any disability, and if there is a cry, they will have to consider that question too.

7771. Therefore the beginning of simultaneous examination is the beginning of simultaneous examinations all over the Empire?—It does not necessarily follow. Men from other parts of the Empire have better facilities and opportunities for going to England and studying than students from India who have to go to England and then pass the Civil Service Examination as it is at present.

7772. The cost of sending a boy from Wellington to England is greater than sending a boy from Madras to England, is it not?—But the chances of that boy's success there are infinitely better than the chance of the Indian.

7773. But surely it must be obvious to you that every kind of handicap which an examination at Home places upon an Indian youth is also placed upon a New Zealand youth—money, away from home, difficulties of guardianship, and so on. My final point in that difficulty is this: if you allow Indians to enter the Home Civil Service upon an examination which is held in India, must you not allow Colonials, say, who have passed the examination in Ottawa, to choose the Indian Civil Service when they have passed into that list?—If I had any authority I would prevent Colonials coming here, because several Colonists treat Indians disgracefully. If I were given permission, I would not allow them to come here.

7774. Supposing you were the Colonial Secretary at Home, and that this system was established, and that you had to answer the question in the House of Commons as to why there were facilities provided in India for Indian youths to pass into the Imperial Service, and you were asked to make provisions by which Colonial youths, or Dominion youths, might also pass into the Imperial Service in the same way, could you answer such a question in the way you suggest now?—I think a courageous Secretary of State who feels strongly that British traditions and honour should be maintained should tell them, "You, gentlemen, come from a "Colony where British Indian subjects are treated "in a most disgraceful fashion, and you deserve "such exclusion."

7775. I felt that that was one of the difficulties which would probably be raised, and I wondered whether you, who, I knew, had considered this question very carefully and in great detail, could help me out of it?—I have felt that position very strongly. As Secretary to the Indian South African League, this aspect of the problem has grieved me very much indeed.

7776. Question (16) deals with the examination papers. Have you answered question (16) on the assumption that the examination is set really for the purpose of keeping certain men out, or letting certain men in, or for the purpose of testing certain mental qualities of a man?—It might be the latter, but it looks, from the rules of the examination, the subjects and the marks to be assigned, as if the whole thing has been conceived only to admit British boys into the Indian Service here.

7777. You admit that the type of administration which must be adopted in England is a Western type, I think?—To a great extent it must be Western.

7778. The sort of fundamental characteristics must be Western?—What do you mean by fundamental characteristics?

7779. Democracy, a sense of equality—I need not go on?—On both those points I agree thoroughly.

7780. It is the West—Government by ability rather than Government by Status?—It is not so in England, but the theory is that: I rejoice in it.

7781. The theory is that which I am pursuing at the moment: it is the Western type?—Yes.

7782. If you state that, must you not also assume that the type of examination paper imposes a test which lays emphasis upon that particular characteristic of Government rather than any other?—The type of examination paper must draw out what is necessary to produce a good official under existing circumstances.

7783. A good official of a certain type?—Yes.

7784. From that point of view, is not the study of Greek and Roman History and the study of of the evolution of democracy in Europe more important than the study of Indian History?—Left to myself, I would expect a student who goes up for examination to take Greek History, Roman History and English History, because you only compel him to take one set or other. It would be a good education for him to acquaint himself with the history of every country in the world. If he has this opportunity, he should thank himself.

7785. The point in my mind is, that while I can see that special Indian subjects must be brought in the final examination, the entrance examination ought to deal rather with the more fundamental outlook, and that Indian History would not contribute nearly so much to that as Greek or Roman History?—I deny that. My position is this: the Indian student feels terribly overweighted under the present system as far as subjects and marks are concerned.

7786. You are back to the point we rejected. It is not a question of whether this is an English subject for an Indian student to master or not; the question is whether such an examination paper has got a political selective value, and that if you take Greek and Roman History and put in Indian History on a level with these other histories, you have not only made it easier for the Indian student to get in, but you change the whole selective value of your examination?—I consider that the good study of Indian History is equally essential from the point of view of the youth. We have great traditions, and a great history, and there is our Indian law. As a matter of fact, Sanskrit is being studied all the world over.

7787. You are a Brahman, I believe?—Yes, I am a Brahman.

7788. And you have knocked about India a good deal?—A great deal.

7789. You are what we would call in England a public man?—I take some interest in public matters.

7790. You know your people?—Yes, I know the people.

7791. And you make it your business to keep in touch with public opinion?—Yes.

7792. And with the various movements in the Indian mind?—Yes.

7793. I think you have been present at some examinations that have taken place during the week?—Yes.

7794. And you have heard questions put about the influence of caste and government, and so on?—Yes.

7795. Would you mind telling the Commission whether you think, in your experience, that when a Brahman gets into office, into a place of responsibility, the religious caste feelings occupy a very large part in the political motives that move him?—It would be wrong to generalise from any such statement. A few may have the prejudice, but the large number who are given the responsible posts would certainly not be actuated by it.

7796. The Brahman in office becomes primarily an officer looking after the whole of the district under his charge?—Yes.

7797. And he mixes amongst people who are beneath him in caste?—Yes.

7798. And with those who are not of any caste at all?—Yes.

7799. There are exceptions?—Yes, there are exceptions.

7800. But if you are forced to speak with regard to the mass, you speak in that way?—Certainly.

7801. What is the tendency? Is it towards a greater liberalisation, or is it towards a less?—There is a good tendency towards greater liberalisation. I see it on all hands. In my own short experience I see it, and it is a very cheerful outlook for the future.

7802. Even in this respect, the liberalising of the literary class in India, things are getting much better?—Decidedly better.

7803. They are getting more and more Western, and more and more democratic?—Yes.

7804. You say that that is the general characteristic of that class?—I should state it to be so.

7805. There is one point upon which I should like to get your views, as you have stated that you consider the administration could be conducted on a Western type. That Western type is secured for Indians to some extent by sending them home, and by their passing part of their education in England, and it may also be possible, under the existing conditions in India, to secure it under the present system of education which is carried on in India very much on Western lines?—Yes.

7806. You think it is essential that Indians who have to conduct an administration on a Western type should go to England, or can they secure that Western type of mind and habit under the system of education which prevails at present in India?—They might have it here; but if a boy went to England he would have some extra advantages.

7807. I suppose you have had considerable experience of young men in India who have been to England and been educated there?—Yes, I know some of them.

7808. Do you think, on the whole, that they are better than the Indians who have been educated solely in India; better men for the purposes of governing on the Western type which you desire; or do you not think so?—It is so difficult: it depends upon the men.

7809. Take them as a class: you cannot draw any distinction at present?—I would not draw any distinction. There are many good men here who would conduct themselves equally well, whether they went to England or not.

7810. Men who are just as strong on the Western type of Government, as Indians who have been in England?—Yes. I made it my answer to one gentleman that there are people here who without going to the West can have British spirit, British character and British tradition.

7811. And the best men amongst the Indians, the men who have risen to the highest eminence in most walks of life, including what we may call the western walks of life, the bar, which is conducted very much on western lines, the medical profession, which is conducted very much on western lines, and some other professions, the most successful and prominent Indians in those careers; have they been men who have gone through a western type of education in England, or men who have gone through a western type of education in India?—A very large number of prominent men have never gone to England. Some of the greatest men of Bengal never went to England, and yet they are the best men, the best reformers. They have never been to England, yet they have the western spirit of reform to a very large degree.

7812. Assuming your position of a simultaneous examination, which is to be a test of a western type of education, you still consider it very necessary that those men who have already succeeded in an examination of a western type should be required to go to England to have a further training on western lines, or not?—I should require it for the very simple reason that, if I had the facilities, I would send a number of Indian boys to England to travel, just as you say in the west travelling about would improve a man's general education. As far as general administration is concerned, he would be in a better position.

7813. (*Mr. Gokhale.*) I see you are acquainted with the contents of the report of the Committee of the India Office of 1859 on the subject of simultaneous examinations?—Yes.

7814. I take it, then, that you know that that Committee recommended that "in justice to the Natives three colloquial Oriental languages should be added of the three modern European languages, so as to give the candidates the opportunity of selection"?—I am aware of it.

7815. You have proposed that a certain number of subjects [in answer to question (16)] should be added to the present curriculum of the Civil Service?—Yes.

7816. You want to equalise the chances for Indian students more than is the case at present?—Yes.

7817 Supposing a simultaneous examination was offered you on condition that the examination remains as it is, and that no new subjects are added, would you take it on those terms?—I would prefer to have simultaneous examination on those terms.

7818. You would not insist upon the addition of those subjects if, thereby, you are going to imperil the chance of getting simultaneous examinations?—I would not risk it at any cost.

7819. With regard to the Home Service. At present there is the same examination for the Home, Indian and Colonial Services?—Yes.

7820. Are you aware of instances in which Indians have got into the Home Service?—No, I have not. I should like to say in that connection that option is given to the candidate to choose the service, and presumably the Indian candidate would choose the Indian Service, because the English lad chooses the Home Service.

7821. Have there been any instances known of an Indian candidate, unable to get a place among the Indian vacancies, choosing a place in the Home Service; are you aware of any such cases?—I am not aware of any.

7822. Certain questions were put to you by Sir Murray Hammick about Mr. Dadabhai Nowroji's expression about the Pariah service. I want to get at the real meaning of that expression. You do not mean to say that the Pariah as a man may not be so honourable as a Brahman?—Not at all; he may be more honourable.

7823. As a man?—Yes.

7824. But the complaint of the Pariah is that he is treated by the Brahman as belonging to a separate and an inferior class?—Yes.

7825. Therefore the Provincial Service may be an honourable service in itself?—Yes.

7826. Even the subordinate service may be honourable in itself?—Yes.

7827. The complaint of the Provincial Service men, however, is that they are not allowed by the Indian Civil Service men to belong to their class, but are treated as a separate and inferior class?—Yes.

7828. Do you think that Mr. Dadabhai Nowroji means anything more than that?—The Englishman thinks that the Civil Service is a sort of temple which the Provincial Service man should not enter, and therefore I have used the expression "holy of holies."

7829. The expression does not stamp the Provincial Service as being anything dishonourable in itself, does it?—No.

7830. With regard to the reply which has been given by you to Mr. Ramsay Macdonald, do you not think that as a rule all those who go to England imbibe what may be called the western spirit?—Yes.

7831. But you cannot say that all those who have received a western education in this country imbibe that western spirit?—Some do, and some do not.

7832. Whereas, in the case of those who go to England, *all* imbibe the western spirit?—Almost all.

7833. I am speaking practically?—Practically all.

7834. And you would not take any chances in the matter of those Indians who are to enter the Civil Service imbibing western spirit: you would insist upon all imbibing that spirit?—Yes.

7835. Therefore you would send them all to England?—Yes.

7836. (*Mr. Chaubal.*) I have read your answers very carefully, and you seem to have thought over this question of simultaneous examination so very closely that you will perhaps permit me to put to you some questions on which others may have doubts. I have read your answer to question (3) where you enter into the question of the history of the simultaneous examination, and taking your stand on the Act of 1870 you are broadly right; but I want to be clear in my own mind as to what use you make of the Statute of 1833. When you rely upon the Statute of 1833, that Statute must be taken to have been enacted under the state of things which obtained in 1833?—Yes.

7837. Look at the wording of the Act of 1833: "No native of the said territories, nor any natural-"born subject of His Majesty resident therein, "shall by reason only of his religion, place of "birth, descent, or any of them, be disabled from "holding any place, office, or employment, under

"the said Company." That is what you place your reliance upon?—Yes.

7838. That wording does not allude to any facilities for examination: it only says that an Indian shall be eligible for any post or office?—It removes all disabilities.

7839. Disabilities in the way of an Indian holding office, not disabilities or disadvantages for appearing for any examination; and, as a matter of fact, in 1833, there was an examination known as being the door for admission to the offices, and posts, and places contemplated. We know the history of the covenanted services as they were called. The old merchants and clerks entered into the covenant, and there was a selection of candidates. Then there was in 1833 a sort of examination, and it was then thought that only Englishmen could go in and appear for the examination, and hold posts. So far as the Act of 1833 goes, Indians were considered to be ineligible for holding any place, and that disability was removed?—Yes.

7840. But the process of getting those posts, the means by which they were to get at them, remained unaltered?—Yes.

7841. Therefore, according to the reading, and according to the spirit of the Act, if you will consider that Act with regard to the state of things which obtained in 1833, I do not think it would be fair to rely upon that wording as favouring simultaneous examinations. If so, where is any infringement of that wording?—Infringement of the spirit which underlies that provision.

7842. Even when you look at the spirit you have to consider the state of things obtaining in 1833, have you not?—Yes.

7843. What do you take to be the spirit, taking what you know now to be the state of things in 1833—that there was a certain examination, because I ask you to look at the next wording in the extract which you give from the Court of Directors' Despatch. If you look at the last clause you will see that it reads: "provided he "be otherwise eligible consistently with the rules, "and agreeable to the conditions observed and "enacted in the one case and in the other." In 1833 there were certain conditions and rules observed, and it was only in accordance with those that people could become eligible to go through that process. The rules and regulations are there. It is only the ineligibility that is removed. I want to be clear in my own mind what argument you build upon the reading of the Statute of 1833?—I take it that the chief object of that Act of 1833 was that even at that time they had thought it necessary to have an Indian element, and they have made it perfectly clear: they say: "We want no governing caste in India."

7844. I admit what you are saying. They do admit that the Indians should come in, but they do not say that we shall change our rules and conditions under which certain posts or offices are to be held. That process remains the same: "We "hold you eligible; if you want to get it you must "go through the process." I may be mistaken; but looking at it carefully, that is what I thought would be the natural construction of the Act of 1833?—I thought the spirit of the Act of 1833 was made very clear by the following passage which I shall read: "The meaning of the Enact-"ment we take to be that there shall be no "governing caste in British India; that whatever "tests of qualification may be adopted, distinc-"tions of race or religion shall not be of the "number."

7845. It is exactly that upon which I am basing my argument. I say that the construction of the words of the Act of 1833 are fully emphasised by the passage which you read just now, and in that passage I ask your particular attention to the words "whatever other test and "qualification may be adopted." Distinction of race and religion will not be an element for consideration; therefore, other tests for qualification and other rules and conditions prescribed stand. I say that that reading fully emphasises the construction which appears to me to be the natural construction of those words. As I understand, the spirit of it is this. Supposing you have five qualifications for an official in India and you find an Indian with all the qualifications, you shall not exclude the Indian from it because he is an Indian. The test of qualification must naturally refer to examination. When the Act says: "test of qualification," we naturally understand what test of qualification means. We are not going to enter into the undecided abilities of candidates, but whatever are adopted as qualifications under the conditions or rules by those to whom the power may be given, we will not allow them to take into consideration any element of caste or creed?—Test him by any measure of qualification, but do not test him by his colour, or that he is an Indian. That is the spirit of the Act.

7846. I only wanted to draw your attention to the fact that so much reliance is placed on the reading of the Statute of 1833 and the Proclamation of 1858. It occurred to me that perhaps you are overputting our case when you place reliance entirely upon those two things. Of course, the Act of 1870 and the subsequent history that you give may have its point—I do not wish to trouble you with that?—The administration of the country was taken away from the direct management of the British Company, because, to some extent, affairs at first did not get on well under the Company. My point is this. Even under the mismanagement of the Company they laid down this as a test, but under the British rule things have not gone on better.

7847. If you look at the Act of 1858, I do not think the result is in any way further than the meaning of the Despatch of the Court of Directors and the Act of 1833?—I cannot discuss it.

7848. I only wanted to tell you what possible construction occurs to others. I want your opinion candidly about this. Of course, there will be failures in England and there will be failures in India asssuming that simultaneous examinations are conducted. What do you think about this question? Would you prefer a failure in the examination at home, as calculated to give you a better citizen for India, or a failure in India? Supposing we want good citizens, persons who have a sense of duty as citizens, would you expect a person, who no doubt fails in the English examination, but who has the advantage of staying there for five or six years at a time of his life when his mind is plastic, and likely to imbibe the tone of the higher civilisation there, would you expect such a man, although he has failed in an English examination, to be an acquisition to the country, or a candidate who

sits here and fails here?—The man who fails in England will fail all the more because he will, perhaps, have risked a good deal of money and been the victim of a good deal of inconvenience.

7849. Who do you think would turn out the better citizen in India; I am not considering the officials; I am speaking about citizens?—I think the man who failed in India I would prefer, if I were driven to it.

7850. You would prefer him to a person who had gone through an English education and known English character and life?—Yes.

7851. You want the chances for the Indian student and the English student to be equalised?—Yes.

7852. With what end in view? What is the object at which you are driving when you ask that the syllabus should be so adapted that you will not accept the giving of an Oriental tone to the whole examination, but as you put it, you want the chances to be equalised for Indian students and English students?—Yes.

7853. This equalisation of chances you wish for, for what ultimate end in view?—The ultimate end is this. At present the Indian candidate feels tremendously overweighted, and the English candidate has almost an unfair advantage over the Indian candidate.

7854. I am putting it to you straight. Is not your view this, that there ought to be more Indians in the service than there have been in the past. Let us admit it frankly?—I will not put it on that ground; it is not my ground. It is with the view of enabling more Indians to get in by giving them more equal opportunities than they have at present.

7855. You want that end ultimately so that there will be more Indian servants?—Undoubtedly that is what we are wanting.

7856. If that is the object in view, any door for the admission of Indian candidates should be a door wide enough to admit the required number of servants in India?—No. As it is, the Civil Service considers itself very superior. The examination is held in England, and you bring them here; but if we have a separate examination, Englishmen will feel that they are still more superior. I have made that very clear. I do not want any opportunity for Englishmen of the Civil Service to feel that they are superior to our men in the Civil Service. That is the point I have taken.

7857. (*Sir Theodore Morison.*) With regard to the curriculum, you say that it presents the appearance of giving unfair advantages to Englishmen?—It has something of presenting that appearance. It does give more advantages to the English candidate.

7858. Has that created a suspicion of distrust in India of the impartiality of the people who drew up that curriculum?—It is one of the causes which makes us feel sore at some points of British administration.

7859. I want to be quite straightforward about this. You said there would be a trust and confidence in the Civil Service Commissioners?—Yes.

7860. Do you not think you have indicated a reason for mistrust in the Civil Service Commissioners?—No, I do not. The same things have been prepared for the Civil Service Commissioners, and the authorities have asked them to follow a certain set of subjects, I suppose.

7861. It is the Civil Service Commissioners who are mainly responsible for this curriculum?—I take it that all these things are to some extent done under the direction of the Home Government.

7862. The Civil Service Commissioners are a department?—Do I understand that they fix the subjects?

7863. They make proposals, and they ask for observations upon them?—The Secretary of State in Council said the way that these things should be done; and I gather that their observations would carry greater weight because the observations of the Council have always greater weight.

7864. The facts are that the proposals originate with the Civil Service Commissioners, and it is a strong measure to interfere with their discretion?—I will make a very plain answer. I feel very strongly that the subjects, the marks, and everything are so constituted and designed that only English students are to appear; it does not contemplate the necessity of Indian students appearing. That is the basis upon which I have given my answers.

7865. I only mean to say that that creates the suspicion; and, if it is created in your mind, it is very likely to be created in the minds of others that the Civil Service Commissioners are not an impartial body?—It does not follow. It creates a feeling in my mind that I am asked to appear in a certain course of subjects, and that other candidates have certain advantages. Probably they are the victims of a system.

7866. (*Lord Ronaldshay.*) We have had a great deal of evidence which points to the fact that so long as the examination for the Civil Service is held in England only, a great many of the cleverest Indians are prevented from passing it by reason of caste difficulties. Do you agree with that?—The caste difficulty now is not so great: the cost, and the other attendant difficulties, are equally to be considered. The caste difficulty might have been something some years ago, but it is not so now.

7867. Do you think that there is no longer any difficulty: would no Hindu at the present day be prevented from going to England on the ground of caste?—I will not make a general statement; but this much I will hazard at once: a large number of people will find it much more easy to go to England if they know they can pass the Civil Service Examination: the obstacles to them will be much less. There may be an orthodox parent who would not permit his son to go at any cost; but that does not apply so much now.

7868. You do not attach importance to the suggestion that many of the higher caste Indians are prevented from getting into the service by reason of the fact that there are difficulties in going to England on caste grounds?—Some boys of the highest families are prevented from going to England on account of caste scruples, and yet some of the finest specimens of administrators may be in those families.

7869. If simultaneous examinations were set up in this country it is possible, is it not, that a good many men might get into the Indian Civil Service through that door?—Quite possible.

7870. I understood you to tell Mr. Gokhale that those men who had passed this examination in India would have to go to England for a course of probation?—Yes.

7871. I do not see how you are to get over this difficulty. If these men should be prevented from going to England to pass this examination on account of caste, how are you going to force them to go to England after they have passed the examination in India?—I might prevent my son from going to England, taking the risk of the examination, and coming back here and undergoing social difficulties; but if my son passed I would at once say, "Go to England and have your course of probation." He would come back as a Government servant and would have a rich salary. His position would be rendered very easy, and his social difficulties would be less.

7872. As I understand, it is your opinion that if many high caste Hindus got into the service it would not be likely that agitation would arise in this country against a period of probation for them in England?—I cannot say. We are prudent to that extent. Having got simultaneous examination after a great deal of difficulty we are not likely to raise such paltry objections.

7873. In your printed evidence you refer to the report of the committee which was constituted by the Secretary of State in the year 1860 which dealt with the question of simultaneous examinations?—Yes.

7874. And you tell us that this report was suppressed?—Yes.

7875. Am I to understand that this report was never published officially?—There are two ways of publishing reports. Everything is printed. Some are marked "confidential." Some things which are favourable to us are suppressed and concealed. It is going on in this country even at the present day.

7876. I am not aware of this report myself. I have not seen it. I only want to know. When you say it was "suppressed," do you mean that it was not officially published?—I must give a modified answer. A thing may be printed and published, but may be kept locked. It may be given to five members of the India Council; but it does not see publication so far as the public having a right of access to it. In that sense it is kept locked up and suppressed.

7877. This report was not issued to the public, but it was put in the hands of a certain number of members of the India Council, and so on?—Yes, that is so. Mr. Dadabhai Nowroji came to know of it, but he was refused access to it. After a great deal of difficulty he was allowed to look at it; but he was refused permission to copy it. And I know many more things in that direction which I should be loth to tell the Commission.

7878. You give extracts from this report; extracts which have been made by private individuals, do I understand, who have had access to "confidential" documents?—Individuals who were given permission to have access to it. They came to know of its existence, and they came to know that it had been suppressed, but the authorities would not let them see it. They fought and afterwards they got access to it; and in that way it has come out: but not in any surreptitious or improper way. I could never agree to anything like that.

7879. You say that the members of the Provincial Service who hold listed-posts are regarded as inferior officers to the members of the Civil Service who hold similar posts, by reason of the fact that they are members of an inferior service?—Yes.

7880. But I understand from your answers to questions (18) and (51)—and especially to the last question,—that even if a system of simultaneous examinations were set up, you would like to increase the number of listed-posts open to members of the Provincial Service?—I would not think of the word "listed-posts." The name carries an objection with civilians. Therefore, I have said: take them away from the Civil Service cadre and hand them over to the Provincial Civil Service.

7881. The effect of that will be, will it not, to put a certain number of Collectorships in the hands of the Civil Service, and a certain number of Collectorships in the hands of the Provincial Service?—Yes.

7882. Will not that perpetuate the evil which you deprecate at the present time?—Not at all.

7883. You will have some of the Collectorships being filled by members of the Indian Civil Service, that is to say the superior service; and you will have other Collectorships being filled by members of the Provincial Service, which you describe as an inferior service; so that you will have side by side men of different services. Surely that is a thing which you deprecate?—The Provincial Service of the present day should not be taken into consideration. The appointments should be taken away from the Provincial Service cadre and handed over to the Civil Service. The Provincial Civil Service would be an entirely distinct body. In fact, I have stated distinctly that I believe if simultaneous examinations are granted and opportunities afforded to the flower of Indian youth to enter into the higher appointments, much of the present discontent will disappear.

7884. (*Mr. Oldfield.*) You remember the Indian Gains of Learning Bill: did you take some part in the agitation regarding it,—were you in favour of it?—No; I was against it.

7885. You are in favour of the conservative view of Hindu law?—Mine is not a conservative view.

7886. I was going to put a question to you about this point, and I would like to hear your view upon it? I should like to make this suggestion to you with regard to the conservative view of Hindu Law. It is on the authority of Mr. Maine, and he is a considerable authority. Does it ever occur to you that English Judges in our Courts rather represent a conservative influence in the way of being cautious of innovating on judge-made law?—I do not quite see the question.

7887. There is a good deal of judge-made law being made by the Judges: I am asking you whether you think our English Judges represent rather a conservative tendency, or a tendency to hesitate before innovating, or not?—I would like our Indian Judges to deal with these matters.

7888. You do not care to give an opinion upon it?—I do care to give an opinion; I should like to look into the matter before I do so.

7889. (*Chairman.*) There is one question I should like to ask you before you leave, and it is with regard to that point in connection with the Provincial Service which you have mentioned. It is an interesting proposal which you have put forward. You tell us, first of all, that in your opinion the Provincial Service is an inferior service?—Yes.

7890. You want to raise the tone and status of that service?—Yes.

7891. And your means of doing so is to open to that service further posts now within the cadre of the Civil Service?—Yes.

7892. And you tell us, also, at the same time that you dislike the idea of listed-posts?—Yes.

7893. Am I right in inferring from this that you would abolish the nomenclature of "listed-posts"?—Yes.

7894. So that everybody who is an officer now in the listed-posts, in future may become an officer in the Indian Civil Service: am I right in that inference?—He will be regarded as belonging to it, and yet out of it technically.

7895. According to your proposal?—Yes.

7896. So that there would still remain the distinction?—No. It was on that account that I said he would be regarded as belonging to it, and yet perhaps be technically out of it.

7897. If he is still technically out of it, would not there be, in your judgment, the invidious distinction which you technically deplore?—I do not think so.

7898 (*Mr. Subrahmanyam Pantulu.*) When you fill the places by means of the simultaneous examination, you put it that the invidious distinction which now exists between the Provincial Service and the Civil Service would be done away with. You say you would abolish the listed-posts altogether and secure an equal position for Indian candidates to that of the Civil servants, and you would secure a large number of appointments for them; but I understood your original proposal was that listed appointments should be retained?—My object is this. I am keen for simultaneous examination; but it is because I believe that for a long number of years to come no appreciable number of Indians will get in that I have advocated the improvement of the Provincial Service, and have taken away some of the appointments from the Civil Service cadre. In my opinion our country is poor. The Civil Service, no matter how efficient it is, is costly; and therefore every opportunity should be taken to reduce its cadre. Further, I find in none of the questions framed by the Commission or in any schemes any attempt to do justice to the present Provincial Service men. I take it that any Commission which may make any proposals will take safeguards to see that in one generation of official life — which may range from 25 to 50— their interests shall be protected. It is with that view, having regard to the fact that I apprehend that very few of our men will come through the simultaneous examination, that I have suggested this as a safeguard. It is a sort of double safeguard that I have adopted.

7899. Have you considered what the reduction of the Civil Service cadre will be?—Thirty-nine; and with some other appointments which are necessarily kept reserved, perhaps about thirty more.

7900. Approximately, I calculate it as a reduction in the whole cadre of one-sixth?—I have calculated no such proportion. I calculated it on a principle, and I should test it according to that.

7900-A. You are looking at Madras?—I have never cared for the proportion. I think certain appointments should be in one service, and certain appointments should be in another service; and it is on that principle that I have proceeded.

(The witness withdrew.)

M.R.Ry. Rao Bahadur P. Tiagaraiya Chetti Avargal, Tondiarpet, Madras.

Memorandum.

7901. Simultaneous examination ought not to be held; nor should recruitment be made by means of a separate competitive examination. The introduction of either of these systems will never secure due representation of the various castes and communities in the service, which in a country like India is essential This principle is fully recognised by Government in the case of subordinate officers—*vide* paragraph 2 of Board's Standing Order, No. 128, extracted in the margin. The system of recruitment by examinations will only result in the service being monopolised by one caste to the exclusion of other castes and communities. The result of the defunct system of recruitment for the Provincial Civil Service by competitive examinations fully bears out my apprehensions as to the service being monopolised by that class. During the period in which it was in force, only one non-Brahman (the late Ravi Varma Raja) succeeded in entering the Provincial Civil Service by that means. Even so able a person like Mr. Swamikannu Pillai could not successfully compete with that class in an examination.

Distribution of appointments among the several castes.—Collectors should be careful to see that the subordinate appointments in their districts are not monopolised by the members of a few influential families. Endeavour should always be made to divide the principal appointments in each district. A proportion of the Tahsildars in each district should belong to castes other than Brahman, and it should be a standing rule that the two chief revenue servants in the Collector's office should be of different castes.

If simultaneous or separate examinations are not to be held—(i) the number of listed-posts may be increased to one-fourth of the sanctioned strength in each grade of the Indian Civil Service; (ii) there should be a definite proportion of all main castes. (In any case, one caste should not have more than 50 per cent. of the posts in any grade where the number is more than one); (iii) admission to these listed-posts should be by nomination based upon seniority and *standard* merit from among Deputy Collectors and Sub-Judges.

If it is decided to hold simultaneous or separate examinations in India, it is essential that provision should be made to secure due representation of the various castes and communities, as otherwise the system is bound to create discontent and disaffection. Government should fix beforehand, *i.e.*, one or two years in advance, the number of Indians to be admitted to the service each year. As a rule, not more than 40 per cent. of this number should be Brahmans; the remaining 60 per cent. must consist of non-Brahmans, Hindus, Muhammadans, Indian Christians and Anglo-Indians. All persons who get a certain number of marks in the examination must be eligible for selection so that the field for selection may be sufficiently wide and there may be no difficulty in finding the required number in each caste. Out of these may be selected the required number

of Brahmans, non-Brahmans, etc. If in any year the requisite number in any caste is not forthcoming, Government may either make good the deficiency next year or select members of other castes.

If a separate examination is to be held in India, it must be laid down that no one who has not passed the B.A. and B.L. or LL.B. degree examinations of an Indian University is eligible to appear for it. A candidate who has not passed a Law examination is not likely to prove an efficient officer in the Revenue or Judicial department.

I do not consider it necessary that those who pass the simultaneous or separate examination should be paid like those who pass the examination in England. They should be paid more than the members of the Provincial Civil Service. Their pay may, in my opinion, be fixed at three-fourths of that of their European confrères.

In the event of recruitment by simultaneous or separate examination being decided on, there is also no necessity to have any listed appointments. These may then be included in the cadre of the Civil Service.

As regards the Provincial Civil Service, if recruitment to this also is to be by means of competitive examinations, provision should be made on the lines indicated above for the due representation of the various castes and communities.

It is much better, however, to have two Provincial Civil Services—the Executive and Judicial—and they should be recruited on different lines.

Recruitments to Judicial Service may continue to be as heretofore, *i.e.*, it may be made from the ranks of practising High Court vakils and first-grade pleaders. No examinations need be held for this purpose. But here also there should be fair representation of all castes and communities.

The Executive Service should consist of one-fourth of the sanctioned number of the posts now held by the Indian Civil Service men *minus* judgeships, and the recruitment to it should be by a separate examination. None who is not a B.A. and B.L. should be allowed to appear for it. The pay may be three-fourths of that of European officers. It may be constituted a special service after the new system comes into force. The number of Deputy Collectors may remain as at present and recruitment may be on the present lines, except that proportion should be definitely laid down. But no Deputy Collector should, in future, be considered entitled to hold any posts open to the special service referred to above after such time as the Government declare that the men recruited under the system described above have become eligible for the higher posts in it. Till then Government may promote Deputy Collectors to these posts even here all castes should be represented.

The Judicial Service should have 25 per cent. of the judgeships open to the Indian Civil Service, and these posts should be treated as listed-posts and given as at present to Sub-Judges, practising vakils, etc. The rest of the service should be recruited, but proportions of castes should be fixed.

The above are my views on the subject and the answers to the question have been framed with reference to these views.

Written answer relating to the Indian Civil Service.

7902 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes. I accept the system as generally satisfactory.

7903 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I do not think that the system is faulty in any respect.

7904 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes. It is suitable.

7905 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—It may not be to the advantage of Indian interests, but I do not consider that any change is called for under existing conditions.

7906 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I consider the system to be satisfactory.

7907 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—*Vide* my introductory remarks.

7908 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—*Vide* my introductory remarks.

7909 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which natives of India would be selected in India for admission to the Indian Civil Service by means of—(*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—*Vide* my introductory remarks.

7910 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes.

7911 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—This should be in lieu of the present system of promoting to listed-posts officers of the Provincial Civil Service, subject to class representation.

7912 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Yes. *Vide* my introductory remarks.

7913 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—Yes.

7914 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The present age limit may stand.

7915 (14). What, in your opinion, is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five, including a year's stay in England.

7916 (15). What age limits for the open competitive examination in England would best suit candidates who are natives of India, and for what reasons? Do you recommend any differentiation between the age limits for natives of India, and for other natural-born subjects of His Majesty?—The same limits as those prescribed for others. No differentiation needed.

7917 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—No alterations are necessary.

7918 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are natives of India and other candidates? If so, state them and give reasons?—The marks prescribed for Latin and Greek should be the same as for oriental languages.

7919 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—No reservation is necessary.

7920 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that natives of India might under present conditions properly be admitted?—The proportion should be two-thirds for European subjects and one-third for Natives of India.

7921 (20). Do you accept as generally satisfactory in principle the present system under which natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes.

7922 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

7923 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No.

7924 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—*Vide* answer to question (22).

7925 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The system is satisfactory.

7926 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed-posts?—Yes. But please see my introductory remarks.

7927 (26). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—I have no idea.

7928 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Yes.

7929 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—*Vide* my introductory remarks.

7930 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

7931 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—One year. A course of study in Civil, Criminal and Revenue laws to be prescribed.

7932 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Not necessary if there is to be no change in the existing system of recruitment.

7933 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The course of instruction for Europeans could best be spent in India. The probation for Natives of India to be one year in England.

7934 (33). Do you think it desirable to start, at some suitable place in India, a college

for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

7935 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes. Probationers may be trained at some suitable centre in each province for portions of the first two years.

7936 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not what change should, in your opinion, be introduced?—What the present arrangements are, I do not know.

7937 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—There has been a deterioration. This is partly due to the leniency of the vernacular examinations they undergo and partly due to their own indifference. Moreover as the offices presided over by them are now manned completely by English-knowing Indians, they do not now find it necessary to acquire an adequate knowledge of the vernaculars for the discharge of their ordinary duties.

7938 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—*Vide* answer to question (30) *supra*. Officers selected for the Judicial branch must be made to serve as District Munsifs and Sub-Judges.

7939 (38). Dou you recommend any special course of study in law in India for officers selected for the Judicial branch?—*Vide* my answer to the preceding question.

7940 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—*Vide* my answer to question (37).

7941 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No. If there is no change in the existing system of examinations.

7942 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—*Vide* my introductory remarks.

7943 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.—No.

7944 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.—Yes.

7945 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance may continue.

7946 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Yes; but please see my introductory remarks.

7947 (48). Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—No.

7948 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed-posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No.

Written answers relating to the Provincial Civil Service.

7949 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—They are satisfactory, but *vide* my introductory remarks.

7950 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—No. *Vide* my introductory remarks.

7951 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

7952 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No. *Vide* my introductory remarks.

7953 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend.—Yes.

7954 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I have no idea.

7955 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—No change is desirable, but *vide* my introductory remarks.

7956 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

7957 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

7958 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes.

7959 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

7960 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Yes.

7961 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—Yes.

7962 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—*Vide* my introductory remarks.

7963 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—*Vide* my introductory remarks.

Mr. P. Tiagaraiya Chetti, called and examined.

7964. (*Chairman.*) You come before us as merchant and landholder, do you not?—Yes.

7965. What public positions do you occupy?—I am the President of the Southern India Chamber of Commerce.

7966. And an Additional Member of the Madras Legislative Council?—I was.

7967. What is your caste?—Sudra.

7968. I see from your answers to questions that you are opposed to the proposal of simultaneous examinations in England and in India?—Yes.

7969. And you are also opposed to the establishment of separate examinations in India?—Yes.

7970. And your objection is based on the ground that you regard the presence of various castes and communities in India as being an element that must be taken into account in recruiting for the Provincial Civil Service?—Yes.

7971. And you do not think that by the establishment of either of these forms of examination that object can be attained?—No.

7972. You are anxious to see an increase of Indians in the Civil Service?—Yes.

7973. And the means by which you will attain it is to increase the number of listed-posts to one-fourth of the sanctioned strength of the Civil Service?—Yes.

7974. In order to protect the communities and castes you would define the proportion that should be recruited for the service from these different communities?—Yes.

7975. In the third paragraph of your memorandum you say that "Government should fix beforehand, *i.e.*, one or two years in advance, the number of Indians to be admitted in the service each year"?—Yes.

7976. That is in the event of a separate examination?—If there is one.

7977. Then you would make a certain selection in accordance with the various castes?—Yes.

7978. Does your proposal imply a selection before the examination or after the examination?—After the examination.

7979. Would the examination be competitive in character or qualifying?—The minimum of marks should be declared and the selection should be made from among those who get above that minimum; it should not be in the order of the list.

7980. It should be a qualifying examination?—Yes.

7981. Then those that qualify would have to undergo a selection?—Yes.

7982. What form of Board would you suggest to undertake the task of making the selection?—A Board like the one that now exists in the Madras Government; and that Board would be quite enough for the purpose.

7983. Would you retain the present Board and let them carry on the work?—Yes.

7984. Then you suggest that the irreducible minimum of Europeans should be fixed at two-thirds?—Yes.

7985. If a quarter of the Indian Civil Service posts under your proposal should go to the Provincial Civil Service, the maintenance of an irreducible minimum of two-thirds for Europeans would only allow one-twelfth to the Indian Civil Service, would it not?—No. The proportion of one-fourth to the Provincial Service or anything else will go separately, and three-fourths will be for the Indian Civil Service.

7986. You give one-fourth away and want to retain two-thirds for Europeans?—Yes.

7987. I am putting a hypothetical case before you. Suppose several Indians were successful in the examination in London and that number combined with the increased number of listed posts might necessitate the decrease of two-thirds, the fixed irreducible minimum for Europeans?—It will be very few Indians that will pass the examination in England.

7988. I see you are speculating on that point?—Up to this time very few Indians have come out successful.

7989. Supposing they do pass, how do you safeguard your irreducible proportion of Europeans?—There is one-twelfth for Indians and I do not suppose it will be possible in the course of twenty

years to get to that figure through the examination in England.

7990. You feel that the proportion that is allowed to come through the examination will more than suffice for many years to come?—Yes.

7991. There is one other question I should like to ask you to get the point cleared up. You say "that no Deputy Collector should, in future, "be considered entitled to hold any posts open "to the special service referred to above after "such time as the Government declare that the "men recruited under the system described above "have become eligible for the higher posts in it." Can you explain what you mean by this?—If the Provincial Service is to be recruited by means of an examination, then until that examination comes into existence, this will go on as it is going on now.

7992. You do not mean that the Deputy Collector should, in future, be ineligible to become a Collector?—Yes; if that system is adopted—the system that I propose—then he will not be eligible. Meanwhile he will be eligible as he now is. But if that system were adopted, then he will not be eligible.

7993. Under your system of increasing the proportion of the listed posts, why should not a Deputy Collector be afforded the advantage of appointment to one of them by promotion?—Then there will be two ways opened; one by examination and the other by promotion. I do not want that. I want only one way to be opened.

7994. You do not want them to be promoted to the listed-posts?—If it is by selection, I do not want it by promotion.

7995. (*Lord Ronaldshay.*) You hold very strongly the opinion that all classes and communities should be represented in the service of the State. Would you tell me your main ground for desiring that: what are your main reasons for desiring that all classes and communities should be represented in the State service?—The tax-payer is the general community, and the general community must be benefited by getting posts in the service. As it is, the majority of the Government appointments are held by a select class who, as a rule, do not pay as much as the other classes do to the State; and I think it is but fair that the tax-payer who pays the most must enjoy the benefits of the appointment.

7996. I see that in your opinion the class which is chiefly represented in the Government service in India at the present time is a class which pays less contribution to the State than the other classes?—Yes. In fact no contribuiton.

7997. Do you anticipate for instance (this is merely another ground that I suggest as a reason for including all classes of the community in the service) do you anticipate that there might be administrative difficulties if you had Muhammadans, for instance, exclusively or almost exclusively under Hindu officials or *vice versâ*? Do you anticipate that any administrative difficulties would arise out of such a situation?—There will be discontent. I don't say there will be anything like difficulties arising; but there would be discontent.

7998. It would merely be a matter of discontent?—Yes.

7999. (*Sir Theodore Morison.*) You have recommended—have you not—that the pay of the Indian officers should be fixed at three-fourths of that of their European confrères. Would you tell me whether merchants pay Indians and Europeans differently in Madras in business?—Yes.

8000. In Madras?—Yes, we do.

8001. If you employ an English clerk?—He is paid a good deal more.

8002. That is an actual fact at the present day?—Yes.

8003. I would like to put a question with reference to an answer that we had yesterday. How do you think that the official salaries compare with the incomes which are made by the middle classes in Madras: I mean either professional incomes or mercantile incomes?—I should say that officials earn a good deal more than middle class people earn excepting those who belong to the profession of law.

8004. You think that on the whole salaries represent a very good income?—Yes, a very good income as a rule. Higher grades especially.

8005. Therefore you think that for Indians it is not necessary to pay more than three-fourths of what is paid to Europeans?—Yes.

8006. Is that the proportion which obtains in India?—No, it is much more than they get elsewhere.

8007. What is the proportion that you would pay to an English clerk as compared with what you pay to an Indian clerk? How much would you pay to an English clerk?—English assistants generally get Rs. 200, 250 and 300.

8008. What will you get an Indian for?—For Rs. 100.

8009. (*Mr. Chaubal.*) You gave us your caste as Sudra?—Yes.

8010. You mean you are a non-Brahman?—Yes.

8011. But among Sudras there are different communities in this province?—Yes.

8012. Among these communities of the Sudras themselves there is quite as much rigid exclusion as between the Sudra and the Brahman?—It does not look so.

8013. Do sub-divisions of the Sudra caste interdine and intermarry?—They do not intermarry, but they interdine.

8014. You give your occupation as merchant and landholder. How many servants or employés have you in all under you?—You mean as domestic servants.

8015. How many have you as servants under you as merchant and landholder?—More than one hundred.

8016. In that establishment of 100 servants, have you taken care to represent all classes and communities?—I have all classes. But do not take care to represent all classes.

8017. May I know whether you get your land cultivated by leasing it or you cultivate it yourself by employing labourers?—I have cultivation by labourers.

8018. Then amongst those labourers, you have employed Muhammadans?—Muhammadans cannot be got here.

8019. You have employed the depressed classes?—Yes.

8020. Any Brahmans?—No; Brahmans would not cultivate.

8021. You tried to get them?—I cannot get them. Nor will they work.

8022. May I know what business you do as a merchant?—I am an exporter and a miner

8023. Out of the 100 servants that you employ, how many of them are under you in the mercantile business?—I have about 20.

8024. There is also a representation of castes and communities?—I cannot say there is representation; but there are several castes.

8025. What is the principal object you look to when you get these persons to manage your land or your business under you? Do you look to the efficiency of the business or do you look to your representing all classes and communities?—Efficiency, certainly.

8026. In answer to question (36) as to whether you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service, you say "there has been deterioration. This is "partly due to the leniency of the vernacular "examinations they undergo and partly due to "their own indifference"?—Yes.

8027. Do you know of any candidates who have been rejected at the vernacular examinations?—No.

8028. Will you tell me how you make your answer to question (47) consistent with the answer of two-thirds and one-third. I suppose you bring it out in your introductory remarks; do you? The question is "Turning to the case of "the statutory civilians and officers of the Provin-"cial Civil Services holding listed posts, do you "approve of the arrangement by which they "draw salary approximately at the rate of two-"thirds of the pay drawn in the same posts by "members of the Indian Civil Service?" In answer to that, you say "yes"?—I propose three-fourths. That is the reason why I say "Please see my introductory remark."

8029. (*Mr. Gokhale.*) Mr. Chetti, do you employ any English clerks under you?—No. I am too poor to employ them.

8030. Are there many Indian mercantile establishments here which employ English clerks?—There are some.

8031. Do you mean to say that for the same kind of work they pay an English clerk Rs. 250 and an Indian clerk Rs. 100?—Yes.

8032. For the same kind of work?—Yes.

8033. Do they reserve any clerkships for Englishmen?—As far as possible they take Indians, but for the sake of prestige they employ an English clerk.

8034. The establishment thinks that its prestige will be better if it has an English clerk?—Yes.

8035. Even though the work may well be done by an Indian clerk on a pay of Rs. 100?—Yes.

8036. The extra pay of Rs. 150 is therefore for prestige?—Yes.

8037. There is no reservation for any particular number of each community?—No.

8038. (*Mr. Sly.*) In your experience in Madras are there any firms, and if so, how many, which consist of joint partnership between Indian members and Europeans?—None now. There was one, but not now.

8039. Are the number of cases in which purely Indian firms employ English assistants numerous or few?—A few.

8040. The European firms that employ European assistants: do they also employ Indian assistants to the same extent?—A few.

8041. In the same positions of responsibility?—No.

8042. As regards the number of Europeans employed in the trade of Madras, is it decreasing in proportion to the total number employed, or is it increasing, or is it stationary?—Decreasing.

8043. The number of Europeans employed is, you are inclined to think, decreasing?—Yes.

8044. (*Mr. Macdonald.*) I have just one question to ask you. In your preliminary memorandum, in sub-section (3), you say "admission "to these listed posts should be by nomination "based upon seniority and *standard* merit, etc." What do you mean by "*standard* merit"?—That is the ability that is required to conduct the business.

8045. Taking any of the listed posts, what is the minimum ability that is required for that post?—I do not say minimum, but average.

8046. If a man is above the average, he will not be promoted?—He need not be promoted.

8047. Unless he belongs to a proper class?—Yes.

8048. Then with reference to the examination provided for in the following paragraph your proposal would involve this—would it not—that a man might come out at the top of the list, but not get any appointment, if the caste or the community to which he belongs was not entitled to the appointment in that year?—No.

8049. He would get no appointment at all?—No.

8050. (*Mr. Madge.*) You advocate the reservation of appointments for different classes, I presume, because you believe that all classes are not now sufficiently represented and consequently their interests are not cared for?—Yes.

8051. Do you or do you not think that there is any common ground on which all interests can be represented or cared for by any one particular class?—No.

8052. You do not think so?—No. The ruling class has one interest for all; that is the British.

8053. I mean the Indian classes?—No.

8054. You say "all persons who get a certain "number of marks in the examination must be "eligible for selection." You mean that a certain number of marks should be fixed for all classes?—Yes.

8055. And not a different set for each class?—No.

8056. In answer to question (4) you say that the proposal made in the question "may not be to "the advantage of Indian interests, but I do not "consider that any change is called for under "existing conditions." You want things to continue in that respect as they are at present?—Yes.

8057. (*Mr. Abdur Rahim.*) In recruiting for employment in business, you act more or less according to the rule of supply and demand?—Yes.

8058. More strictly than the rule which obtains in the Government service?—Yes.

8059. What I mean is in giving a particular salary to a particular candidate for office in your service do you consider what is the proper salary to be given, having regard to the dignity of the office and the position that he ought to keep up?

—For the position as well as the qualification required for it.

8060. What I mean to say is: If you can get a man for Rs. 100, you will not pay him Rs. 150 in order to enable him to keep up a certain dignity of his office?—No.

8061. I suppose it will be a legitimate consideration on the part of the Government in employing Government servants, that a man who holds a certain office should keep up a certain position?—Yes, it is so.

8062. In that respect the principle is somewhat different?—Yes.

8063. (*Sir Valentine Chirol.*) In view of the general tenor of your answers, I should like to put to you, as far as my memory serves me, the same question as Mr. Ramsay Macdonald put to the previous witness; and I will try, as far as my memory serves me, to put it and he will perhaps correct me if I go very far wrong. You travel about a good deal in the Presidency and you have opportunities of mixing with all classes. Suppose you have a Brahman invested with official duties. What I want to ask you is—I am not talking of exceptions—whether he is prepared in the discharge of his official duties to sink the feelings and pre-conceptions that he has as a Brahman and to approach the discharge of his duties entirely from the point of view of his position as a public official? Is that the result of your general experience?—Not as a general rule. There are a few exceptions; there are good exceptions.

8064. The exceptions would divest themselves of everything?—Yes.

(The witness withdrew.)

(Adjourned for a short time.)

Sir C. SANKARAN NAYAR, *Kt.*, C.I.E., Judge of the High Court of Judicature, Madras.

Written answers relating to the Indian Civil Service.

8065 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

The Government of India must be carried on on what are usually called English principles as opposed to Oriental. Therefore a *Hindu* of the pandit type of mind, who thinks that caste or class is a divine ordinance, and all outside the pale of caste are unclean; that women are created to minister to the desires and comforts of men and should be retained therefore in the subordination which an all-knowing Providence has destined for them, who would not seriously object to British overthrow by Nepal, China or Japan: a *Muhammadan* of the Moulvi caste of mind, who believes that the Muhammadans as the chosen race must be specially looked after; that the interests of the other classes should be subordinated to theirs; looks down upon the rest of mankind; takes, like the Hindu, a view of womankind which justifies or excuses purdah and polygamy; would support the interests of the non-Indian Muhammadans against those of their Christian and Hindu fellow-subjects; prays for the success of the Caliph instead of and even against the interests of King George: an *Englishman* who considers the Indians a subject race who should never aspire to equality, that India should be governed only by him and in England's interest even where it involves injustice to her, and that Indians should not be allowed self-government even in towns, districts, taluks and villages,—*all these* are unfit to govern India, and the rules for admission into the service should be contrived, if possible, to exclude them. If candidates are selected by separate examination in India or in provinces the class of Indians above indicated might and probably will gain admission. As the country must be governed by men in sympathy with Western ideals, the Indians selected must show their proficiency in Western culture, not Oriental learning. Examinations, if confined to India, will assume an Oriental character and produce a class of officials with different ideals from their brother English officials. We wish to compete on equal terms with Englishmen and wish only those of our young men to be appointed who are equal if not superior to their English competitors; judged not according to the unprovable statements of interested officials but according to tests which may be applied to both and whose accuracy may be ascertained and verified. Whether true or not, a separate examination will enable our opponents to treat Indian officials as possessing only inferior qualifications. We want therefore the same examination. I do not therefore approve selection by separate examination in India.

8066 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

Nomination is worse. To begin with, an English official knows very little of real India. The conditions of his Indian life make him an unfit Judge of Indian character. He comes to India from the sea generally with his character formed, flits from district to district, from province to province; neither seeks to be nor is a dmitted into any Indian home circle; does not admit into his own home the Indian, who however, it must be said, does not seek that privilege, acquires some knowledge of the criminal and menial classes; quits India after he has earned his pension. This truth is well expressed by the representative Anglo-Indian organ:

"It is pretty certain that most Englishmen come to India with the hope and expectation of getting close to the hearts of the people, comprehending them, sympathising with most of their aspirations and aiding them to realise some of their ideals. But the Englishman is naturally proud and reserved, and the better the type, the less is he disposed to push his social attention or his friendly advances where they do not appear to be desired. There is indeed an obvious incompatibility of temperament, a crust of caste and pride on both sides which few are capable of breaking through. Yet it is true that if this outer shell remains unbroken, it thickens and hardens with time, so that the Englishman who has spent years in the country and who has become a comparative master of his dialects is not more but less in touch with the thoughts of the people than the comparative stranger. Possibly, there are some advantages in this, yet there would be a gain, clear and unmistakable, if comprehension were more general and sympathy on both sides more on every day reality than a thing to be advocated blindly without any clear appreciation of what that means."—*Pioneer*, 9th June 1905.

Nomination in any form, so far as Indians are concerned, experience has shown to be very unsatisfactory. Patronage and jobbery is the result. It ordinarily brings into the service men who ought not to be there and do not command the respect due to their office. Every class, and Anglo-Indian bureaucracy is no exception, want to retain, if they cannot increase, their power. Indians are only wanted as tools and instruments, and those fit for that purpose alone are willingly admitted into the service. Recent events have shown that certain officials are not above sowing dissensions between classes. It is positively dangerous to leave the power of nomination in the hands of such persons. Further it creates a large discontented class of men who, rightly or wrongly, think themselves better than those whom, according to them, favouritism or ignorance has pitchforked into the service. I am therefore against nomination.

Recruitment by examination of nominated candidates is open to all the evils above indicated. Nomination from the list of candidates who have passed an examination stands on a better footing. The scope for patronage and jobbery is restricted. If one could be confident of a fair examination of a high standard, it might be tried, if the scheme I suggest is not acceptable. It will, however be open to all the objections I have set forth to a separate examination in India, and I feel pretty certain it will be manipulated to favour classes and possibly excite class feeling. Except for higher appointments in the judicial service, I think that recruitment by open competitive examination is preferable to any alternative that has been suggested. It is certainly so in the case of Indians; in the case of Englishmen also except for appointments to the Executive Council.

8067 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest? (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?

So far as Englishmen are concerned, it is however faulty in this respect, that it brings into the service generally only men of the class who could afford to give the costly University education of Oxford, etc., to their boys. In the Universities, it is said, they often imbibe the unhealthy instincts to which I have referred. Indian competition for the same prizes does not tend to create harmony. These University men, with their Indian environment, naturally regard Indian aspirations and popular institutions with the same sympathy as a Bourbon or a Stuart did the Parliaments of old. I therefore suggest that the age-limit may be lowered to enable all classes of English boys to compete, before they are subject to unhealthy Oxford and Cambridge influence, and that they may be trained afterwards in the Municipal Institutions or select Universities in England.

8068 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—The age of the Indian should be so fixed as to enable him to receive that education in Government schools which would fit him to enter an English University. Ordinarily he is now two years behind. It may be reduced to one by improved methods. (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

As regards Indians the present system of holding a competitive examination in England is faulty and stands self-condemned, as it practically excludes them from the Civil Service and tends to perpetuate a sense of degradation. Whatever the ostensible motive, it is really designed and defended to carry out that object, and is thus opposed to the solemn assurances of the Crown and therefore a breach of faith. It betrays a fear of open competition with Indians and so lowers the Civilian in the eyes of educated India. It has produced just discontent and is bound to become a political danger.

Moreover, the moral, social and political regeneration of India has to be brought about by the Indians themselves; not by the Englishmen who, I said before, know so little of real India. This cannot be effected if the officials are against movements designed to bring it about. It can be carried out smoothly if they co-operate with the Legislative Councils and the Leaders of Indian public opinion. The course of progress will accordingly depend upon the strength of the right Indian element in the services; no nation which has lost its respect can make substantial progress, and this reiteration of race inferiority is bound to provoke the Indians to prove their equality. I am therefore in favour of simultaneous examination subject to certain conditions, designed to meet the objection generally advanced against that system. If those or similar conditions cannot be imposed I am not for simultaneous examination.

The scheme that I suggest for consideration on these principles is this:—

Candidates should be selected by competition and there should be only one examination for the Civil Service appointments, to be held simultaneously in India and England. In the case of Indian students it is to be a preliminary examination: I would give to the Secretary of State a discretionary power to admit a larger number of candidates in their order of merit than declared at first after the results are published. The passed candidates should be in an University for the usual period to take a degree or undergo the course of training under Barristers of a certain standing, for the period required in an English student of law to practise at the English Bar, or receive a course of training in Municipal Government.

It would be open to the Secretary of State, on a recommendation to that effect from the head of

of the College or the Barrister or any other person under whom the candidate receives his training, to declare him ineligible for admission into the Civil Service Such candidates may be drafted into the departments which are recruited from England, or taken into the Provincial services under such conditions as may be imposed on them. I would lower the age-limit to make the University training follow the selection.

8069 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportions of the posts, included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

This brings to the front the question of the minimum English element in the Civil Service. If the appointments are made under the conditions suggested by me, the question is easily answered. If Englishmen are required to carry out what is called the English principles of Government, then as no Indian is likely to be admitted into the Civil Service who does not satisfy competent English authorities of his fitness for the same the necessity will not arise. Other qualifications being equal, for administration the Indian has great advantages; an Indian Collector or Judge is in a far better position to put down corruption. He is not dependent on informers, detectives and low-paid subordinates alone for information, as he will be in touch with the respectable men in the district, moving in their society. For the same reason, the oppression of subordinate officials will practically vanish. Probability and experience show that Indian Officials are better able than Englishmen to prevent riots between different classes, like Muhammadans and Hindus, different castes among Hindus; it is often said, and there may be instances to justify the imputation that Indian officials in a sudden emergency, when they had to act at once and with decision, did not rise to the occasion. Apart from the fact that there are believed to be similar instances of English Civilians, this argument is given undue weight. The Indian officials who have risen to responsible positions are comparatively men who rose from the ranks. Their conduct should not be contrasted with that of young and energetic English officials. This will not be the case in future if young Indians are appointed as Divisional officers. Hitherto different standards have been applied: indulgence to possible errors of judgment in the one case, not in the other. This tendency will for various reasons not be so pronounced in future, more particularly as there is an Indian Member in the Executive Council. On the other hand, where the Indian has felt himself free from the ordinary restraints, he has acted with the necessary vigour and promptitude. In Moplah outbreaks generally no officer, Hindu or Muhammadan, has been found wanting. I will not now refer to an Indian Collector's influence in the interests of moral and economic progress.

All the main objections to Indian appointments pointed out in the blue book on simultaneous examinations have force only in the case of appointments as hitherto made in India. They do not apply to recruitment under these conditions.

It must however be noticed that a European carries with him the prestige of his race, more particularly among rude and lawless tribes, and in these days when sedition cannot be said to be extinct, political considerations might require larger or exclusive appointments of Europeans in certain localities. I have therefore reserved power to the Secretary of State, after the results of the Civil Service Examination are ascertained, to further increase the admission so as to get the requisite number of Englishmen or persons of any particular class if available, the only condition being that he must not leave out any Indian above the last Englishman so admitted I do not think it is necessary to impose any rule of a minimum European element if the recruitment is made as suggested by me. If a day should come when Indians of the type I have in view are available to fill every appointment now held by Englishmen (and to govern India, if England has to, peaceably so far as India is concerned, sever her connection with it as Rome had with England) I should be glad. India will then be a strength to an Empire of beneficence without being a polluting element in her moral organism. She will then be quite fit to take her proper place in the Imperial Government. In what is said to be less advanced Russia there are, I believe, seven Muhammadans in the Duma.

But if the recruitment is not to be so made and men are appointed of exclusively Indian training, whether by nomination or examination, the question is not whether there should be a minimum of Europeans but whether any more appointments should be thrown open to Indians. I would not give them any more district appointments. The appointment of a caste-ridden Muhammadan or Hindu will not produce the beneficial results which I anticipate from the appointment of an Indian according to the methods suggested by me. It might on the other hand intensify the evils. The risk to Indian progress in every direction would be so great that I would leave things alone as they are. I would make an exception in the case of the Revenue Board and the Secretariat; Indians should be appointed to those posts for promotion to the Executive Council; they will act as a check on the mufassal administration; such appointments to work only as colleagues of Englishmen are not open to the objections usually advanced against admission into the Civil Service.

For the same reason, the question of representation of the classes in the service does not arise. Hindus and Muhammadans of a fanatical type are of peril to the Empire.

8070 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?

I have already stated my reasons for my opinion that University young men whom we now get with their official training are not suited to lead India to local self-government. Experience justifies this view. The members of the Executive Council at least should therefore be in sympathy with and able to help forward Indian aspirations in this respect. Sir Arthur Lawley, when Governor of this Presidency, said in a public speech the other day that migration to Ootacamund as it now takes place is necessary in the interests of the Members of Council on account of their age. Such men, even if they have the wish, are not likely to retain the energy requisite to carry on an efficient

administration on popular lines. At their age they find every reform scheme impracticable. I would therefore leave the appointment to the unfettered discretion of the Secretary of State and not confine it to the Civil Service. If however it is necessary to confine it to the Civil Service I would give a voice to the elected members of the Legislative Council in the appointment. Though the matter does not strictly arise on this question, for the reasons already given I would leave the appointment of the Indian Member of the Executive Council also to the elected members of the Legislative Council.

8071 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?

I think it indispensable that there should be an effective separation of the Judicial Branch from the Executive.

Without a Judicial frame of mind, that would deal with a case on its merits disregarding every consideration of its possible effect on the Executive Department, justice can never be satisfactorily administered. No person therefore who was, before he became a Judge, in office, either as a Civil Servant, or as Law Officer of the Crown in India, sufficiently long to be saturated with official views and sympathies should be appointed. For the same reason an early training in the Executive Department incapacitates him for judicial work. During that period he also loses touch with law. Such knowledge as he is presumed to acquire may have been necessary in days when there were no Indian Pleaders. But every information that is necessary for the determination of a case is now placed by them before the Judge by Indian Pleaders. A Judge who has been an official before, often looks beyond the evidence to discover the truth, and this fact often leads the police to place before him false evidence as a mere formality to enable him to convict. The traditions of a service which regards the tax-gatherer or the Collector of Revenue, and not the Judge, the dispenser of justice, as the true representative of the King-Emperor, are not favourable to the growth of a judicial temperament. I have been dealing with the case of a Judge who has ceased his connection with the Executive Branch.

But a Magistrate who is also interested in the administration of the Police, Abkāri, Forest, Salt Departments, or in the working of the local bodies, seldom inspires confidence in trials before himself, and parties have no confidence in impartial justice in trials before his subordinates. Protests are frequently made before the High Court in the form of applications for transfer. His subordinates are seldom therefore independent Magistrates. Cases are not unknown where Subordinate Magistrates' decisions have been interfered with on departmental information which did not form part of the evidence, or in the interest of such departments. Paying more attention to the executive side of their work, the Civilian District Magistrate appoints subordinates more on account of their fitness for revenue work than judicial capacity; and the results may be easily anticipated. The High Court have found themselves unable to exercise any effective supervision over the subordinate judiciary. The Magistrates are often transferred in revenue interests and the parties whose cases have been part heard are prejudiced. Exigencies of revenue administration compel Magistrates to practically disregard provisions of law, and manifest hardship and injustice result. I doubt whether any person will deny that the separation of Judicial Service will be an improvement. I feel quite satisfied that it is a necessity.

Sir C. SANKARAN NAYAR, called and examined.

8072. (*Chairman.*) You are a Judge of the High Court of Madras?—Yes.

8073. What is your caste?—I am of the Nayar caste.

8074. In your written answers I notice that you mention certain classes that you would exclude in future from the Civil Service?—Yes, if possible.

8075 Those you mention, I take it, represent a not inconsiderable number of the community in India?—A number sufficient enough to be taken into consideration in dealing with these questions; whether considerable or not I am not prepared to say.

8076. Do you anticipate that if you were to adhere to that conclusion you would find certain difficulties in putting it into practical operation?—Yes.

8077. How would you get over those difficulties?—I have suggested what appears to me to be the best way of meeting the difficulty, and that is by holding in India for the Indian Civil Service the same examination that is held in London for the Home, Indian and Colonial Services, and then a course of probation in England under certain persons or certain institutions which will enable the person or the Professor under whom the probationer works to find out whether there is any good reason for saying that he is an undesirable man. I do not say it is perfect, but that appears to me to be the best scheme I can suggest.

8078. I will not go through the list, but you would regard any that possessed that type of mind as unsuitable?—Yes, decidedly.

8079. Unsuitable as officials to have their share of the Government of the country in the Civil Service?—Yes, I mean in the Service not in the Legislative Council. That is a very different matter.

8080. I notice that you lay stress on the importance of the Indians who are selected showing their proficiency in Western culture as distinguished from Oriental learning?—Yes.

8081. By that, I understand, you do not suggest you would regard Oriental learning as not being an important factor?—No, I would not exclude that. I would attach great importance to Oriental learning in the case of English students, but I would not attach so much importance to Oriental learning in connection with the Indian student, having regard to the surroundings in which he is brought up and the probable surroundings of his later life. In the case of the English student, however, I would attach great importance to it.

8082. You consider that the early career of the Indian would be sufficient for all practical purposes without any specific training in that direction?—Yes, and his subsequent surroundings. After

he enters the Service he will spend his life in India.

8083. But you would not extend that idea, I suppose, as far as efficiency in the vernaculars is concerned?—No, I would not. The more languages he can speak the better.

8084. I notice that you sum up your conclusions in the direction of being strongly in favour of simultaneous examinations held in England and in India?—Yes.

8085. But you do so subject to certain specific conditions?—Yes.

8086. I am merely going to repeat these in a summarised form to elicit from you whether I am correct in understanding the proposals you put forward. First, you think that the open competition should be held at a school-leaving age?—Yes.

8087. Secondly, that the selected candidates should then go to a selected University for a degree or read for a call to the Bar?—Yes, or receive a course of training elsewhere, such as in a municipality or otherwise.

8088. And particularly that there should be complete discretion to weed out undesirable candidates during the probationary period?—Yes, subject to two checks; the power of rejection should originate with the person under whom he is working, not with the Secretary of State or anybody else, and that discretion should be revised by the Secretary of State.

8089. You do not seem to have any great love for the training at the Universities of Oxford or Cambridge?—No.

8090. Why have you come to that conclusion?—From my experience of those Universities.

8091. Do you come to this conclusion from observation of the Universities or from the observation of those who have been trained at the Universities?—Both.

8092. Therefore when you talk of selecting a University for a degree you would exclude from your list the Universities of Oxford and Cambridge?—No, I would not; I would leave it to the Secretary of State.

8093. Do you think the Secretary of State would be likely to exclude Oxford and Cambridge?—I do not know.

8094. And you are not prepared to give us any opinion as to particular Universities: you would leave that in the hands of the Secretary of State?—Yes, as it depends upon a variety of considerations, many of them personal to the candidate.

8095. Unless the conditions which I have referred to can be fulfilled you would recommend a system of nomination in India from a list of candidates who have passed a prescribed examination?—I do not recommend it; I only accept it because I cannot get anything else.

8096. You only offer it as a very secondary alternative in default of not getting the first?—Yes; very, very secondary.

8097 I am not quite clear from your answer to question (19) whether under your scheme of simultaneous examinations the same age limit would apply for Indians and Englishmen?—No, it will not. My idea is that the age for the English candidate should be ordinarily the age at which he now enters the University, the school-leaving age or whatever you call it there, and that the age of the Indian student should be that at which he is ordinarily fit to enter the English University. At present the student who is fit to enter the University of Madras, for instance, after passing the Matriculation examination, would not ordinarily be fit to enter an English University. That is the opinion I formed some three years ago. He will be ordinarily two years behind and he will have to study for about two years more to make himself fit to enter an English University. Therefore I would adopt that age in order to place them on an equal footing.

8098. What approximately would be the age for an Indian?—In India the ages have been rising recently. The average age of a boy who passes the Matriculation used to be, I think, about 16 or 17; now it is over 18. That is under certain regulations passed by the Madras University which had that tendency.

8099. So that your age for the Indian would range possibly between 18 and 20?—Yes.

8100. You advocate the complete separation of the Judicial and Executive branches and their functions?—Yes.

8101. Would you consider it of importance that Revenue officers should be left with sufficient magisterial powers to enable them to discharge satisfactorily and effectually their work as such?—The only power that is required is the power to recover revenue in a summary manner; nothing else is needed.

8102. The only power you would anticipate in that direction would be to enable them to enforce the authority to gather in revenue?—Yes.

8103. If, in the course of demanding revenue, trouble or disturbance were to take place you would clothe the Executive officer with sufficient power to maintain order?—No; that is unnecessary, because it has never been found that he has had to call into requisition any such power. The enforcement of a revenue demand has never been connected with any difficulty that required the interference of the magistracy, so far as I know.

8104. If any disturbance were to take place, would there be likely to be, under your scheme, a Judicial officer present, to undertake the work of maintaining order?—It is one of those things that having never happened I never contemplated. All I can say is that there has never been any difficulty of that sort so far as land revenue is concerned. There have been occasions when other things have happened.

8105. Do you anticipate, if this proposal of separation were carried out, that considerable expense would be involved?—I have heard it said that considerable expense would be involved, but I have not been able to go into that question because the materials are not available. I have heard it said, however, by Members of the Government and others that it will involve considerable expense.

8106. Involve additional expense on account of an increased staff?—Yes, but some time ago, in Sir Grant Duff's time, he asked a friend of mine to formulate proposals to show what that increase would be, and certain proposals were formulated for one or two districts and the increase was very slight in those cases.

8107. If, on investigation, it was found that it involved a considerable additional expense to the State, would you still say that the advantages

gained would be worth the additional cost?—Yes, because I regard the administration of justice as the prime end of Government and everything else must be subordinated to that.

8108. You do not think that the administration of justice can be in its entirety effectually carried out under the present system?—No.

8109. With regard to the conditions that you impose under the simultaneous examination you say that the candidates should first of all pass a preliminary examination?—That is a simultaneous examination, the Civil Service Examination.

8110. Having passed that you would then give to the Secretary of State a discretionary power?—Not to him; he will only have the power of revision.

8111. I think we are both of the same opinion. After the preliminary examination the candidate would either go to read at the Bar under a Barrister in Chambers or else to some University, or go into training for municipal work?—Yes.

8112. And it would be upon the certificate either of the head of the college, the Barrister, or the head of the Municipal Government that the discretion of the Secretary of State would rest?—Yes.

8113. He would have the final decision?—He would have the final decision if that authority recommends his rejection, but if he does not recommend his rejection, the Secretary of State has no option.

8114. If he rejects, the Secretary of State could rescind the rejection?—Yes, that is what I mean. There is no initiative left to the Secretary of State.

8115. Assuming that a large number of Indian students went Home, after passing the examination, and went through these various probations that you mention, and assuming that those who were in control of them did not find them satisfactory and recommended the Secretary of State not to appoint, do not you anticipate that there would be a good deal of dissatisfaction?—That is why I say they should be taken into other departments in the service.

8116. What other departments would you suggest?—The departments where those qualifications may not be so very essential. The qualifications which are indispensable in the Civil Service might not be so very essential in the Forest department, say, or in any of the Scientific departments like the Geological department. Or supposing the Secretary of State considers him fit to be taken into the Provincial Civil Service as a Subordinate Judge or Munsif or a Deputy Collector, then he might be absorbed into that.

8117. Do you think it would conduce to the efficiency of those departments if they were filled with rejected candidates?—They would not be in any way inferior to the candidates whom you are going otherwise to take into those services in India.

8118. Supposing the rejection was based upon reasons of character and so on?—If the Secretary of State thinks they are not fit even for that, they might be rejected *in toto*.

8119. You are going to give to the Secretary of State pretty wide power?—Yes; it is much safer to leave it in his hands than in the hands of others with whom you have to leave it otherwise.

8120. Do you think that would satisfactorily meet the modern Indian demand?—It would meet the demand much better than any other scheme I can think of or that has been placed before the Commission.

8121. Therefore these candidates would be placed in the existing departments?—Yes. I may say once for all that I do not intend anything that I suggest as a very satisfactory scheme, but compared and contrasted with the other schemes that have been suggested I think it is preferable. It is not to be taken by itself, but if you take that into consideration with any other scheme anybody suggests then I think this will be preferable to the others, or to those that have been suggested to you now.

8122. (*Sir Murray Hammick.*) Just at the end of your note you say "Exigencies of "revenue administration compel Magistrates to "practically disregard provisions of law, and "manifest hardship and injustice result." Could you say what was in your mind there?—Disregard of law.

8123. Practical disregard of the provisions of the law?—Yes, I will give you one instance to start with just to illustrate what I mean. The provisions of the Criminal Procedure Code require that a case should be adjourned only when the interests of justice require it, *e.g.*, the convenience of the party or of the court, the absence of a witness; but it is—I will not say a usual thing but—a thing that is very often done, to adjourn the hearing of a case, for instance, if the Magistrate who is trying it as a Revenue officer has to go elsewhere for revenue purposes, with the result that the trial is delayed, that all the witnesses are put to a good deal of inconvenience, and the parties are often dragged to the places where the officer goes. I think that is illegal.

8124. (*Mr. Abdur Rahim.*) I should like to know why you exclude Law Officers of the Crown, the Advocate-General, the Public Prosecutor and Standing Counsel?—If a man comes out here as Advocate-General and remains in that position for a very long time, then he is in a different position from a Lawyer who is appointed Advocate-General from the local Bar. A man practising in the Madras High Court comes into contact with all sorts of people and he knows the habits of the people, and he appears for the defence or for the prosecution. I would take no possible exception to a man like that being appointed Advocate-General, but supposing you bring out a man from England as Advocate-General who is only in contact with the Government generally, that man, I think, is not a fit sort of man to be Advocate-General. Similar objection is taken in England also.

8125. There are other Law Officers of the Crown, Standing Counsel and Public Prosecutor, who are generally appointed here?—I see no objection to that. That is why I added the qualification.

8126. Even an Advocate-General coming out from England may expect to have a large practice?—It is possible, but in Madras it is not very probable.

8127. Why do you not say not probable?—From experience.

8128. I see you have expressed yourself very strongly on the question of separation. I believe you have had considerable experience as Public Prosecutor and Advocate-General?—My experience has been first that of a man who has been defending the accused, then it has been that of a man prosecuting, and so I have had experience on both sides.

8129. You are, I suppose, speaking from experience, not merely as a matter of theory?—There is absolutely nothing of theory in anything that I say.

8130. What do you think of the merits of a system by which an Indian Civil Servant would be required to do miscellaneous executive work, such as falls to the lot of a Revenue officer, for eight years, and then goes to England and for a year or two studies in a Barrister's Chambers, attends lectures at the Inns of Court, and then comes out and takes up his official duties?—I have stated my views in a minute which I submitted to the Government and I believe it has been sent to you. I do not think it is necessary for any person to go to England to acquire a knowledge of law; that can be acquired quite as well in India, and that knowledge of law which is necessary to Indian conditions can perhaps be acquired better here. But I think it is essential that a student should go to the Inns of Court and the Courts of Justice in London to acquire that judicial frame of mind which is necessary to the right administration of justice. But in the case of an Indian Civil Servant who has been in the Executive Department for eight years, it appears to me to be almost impossible, or extremely difficult—I will not say impossible—for him to divest himself of the official sympathy which would be engrained in him. In his case this training is therefore futile.

8131. You have had experience of junior civilians doing revenue work?—Yes.

8132. Does that or does it not give him a certain training which will be of value to him in exercising judicial powers?—I do not think so. I am quite aware that civilians take it as undoubted, but I do not think so

8133. What experience does a Revenue officer requi e?—The experience that it is alleged he acquires is the experience of the land tenures of the country. But I think a man acquires much better experiences of that by hearing a case in Court where all sides of the question are presented for investigation

8134. You had a considerable practice while at the Bar, and I take it you had to deal with revenue cases involving questions of land tenure and revenue?—Yes.

8135. Have you found as a rule that members of the Bar who are in practice are deficient in a knowledge of the revenue law or of land tenure?—No

8136. Or that the Revenue officers are more conversant with these subjects than experienced members of the Bar?—I do not know whether I may be right in saying it, but I have found that Law officers have to put Revenue officials very often right.

8137. Even in matters of revenue law and land tenure, do not the district Collectors in practice take the opinion of members of the Bar and Law officers of the Crown?—That is what I meant. It is from experience gained in that direction that I mention that.

8138. In what capacity have you had to give opinions?—I had to give opinions as Government Pleader and as Advocate-General, and before that in special cases in which my opinion was asked.

8139. Was there a large number of cases in which such an opinion was sought?—Fairly large.

8140. Are they sought in only simple cases or in difficult cases?—They are only sought in difficult cases.

8141. Have you had opinions asked in simple cases, or what you would consider to be simple?—Yes.

8142. By what class of officers?—When I was Government Pleader heads of departments asked my opinion, and when I was Advocate-General it was the Government who asked my opinion, and before that I used to be consulted in particular instances, and not only I but other lawyers of the Madras High Court.

8143. Did you get cases referred to you as Government Pleader for opinion from the Board of Revenue?—Yes.

8144. And as Advocate-General too?—As Advocate-General from the Government. I believe the Revenue Board get our opinion but through the Government. I am not quite sure of the exact procedure.

8145. With regard to the trial of criminal cases, have you found in your experience that Indian Magistrates and Judges are as a class deficient?—I cannot say I have found so; I have practically found no difference between one and the other; one is as good as the other.

8146. Is there any opinion in the profession that Indians as a class make less efficient Judges in criminal cases than Europeans?—Certainly not.

8147. Is there any such public opinion in the Presidency?—Not that I know of.

8148. In your large experience at the Bar can you say whether practice at the Bar, or the duties of a Magistrate and Judge, give a man quite as much opportunity of knowing the people of the country, their habits and experience, as the work of a Revenue officer?—I decidedly think so; I think it is much better. As I have repeatedly said, when a Revenue officer goes to a village a ryot thinks he comes to enhance the assessment and tries as much as possible to get as much out of him as he can. I could give you one instance. One maintenance suit will give more information about the actual condition of a family than any other instance a man can give. Supposing a widow or a person in a family sues the head of the family for maintenance, it is necessary to go into the whole condition of the family, what the income is, what is payable, how much they get out of it, how much they have to spend, and how much is payable to each of the members.

8149. I should like to have your opinion as to the value and extent of the knowledge which a member of the Civil Service has, after 18 years' work as a Revenue officer, of the people and the country?—It depends on the man himself what knowledge he gets, but ordinarily so far as the experience that is necessary for doing the duties of a Judge is concerned I doubt very much whether he gets much experience. That is all I can say.

8150. With regard to the first paragraph of your statement, do you know many Moulvis?—I know those persons who correspond to Moulvis whom we call Tundlis.

8151. Are they really learned in Arabic?—They are supposed to be learned in Arabic; there is a college there, and they are supposed to be learned in the Koran.

8152. You do not know whether a Tangal can really be called a Moulvi or not? They generally call them Moulvis here, I do not know whether rightly or wrongly.

8153. Is that the type of man you are thinking of?—Yes.

8154. The heads of the Moplahs?—I mean Moplah priests.

8155. I take it you do not know any other Moulvis?—Outside means only information obtained from other people.

8156. When you are speaking of the Moulvi cast of mind you mean the Tangal cast of mind?—Yes, the cast of mind described in detail in my statement.

8157. I should like to understand how simultaneous examinations would effectively test a man's capacity for administrative work?—It will not; I never said it would.

8158. How would the head of a college in England be able to find out whether a Hindu or a Muhammadan has the Moulvi cast of mind?—He will be able to do it much better than any Englishman here in India.

8159. What is he expected to enquire into?—No. I say he by association would be able to know it much better than an officer in India who may have to nominate a person to an office.

8160. (*Mr. Macdonald.*) You end up your last paragraph in your answer to question (9) by saying "I do not therefore approve of selection by separate examination in India." Supposing after a separate examination in India the successful candidates were compelled to go home, would that meet your views?—No. You will see the objections I have put forward. If you have a separate examination in India, it will be always thrown in their teeth that they are an inferior set of men.

8161. You regard that as an essential objection?—Yes, I regard it as essential that those who are opposed to Indian aspirations should never be able to say: "You are not as good as we are, you have not been subjected to the same tests as we have been, and therefore you cannot claim the same privileges; the tests we have been subjected to are far severer than the tests you have passed."

8162. In your mind the adjective "separate" includes "lower"?—Yes.

8163. That is essential to your condemnation of it, that a separate examination would not be an examination of the same level but an examination of a lower level?—Yes.

8164. Supposing the separate examination was of the same level?—It will not be accepted as such. You may say it is of the same level but a man who is not disposed to admit it will always say it is not.

8165. Even if the papers are stiffer?—Yes, because very possibly the subjects would be different.

8166. And made up at home by the Civil Service Commissioners with instructions to produce a similar test?—Even then they would say it was not equal. Any test which you could suggest which would be the same for both I would accept.

8167. Your second conclusion is: "I am therefore against nomination." But is not, at any rate, a considerable amount of nomination involved in your scheme?—No. The nomination herein referred to is nomination not restricted in any sense.

8168. The candidates pass an examination and then have to go to Barrister's Chambers or a College or Public Office for training. Then the authorities of these places, the Barrister, or Head of the College, or the Town Clerk, can say "I think that this man is not eligible" and the Secretary of State can say "I agree?"—That is not nomination; that is rejection.

8169. You mean that is a lack of nomination?—It is almost opposite to it. It means you have to say that this man should not be accepted.

8170. But in nominating do not you think the positive act involves the negative act?—Once the class is ascertained by simultaneous examination or any other test, the difference is not very material. Otherwise nomination enables you to bring in any person you like, which you are not able to do once the class is ascertained.

8171. I will not press it because the difference is very largely verbal, I think. Later on you refer to Universities. Is it your opinion that the service here suffers because it is recruited largely from one type of training and class of men?—I think so.

8172. Supposing one was inclined to agree with you, can you obviate that so long as the gateway into the service is one of competitive examination in the main?—I cannot suggest a way of obviating it. I only suggest what appears to me to be an improvement on the existing scheme. I do not say at all that the proposal I make will meet the difficulty or will meet the situation satisfactorily, but I think it will be an improvement if you leave it open to a larger number of classes of individuals.

8173. Would you agree that so long as we are confined to University men and to University tests we are drawing mainly from a class in England that has high executive ability, but very doubtful political ability, and that the class of man that is to govern India must combine administrative ability with political ability?—Those terms to me are so very ambiguous that I do not like to commit myself.

8174. They are terms that we frequently use at home and are quite well understood. The administratively able is the man who does the machine work—to use an expression, without the least offensiveness, in its proper and scientific relationship,—the bureaucrat like the German official. You get that type of ability to run the machine on efficient lines. Then there is the other type of abilty, the man who knows how to get into touch with the great mass of people; that is political ability. Those two must be combined in the ideal Indian servant? And if we could devise some means of selection either by examination or otherwise, to get them both, that would be the ideal?—Yes.

8175. Then am I right that the meaning of your answer is that from the old Universities of Oxford and Cambridge you get an excellent man of the first type of mind?—Yes, administrative

8176. But the second qualification, the political qualification, is not quite so certain?—As far as India is concerned that is so.

8177. You know our English conditions very well?—I do not know about that.

8178. You have heard the consideration advanced by Indian witnesses that so long as the examination is confined to England the Indian student is at a disadvantage on account of expense and other things?—Yes

8179. So long as the examinations are confined to the older University men, is not an enormous class in England barred as effectively as this corresponding class in India?—That is what I have said. I have said it brings into the service only men of the class who can afford a costly University education.

8180. And is it your opinion, from a knowledge of both countries, that the Indian Civil Service suffers because that English class is not adequately represented?—Yes

8181. And cannot be represented so long as the present system holds good?—Yes, that rightly represents my views on that question.

8182. Later on you use this expression, which I think is new so far as our evidence goes: "It betrays a fear of open competition with Indians and so lowers the civilian in the eyes of educated India." Do you mean by that that there is a sort of feeling in India amongst the educated Indians that so long as the door of the Indian Civil Service is only through England it means that we are all afraid of them?—Yes.

8183. That our people come in as a sort of protected article?—That is what I mean.

8184. Would you say that that is widespread amongst educated Indians?—Amongst educated Indians there is a feeling that if you have simultaneous examination you would get into the service such a considerable number of men, that you would alarm the present civil service, and that therefore they really fear that the service might be swamped and therefore they do not like it. They believe it is only by closing the service in that way, by confining the examination to England, that they can keep it to themselves.

8185. That is what you want to tell the Commission?—Yes.

8186. You say in the last paragraph of your note: 'Cases are not unknown where subordinate magistrates' decisions have been interfered with on departmental information which did not form part of the evidence, or in the interest of such departments." Do you mind telling me more exactly what that means?—Supposing a case is heard by a subordinate magistrate and, what we call in law, discharged, thrown out by the magistrate on the ground that no case has been made out by the prosecution. Then the District Magistrate has the power of what we call revision; he may set that aside and direct a further trial either before the magistrate who originally heard the case or before another magistrate. The District Magistrate receives police reports, and he knows from the police information what sort of character the particular accused bears amongst the police, and he imports that knowledge into his consideration of the case and it might influence him to some extent. I do not say that in cases which are perfectly clear he would interfere, but there are many doubtful cases in which he will say that the man shall be tried again, and he sets the decision aside and directs a new magistrate to try the case.

8187. You say that cases of that kind are not unknown?—That is so.

8188. Actual and definite cases?—Actual and definite cases.

8189. Illustrating that evil which you have described?—Yes, to my knowledge.

8190. Is that owing to the fact that, to a certain point at any rate, there is no separation between the executive and judicial?—It is only due to that.

8191. (*Mr. Gokhale.*) You would leave the selection of a University or Universities at which the selected candidates are to study to the Secretary of State?—Yes. I do not mean to say, for instance, that the Secretary of State is to say that all students are to go to the University of Oxford, or to Aberdeen, or to Edinburgh—nothing of that sort. I would leave it to him to decide which university is best suited to any student.

8192. But supposing he selects Oxford or Cambridge principally, what would happen to your objection to the unwholesome influences of those Universities?—We shall have to trust to time and experience.

8193. Are you quite sure that the influences of Oxford and Cambridge are altogether unwholesome?—I did not say altogether unwholesome. It may possibly disappear, because my latest information is that those Universities reflect the general opinion, and it is possible that in the course of time its influence may be beneficial.

8194. Are you being influenced in your opinion by a passing phase or by the enduring character of the influences?—It is difficult for me to judge; all I can say is that this is what I find there. I think that it is likely to last some time, but it may disappear; I cannot say anything about it.

8195. You know that there is and always has been very considerable liberal thought at these Universities?—Yes.

8196. And that some of the finest Englishmen have been representatives of this liberal thought?—Yes.

8197. You also know that the main liberalising movements in India have drawn their first impetus from influences that have come from Oxford and Cambridge into this country?—Do you mean from students?

8198. No, the earlier Englishmen that came into this country, representative of Oxford and Cambridge culture?—That may be; I do not know.

8199. Principals of colleges and so forth?—I am not sure about that. So far as the Presidency of Madras was concerned one man was a graduate of Cambridge and another man came from a Scotch University.

8200. I am talking of the sixties, immediately after the Universities were established?—That is what I meant, and of the two men that I have in view, Porter and Miller, one came from Cambridge and the other from a Scotch University.

8201. Taking the country as a whole, I think you will find that Oxford and Cambridge influences have contributed certainly much more than any other University to the liberalising of India?—I do not know.

8202. (*Mr. Chaubal.*) When you say, "I am therefore in favour of simultaneous examinations," is that a conclusion from the two previous propositions in large type, "I do not therefore "approve of the selection by separate examina-"tion" and "I am against nomination"?—I cannot say; it may or may not be.

8203. I should like you to consider whether your being in favour of simultaneous examinations subject to certain conditions is based mainly upon your previously having come to the conclusion that you are against selection by separate examination and against nomination?—Of course it must have very much influenced it, there is no doubt about that.

8204. Your third proposition represents in one form or another both examination and nomination or selection?—I do not quite follow you.

8205. You have first a competitive examination?—Yes.

8206. Followed by a certain kind of selection which you prescribe as a condition?—No. As I was observing to Mr. Macdonald, that is a certain kind of rejection, which is a very different thing. When you reject a man you have to be satisfied that he is unfit. In the case of nomination it is altogether different; you take the best man that offers himself amongst the lot.

8207. It is a process of selection, is it not?—I do not think so.

8208. Do you not think that any process of rejection ultimately is a process of selection?—No. Words may mean anything, but the mental attitude is altogether different.

8209. So far as your third proposal consists of an examination, it would be a sort of separate examination in India?—No. If my proposal is accepted, it will only enable the Indian student to say "Here are my qualifications, they are "better than yours." They will say, "I have "passed the same examination which you have "passed, I have undergone the same tests that "have been applied to you, and in my case there "has been a further test."

8210. I was not putting that question. It is an examination in India?—No.

8211. Where do you hold your simultaneous examination?—In England and in India.

8212. According to your scheme there is an examination in India?—No. By an examination in India I mean examination questions prepared for students only in India not the questions prepared for English students which are given to Indian students to answer.

8213. What is one to understand by your being in favour of simultaneous examination?—An examination is held in England for selecting English candidates for the Home, Indian and other Services. Indian students are allowed to compete. The same papers are sent to India for candidates for the Indian Civil Service to answer in India.

8214. You hold an examination in England?—Yes.

8215. At which English and Indian candidates appear?—May appear.

8216. Then you examine their papers?—Yes.

8217. And then you come to the conclusion as to what candidates are fit in that examination?—Yes.

8218. Having come to that conclusion, what is the next step. Do you send those papers out here?—No. The examination is held here at the same time; not a different examination but that examination.

8219. Therefore it is an examination to be held in India?—Put it in any form you like.

8220. I do not wish you to accept anything I say?—Of course I am not going to.

8221. I want to know really what is the process?—I cannot put it better. It is the same examination to be held in two places, that is all.

8222. The same examination to be held in different places, and because it is the same examination held in different places, it is only on account of the accident of its being at the same time that you call it simultaneous?—No, I say the paper is the same exactly.

8223. The paper is the same, but the candidates sit in two different places?—They may come from Oxford or from Cambridge.

8224. They sit in England and in India for the same examination. Is that your point?—Yes.

8225. That is all I wanted to see, whether they sat in India?—Of course.

8226. Having sat for that examination in India what happens after that?—What happens now in London after the examination results are made public?

8227. Having come to the results of your examination in England, and having come to the results of the examination in India?—That again is not what I mean. The result is the same. There is no difference.

8228. You put into one list the results as regards the candidates who sit in India and those who sit in England?—Exactly.

8229. Having held that simultaneous examination, you send such candidates as may be selected in the examination, according to the required number of vacancies?—I am afraid from what I have written I have not made myself clear, so I will put it in this way. Supposing the Secretary of State says that for this year fifty persons are wanted Then he holds the examination and makes out a list of those who have appeared for the examination, and he selects the first fifty.

8230. Coming from both places?—Yes, there is only one list. So far as I am concerned and my scheme is concerned, the Secretary of State would not know where they came from. He selects the first fifty persons. Then I leave power to the Secretary of State to go down that list, if the necessity arises, and take the next ten or twelve, because I do not think from my experience that there would be much difference between the students who immediately follow and the students that have been selected, up to a limited extent. I do not say if you go very far down there will not be a difference. The Secretary of State will exercise that power with reference to the marks that have been obtained by the boys below that limit of fifty and with reference to the classes that would come in.

8231. Supposing out of the first fifty there are ten Indian candidates, then you would send ten *plus* about five or ten more?—If the Secretary of State thinks there ought to be five or ten more and he can bring them in within that number?

8232. Then they go and take this training?—Yes.

8233. And then comes in the principle of rejection?—Yes.

8234. May I trouble you with the same question that has been already put in one shape or another. What is your principal objection to the training in Oxford and Cambridge?—I have said what it is.

8235. I have not been able to follow exactly what the objection is?—Then what is the use of my explaining again. I cannot put it better than I did.

8236. I did not understand you to explain it?—I do not think they are brought up in that habit of thought which conduces to the political and moral progress of India. A man like that is not inclined, for instance, to foster any municipal self-government in India.

8237. That is the most concrete form in which you can put it?—That is one form in which I would put it. There is a tendency for a man who is educated at the university to think, for instance, that an Englishman, or perhaps a European, is of far superior race to a Hindu or any other type.

8238. Would an Indian trained there think the same?—He cannot from the necessity of the thing think the same. He will not come to the conclusion that an Englishman is better than himself. Having contrasted himself with the other competitors he would probably come to the conclusion that he was quite as good as the others.

8239. Supposing that you had made your selection amongst the candidates and you send the candidates to Cambridge or Oxford and made them stay there for three years?—I have no objection to that. Under the present conditions my impression is that an Indian student who goes to Oxford and is educated there does not come back always with the best of feelings towards the English students in that university, and the treatment he receives there is not such as to foster in him the feelings of sympathy which ought to be there. Therefore I do not think it very wise, perhaps, to send a certain class of Indian students to Oxford. On the other hand, there are certain classes of Indian students who may be sent there. I do not like to be more particular. One who has been there can almost tell on sight that such a boy should not have been sent to Oxford.

8240. In the case of discharges which are revised by District Magistrates, has it been within your experience that when a discharged case is sent back for revision under section 437 of the Criminal Procedure Code, the magistrate who subsequently hears the case approaches that case with a bias in his mind that his superior wants a conviction?—I think so decidedly. It is only a very strong subordinate magistrate who will go against that view.

8241. (*Sir Theodore Morison.*) You have given us three classes of men whom it is desirable to keep out of the Indian Civil Service, and I understand that your system is, that after you have got a certain lot of these, both from England and India, by examination, you would keep them under supervision in order to be able to reject those who have the undesirable qualities?—Precisely.

8242. Do not you think that the desirable qualities which these people do not possess can be taught, that is to say, that it would be possible by a proper system of training and teaching to inspire in most Englishmen an enthusiasm for things Indian and a readiness to welcome Indian aspirations? Do not you think you might do something by education coupled with the power which you retain of rejection?—Yes.

8243. A sympathy with Western ideals is very much the product of education?—Yes.

8244. I want to know whether we cannot carry your process further by either putting Indians and Englishmen together, or, if you think necessary separate, under such influences that we might actively stimulate the desirable qualities as well as retain the power to reject those who are constitutionally incapable?—That is what I intended when I said the Secretary of State may select the place that a selected person is to be sent to.

8245. Do you recommend the selected university, barristers' chambers or municipal school as being the places where we might stimulate these qualities which we desire?—Yes, if possible; that is what should be done.

8246. I am looking at it now particularly from the point of view of the training you are going to submit the Englishman to?—Not the Englishman. I had not the Englishman in view, because I am not competent to say anything about that. I only speak about Indian students. As far as Englishmen are concerned, I suggested only a wider class to select from, and a discretion to the Secretary of State in the appointment to councils.

8247. Although you sympathise you do not actually make any suggestions?—None whatever; I cannot do it. If my words convey that impression, I did not mean it.

8248. You think that for westernising the Indians these are good agencies?—Yes.

8249. And for creating a sympathy on the part of Englishmen for things Indian?—I cannot suggest anything.

8250. And you think probably these have not much value for them?—For Indian students they have much value.

8251. And not much for Englishmen?—On that I can give no opinion.

8252. What would you say to a suggestion of a modernised and improved Haileybury, not like the modern universities in which attention is directed to Latin and Greek, but a Haileybury in which Indian culture is specially cultivated and there was an atmosphere of great interest and admiration in things Indian, putting the Englishman there, and possibly putting your Indian candidates there, so that they might get from the beginning into the habit of working as comrades?—I should like them to be in an institution where they could work together as comrades.

8253. Cannot we get them to work together?—They can work together, but I do not agree that the Indians should have an Oriental atmosphere in England; they need not go there for that.

8254. But even so we might give them special teaching. After all everybody in a college does not read the same thing?—If you can manage it otherwise it would be very desirable. So far as English boys are concerned I think it would be very desirable to give them, if possible, Arabic or Sanskrit, but so far as Indian boys in England are concerned that is not the sort of instruction I want them to have.

8255. Would it not have at least the advantage that you would be really able to test by practical

experience how these people get on together?—It would, but my own opinion is that if the Indian boys who go there are sent to selected places by the Secretary of State they will acquire greater sympathy for the people of England and a greater love for them than if they were confined to a school where they met only their future comrades.

8256. It depends on how strong the affection for a college or place is, or the *esprit de corps*?—That is so; but, as I told you, I do not care to pledge myself to any of these things, they are only suggestions.

8257. (*Mr. Subrahmanyam Pantulu.*) It has been put forward by some witnesses that Indian officers, as they are constituted at present, are not able to rise above class prejudice generally, in the discharge of their official duties, with of course a few honourable exceptions, and that fact is therefore urged as a ground for class representation in the Provincial Civil Service as well as in the Indian Civil Service? I believe for a long time you were a distinguished vakil of the High Court and you held the post of Government Law officer and then a Judge for some time. May I ask you if, in your own experience, justice has to an appreciable degree suffered in the hands of the Provincial Civil Service, Munsifs and Sub-Judges, on account of caste prejudice?—I do not think so, but at the same time this must be understood: as things now go all the Indians who have been appointed to these high offices, say District Judges or Collectors or High Court Judges, particularly feel that this is an experiment, and therefore they are very careful to see that they give no hold to such a charge being levelled against them. Perhaps they go beyond what justice requires and overdo the thing, just to show that they can never be accused of anything of that sort.

8258. In your memorandum you say in answer to question (34) "other qualifications certainly being equal, for administration the Indian has great advantages." Do you think that an officer being a Civilian has any superior advantages over an officer who has risen from the Provincial Civil Service to that position?—What I meant was that if you have two persons of equal capacity, an Englishman and an Indian, then the facilities for information that an Indian has place him in a better position than his English comrade.

8259. The fact that one officer belongs to one service and the other officer to another?—I do not mean anything of that sort. Take two men, an Indian and an Englishman, so far as we can see of equal capacity, the facilities for information and the access which the Indian has to Indian society place him in a better position and a more advantageous position than his English comrade.

(The witness withdrew.)

M.R.Ry. T. R. RAMACHANDRA AIYAR Avargal, Vakil, High Court, Madras.

Written answers relating to the Indian Civil Service.

8260 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—My experience is that it is unsatisfactory in the Judicial branch because persons having no knowledge of law and judicial training are called upon to discharge important judicial functions as District and Sessions Judges and District and First-class Magistrates. The system of recruitment by competitive examination is generally satisfactory in principle and in other respects.

8261 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I find it faulty in the following respects:—(i) The same officer is authorised to discharge both judicial and executive functions. (ii) Officers in the Judicial branch are transferred to the Executive branch and *vice versâ*. (iii) Young civilians fresh from England who have no knowledge of any of the vernaculars are appointed as Assistant Magistrates with first-class powers.

The alterations I suggest are—(i) The separation of the Judicial from the Executive branch. (ii) Persons trained in one branch and having experience in that branch ought not to be transferred to the other branch. (iii) If the present system is to be retained, the civilian officers should undergo special training before they are invested with magisterial powers and a knowledge of the vernaculars should be made compulsory.

8262 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—It is equally suitable so far as the Executive branch is concerned.

8263 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—The present system of recruitment by an open competitive examination is satisfactory in principle so far as the Executive branch is concerned. As regards the officers of the Judicial branch, they should be appointed from among the members of the bar, regard being had to their ability, standing, character and other qualifications, and also from among the officers of the higher grade of the Judicial branch of the Provincial Civil Service.

8264 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of such a system as a means of recruitment for the Executive branch.

8265 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of such a scheme.

8266 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination,

or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—In so far as the Judicial branch of the service is concerned, I do not approve of the simultaneous or separate examinations in India. I have indicated the method of recruitment for the Judicial branch in my answer to question (5). I do not consider it desirable that all classes and communities should be represented in the appointments so made.

8267 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I am not in favour of such a system.

8268 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I recommend a separate method of recruitment for the Judicial branch of the Indian Civil Service as indicated in my answer to question (5).

8269 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and "domiciled within the Dominions of His Majesty "in India, of parents habitually resident in India, "and not established there for temporary purposes "only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The definition of "Natives of India" should be altered so as to include the subjects of the Native Princes in alliance with His Majesty.

8270 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Indian History may be included in the syllabus and made a compulsory subject. The number of marks now assigned to Greek and Latin may be assigned also to Sanskrit and Arabic.

8271 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—No.

8272 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No.

8273 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

8274 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No.

8275 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—I approve of the system.

8276 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed-posts?—No.

8277 (26). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—No.

8278 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—No. Officers holding listed posts should be allowed to draw the same pay which a member of the Indian Civil Service is allowed to draw for the same post.

Written answers relating to the Provincial Civil Service.

8279 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are not suitable as regards the offices in the higher grades of the Provincial Civil Service. As in the case of the Indian Civil Service, the Judicial branch should be separated from the Executive branch. All appointments of Magistrates, Munsifs and Subordinate Judges should be from among the members of the Bar, due regard being had to their ability, standing, character and other qualifications, or from the officers in the Judicial department with special educational and other qualifications.

Recruitment for offices in the higher grades of the Executive branch of the Provincial Civil Service should be by competitive examination held in each province and open to graduates only.

8280 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—I think it should ordinarily be restricted to residents of the provinces and to the subjects of the Native States situated within the province.

8281 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—In many instances the same officer is made to discharge both executive and magisterial functions. There should be a complete separation of the Judicial service from the Executive branch.

8282 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—*Vide* answer to question (47).

Mr. T. R. Ramachandra Aiyar, called and examined.

8283. (*Chairman.*) You are a High Court Vakil, are you not?—Yes.

8284. And you formerly occupied the position of District and Sessions Judge?—Yes.

8285. What is your caste?—I am a Brahman.

8286. You are in favour of a simultaneous examination for the Executive branch of the Civil Service?—Yes.

8287. And you recommend separation of the Executive and Judicial on the ground that under present conditions persons have not sufficient knowledge of law and judicial matters?—Yes.

8288. Would your objections to the present system still continue were greater facilities given for a more effective training of Judicial officers?—It will continue because I think a knowledge of law is essential before a training is undergone, so that under the present system, as the examination does not comprise law, Civilians acquire no knowledge of law, and mere training in the knowledge of law I consider to be useless.

8289. You recommend that officers for the Judicial branch should be recruited either by promotion or by selection from the Bar; do you mean from either the English or Indian Bar?—Yes.

8290. Would you impose any limits on the proportion recruited from either of these sources?—No.

8291. Would you leave it open?—Yes.

8292. You are in favour of simultaneous examination for the Executive branch: what is your main reason for desiring that?—At present Indians are under a great difficulty in being obliged to go to England to undergo the examination, and the result is that the most competent among them, whose entrance through the examination would benefit the country, are not able to go. Therefore I consider it a disability.

8293. Do you think it would remove that disability?—Yes.

8294. As regards the Judicial branch you are not so concerned about the representation of communities?—I think no representation is necessary.

8295. Would you take the same view with regard to the Provincial Civil Service?—Yes.

8296. You would make no provision by means of a small proportion of nominations for the representation of communities?—No, because I consider it will be a serious disadvantage to the communities themselves.

8297. You are in favour of the listed-post system?—Yes, because under my system if they are to be chosen from the Bar, persons who are in the Provincial Civil Service will not be able to get in unless these are the listed posts; they are able now to occupy the places of District Judges only because the listed posts are given to them.

8298. You are in favour of the retention of all the listed posts, are you not, in the Executive branch as well?—As regards the Executive branch I am perfectly indifferent.

8299. How would you work the listed posts in the event of simultaneous examination?—About half the District Judgeships might be given to the men in the Provincial Civil Service and the other half to members of the Bar.

8300. We have had a good deal of evidence from various witnesses in favour of simultaneous examinations, and as a rule those who favour simultaneous examinations have favoured the ultimate extinction of the listed-post system?—According to my scheme that will also be the result, because if we say there is not to be any distinction between the Provincial Civil Service and the Judicial branch that will be practically abolished. Once the Judicial branch is recruited from the Bar and not from the Civil Service it will become, as it were, part of the Provincial Civil Service, so that there is practically an abolition of the listed-post system.

8301. Are you in favour of a retention of a European proportion in the Civil Service?—I should certainly be glad that there should be a good number of them, but I do not see that a certain number of posts should be reserved for them.

8302. You are not prepared to lay down a minimum proportion?—No.

8303. (*Lord Ronaldshay.*) Is not your statement in answer to question (1) that men are appointed to the position of District and Sessions Judges with no knowledge of law, rather a sweeping one?—I cannot see how. As Magistrates they have some little experience of the criminal law learned by trying cases, but of civil law they are absolutely ignorant.

8304. Were you present when the Chief Justice gave his evidence a day or two ago, or would it surprise you to hear that in the course of his evidence he said that the general average of work done by the District and Sessions Judges who were Civilians was good?—I am sorry my experience is in conflict with that of the learned Chief Justice.

8305. Do not you wish to qualify in any way your statement that civilians are appointed to these judicial posts with no knowledge of law at all?—How they learn it and where they learn it I cannot see, because it is not one of the subjects. They must learn it at the expense of the people by trying cases. I do not consider that a proper method of learning law.

8306. You wish the officers on the Executive side of the service to be deprived of their magisterial functions?—Yes.

8307. And those functions to be discharged by a new class of officer?—Yes.

8308. Would the class of officer whom you have in mind perform any other duties or merely perform the duties of Magistrates?—I think they will perform the functions which are now performed by Magistrates.

8309. Purely and simply?—Yes.

8310. Have you considered at all how many new official appointments it would be necessary to create in order to provide this class of men who

are to discharge these ministerial functions?—Although I cannot give you any data, I may point out that it has been tried on a very small scale in the Cochin State, of which I am a native. It is a very small State and there were two District Magistrates who were Revenue Officers. Both functions were combined in one, but now they have separated them. One gentleman occupies the position of Collector for the whole State and another that of District Magistrate for the whole State; and it has involved no higher expenditure. It does seem to me therefore that a District Magistrate might be made to exercise jurisdiction for two districts instead of one and a Revenue Collector for two districts instead of one, and therefore it would be possible to reduce the number of officers in that way to a considerable extent.

8311. I suppose you know that the districts which a Collector rules over in Madras are very large and that there has been a demand that those districts should be made smaller. Surely it would not be possible to ask an administrative officer to control two of these vast districts?—I do not think there will be much difficulty. It is because he has too many functions to perform at present. He is now a Revenue officer, which means that he must be also a full-timed officer for that work; and he has also magisterial work. Consequently one suffers, generally the magisterial. If he is a full-timed officer and has only revenue work or magisterial work, I do not think he will feel the same difficulty.

8312. Have you in your mind any scheme by which this new class of officer is to be recruited?—As a rule they should be recruited from the Bar.

8313. By selection?—Yes.

8314. Not by any competitive examination?—No, from the Bar, which means that they have undergone an examination and training. It is a high examination generally. A Barrister has to be a graduate now, and that being so the examination is pretty high.

8315. (*Mr. Chaubal.*) There are officers in this Presidency now who are called Stationary Sub-Magistrates?—There are.

8316. Before these officers came in the magisterial work done by them was done by Revenue officers?—Yes, who were also Magistrates.

8317. So that in this Presidency to a certain extent you have had a trial of a scheme involving the partial separation of judicial and executive functions, though in the lower grades?—Yes.

8318. Has that experiment been successful?—It has been partially successful.

8319. You said that the new Judicial officers under your scheme would perform the functions performed at present by Magistrates?—Yes.

8320. But is there any objection in your mind to District Munsifs and Subordinate Judges, or Subordinate Judges without the District Munsifs, being invested with magisterial powers in addition to the civil powers they have now?—I do not think there is much objection, provided they can find time.

8321. In times of famine does Government invest in this Presidency Subordinate Judges with magisterial powers?—No; the experiment has been tried, I believe, in the case of a few Registrars, and I believe also one individual in a small tract of country in Travancore is an officer who is Magistrate, Munsif and everything else.

8322. I did not mean generally, but such a thing as we have in the Bombay Presidency where, in times of famine, when there is naturally more criminal work in the district, several Subordinate Judges are invested with magisterial power. Is there that sort of thing in this province?—No.

8323. (*Mr. Gokhale.*) In reply to question (8) you say "I do not consider it desirable that all "classes and communities should be represented in "the appointments so made." Do you mean it is not desirable or only that it is not practicable?—It should not be considered obligatory to make it representative.

8324. Supposing it was practicable to give appointments in the public service to all classes?—Then by all means it may be done.

8325. Would it be desirable or not?—I think it would be desirable. If we have a particular community which is considered to be backward in matters of education, if there is a gentleman who compared with another is equal in all qualifications, he may be preferred to the other. Only the service should not suffer.

8326. If equal qualifications were available, you would not only not object to the representation of different classes and communities but you would give preference to those that are just now backward?—Certainly.

8327. You would also recognise an obligation on the more advanced communities to work for the additional advancement of the backward communities?—Yes.

8328. (*Mr. Sly.*) Under your scheme, by which two districts would be combined into one for criminal administration, would not that cause a certain amount of inconvenience and extra trouble and expense to people by their having larger distances to travel to the available court?—The District Magistrate is an itinerant officer and may hold his court in different parts of the district.

8329. Have you any experience of the revenue and criminal administration of a British district?—Of criminal I have, and I know something of revenue.

8330. Your scheme more or less presupposes that the amount of revenue work and criminal work done by a Collector is about equal, but the general impression of those who have experience is that the Collector's revenue work takes up anything from three to six times the amount of time his criminal work does; so that on that score it would be exceedingly difficult to carry out your system?—I do not know what it is myself. If a District Magistrate is to do his duty properly, he has a lot of work to do, and probably it suffers because he does not find time to do it.

8331. (*Mr. Abdur Rahim.*) You have considerable practice?—Yes.

8332. You emphasise the necessity of separating the Judicial from the executive functions: am I right in supposing that the opinion in the profession is that this end should be achieved even if the cost be considerable?—Certainly.

8333. Is it a prominent evil connected with this combined system?—I have always found in the cases in which I appeared, and in the cases about which I got information from my friends who had to appear, that the District Magistrate was a person who considered the duty of hearing a vakil to be a nuisance. So often did this occur that we considered it was unfortunate to appear before them. I have had personal experience in that matter. The same thing can be said of other Assistant Magistrates. They come and sit not as a Court of Law. We who are accustomed to appear in the High Court know the dignity of a Court, but I have seen Magistrates on the Bench smoking and taking no notice of us. A Magistrate comes and goes as he likes and we must wait. That is not the case in the other courts. In the case of a District Magistrate and Subordinate Magistrate one finds it difficult to consider that it is a Court.

8334. How many times have you appeared before a Magistrate?—About twenty times before a European Magistrate and I have appeared before Indian Magistrates a number of times.

8335. Do you say they are really very summary in their disposal of criminal cases?—They are very summary. I will give you one instance. I appeared before a District Magistrate to argue an appeal and he was continually saying "Go on," "Yes, yes," "I understand," "Have you done?" Then he said "I reserve judgment," and then I was told that the appeal was dismissed as soon as I descended the stairs. He did not appear to pay any attention; he had come to a conclusion; but the law required that the thing should be heard.

8336. This may be an isolated case?—It is only one instance. Before another District Magistrate that I know I was dealt with in a very summary fashion, and my friends have told me of several cases where they have had the same experience. It was only yesterday that a vakil told me that at Tanjore he appeared before a District Magistrate and was told that he had better steer clear of all questions of law.

8337. Do you mean a question of law arising in the case?—Yes, and any question of law. It is very inconvenient. An argument of that kind is not pleasant to him and he asks the vakil to curtail his argument. The Magistrate thinks he knows the facts and he does not want law, and the argument is at an end.

8338. District Magistrates hear appeals, do they not?—They do.

8339. Do they read the papers beforehand?—I think most of them do.

8340. And in disposing of the cases have you had experience that they have more or less formed their opinion?—They prejudge the case, that is what I say, in all cases where they have read the papers. As executive officers they look at the papers and pass orders.

8341. A District Magistrate has supervision of the subordinate Magistrates' work?—Yes.

8342. And he is also head of the Police and diaries are submitted to him in certain important cases?—I believe so.

8343. In exercising his powers of general supervision of the Subordinate Magistrates, have you found that he has been influenced by the fact that he is the head of the Police and as such is responsible for the peace?—I have myself no personal experience, but I have heard that in abkari cases, in which the police are interested, conviction is a matter of course before the Subordinate Magistrate if the District Magistrate is of that opinion.

8344. Is there an opinion at the Bar that Subordinate Magistrates, rightly or wrongly, think that in certain classes of cases unless the result is in a certain direction their superior officer, the District Magistrate, is likely to be displeased?—Yes.

8345. There is such an opinion at the bar?—Yes. In many cases they anticipate the result, because they know what the District Magistrate thinks of the case.

8346. And it may be that the District Magistrate himself is perfectly innocent of any such belief?—It is rather difficult to say. One first-class Magistrate told me that he received a demi-official note asking him to impose severe punishment in a particular case, which he did.

8347. You mean before the trial was over?—Before the trial was over.

8348. You say that if one member of a particular community has equal qualifications with a member of another community, the candidate belonging to the more backward community might be given preference. Would you say that if one man got one mark more than the other they would have the same qualifications?—The person who has to choose can make allowance for small differences.

8349. Supposing there are two graduates and one man obtained twenty marks more than the other in the examination; do you consider the qualifications to be the same?—The person who is to make the appointment does not know the marks. If both are in the same class, first or second, the member of the backward community may be preferred.

8350. You would take equality as something in the rough; you would not make it a rigid test of the difference of a few marks?—Not at all.

8351. (*Sir Murray Hammick.*) For how many years were you a High Court vakil?—I was enrolled in 1885 and I practised till 1893 here in Madras, and then I went out as a Judge for eight years.

8352. Where?—Cochin.

8353. How long did you stay there?—Till 1902.

8354. And then you came back to Madras?—Yes, and began practising.

8355. And you have been practising from 1902 till now?—Yes.

8356. You say in answer to question (2): "Young civilians fresh from England who have no knowledge of any vernaculars are appointed as Assistant Magistrates with first-class powers." I have never heard of a case of an Assistant Magistrate with no knowledge of a vernacular being appointed with first-class powers. The rule is that a man must pass his two examinations before he is made a first-class magistrate and therefore presumably he has some knowledge of vernaculars?—A person passes an examination as far as the Government is concerned and the examiner certifies he knows the language, but I say in the case of civilian officers that they do not know the language as a matter of fact. I am not speaking of the examination, but of what I know. The rule is that a man must pass in two languages, which generally involve on an average two years in the country.

8357. Do you know that a man cannot possibly be a first-class magistrate before he passes two stiff examinations in law and language and has been, almost as a certainty, two years in the country?—I do not know the nature of the

examination; I only know from practical experience that after ten or even fifteen years' stay in the country, and after passing the examinations, they know little or nothing of the language.

8358. You do not know anything of the rules?—I know he has to pass an examination.

8359. And you know he generally takes two years?—Yes, I know that also.

8360. With regard to the vagaries of the District Magistrates, have you ever brought to the notice of the High Court all this irregular conduct of the District Magistrates before whom you have appeared?—The Law does not permit me to do that. In many cases we say that the matter was disposed of summarily, but we do not care to go further.

8361. You have never brought the conduct of these District Magistrates before the High Court?—No. The Magistrate did hear me; I did not mean to say he did not hear me, but I say he prejudged the case. That is not a matter which will attract much attention. He is bound to hear me but he can judge as he likes.

8362. (*Mr. Oldfield.*) With regard to this case in which the Magistrate was not interested in law, did you take it up for revision?—It is a case that occurred only three or four days ago at Tanjore.

8363. Are you aware that there is an order of Government forbidding smoking in court?—Whether there is an order or not it was done, but it was not proper.

8364. The Government has done what it could?—I know that. I am only speaking of the officers: the Government is all right.

8365. Have you had any official experience in British Service?—No.

8366. With regard to your proposal for larger districts for Collectors and District Magistrates, did you hear Sir Sankaran Nayar giving his evidence?—I could not hear it fully but I heard part of it.

8367. He referred to the hardship which people suffer from the itinerating magistrates adjourning cases?—That portion I did hear.

8368. You are proposing to give the District Magistrate a larger area to itinerate over, and to inflict a greater hardship?—Not at all. If I understand Sir Sankaran Nayar rightly, what he said was that, on account of the multifarious duties which were not magisterial, they had to go from place to place and these poor men had to come all the way; but if he were a full-timed magistrate the case could be disposed of and there would be no hardship.

8369. It was put to you that parties from the limits of this district would suffer greater hardship in coming to the District Magistrate than they do now, and you said that the District Magistrate can move about. I am putting it to you that the hardship referred to by the last witness would result in that case?—That is if he is not able to attend to the work, but if he is a full-timed judicial officer he is sure to be able to find time.

8370. Are not you underrating the necessity for a Collector to inspect all parts of his charge?—He can very well do that.

8371. But it seemed to me you were underrating it in proposing a larger charge?—I said that was only one means. Probably there are better means. I am very particular about the separation, but how best it can be effected I am not giving a final opinion upon. If this is impracticable, a better one may be chosen.

8372. With regard to the District Judges, you say they know no law. I suppose they have a fair knowledge of criminal law when they begin?—Yes, I think they have.

8373. And some knowledge of the law of agricultural tenancies?—Some knowledge of revenue law.

8374. Rent law?—Yes.

8375. And other branches of Public law, as I might call it?—I do not think so.

8376. Do you not think they learn something for instance about the law relating to Local bodies?—I do not know whether they learn anything of the law. Most of the members of the Board are ignorant of law, and the same is the case with the President.

8377. Is their ignorance of law the chief cause of their defects in judgment?—And the absence of judicial training.

8378. Have you seen the scheme which Sir Ralph Benson referred to?—Only what I read in the papers.

8379. Do you think that its introduction would effect any material improvement?—If nothing better can be done something of that kind ought to be done.

8380. You say you find the present judicial system faulty in certain respects, that officers in the judicial branch are transferred to the executive branch and *vice versâ*. Has that been happening in recent years?—Yes, Mr. Rajagopalachari was District Judge of Salem and then he was made a Collector.

8381. Was not that in 1902?—I think it was after 1902.

8382. Are you aware that a system has been introduced by which officers elect for the Judicial Service?—I do not know.

8383. Are you aware that the Government of India has forbidden the system of dumping failures in the Executive into the judicial?—If that is so I think it very desirable.

8384. Mr. Rajagopalachari was District Judge of Salem from the 4th October 1902 to the 4th December 1902?—I did not know the date.

(The witness withdrew.)

M.R.Ry. Diwan Bahadur K. KRISHNASWAMI RAO Avargal, C.I.E., Triplicane.

Written answers relating to the Indian Civil Service.

8385 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have nothing to say against the present system of recruitment by open competitive examination in England for the Indian Civil Service—so far as it goes. I accept it as generally satisfactory in principle.

8386 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I am of opinion that its defect lies in its not being held in India also, simultaneously with the examination held in England. I would strongly recommend the holding of it in India and England simultaneously.

8387 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—In my opinion, the examination would be suitable for the admission of Natives of India as well as other natural-born subjects of His Majesty, if it were held simultaneously in India.

8388 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—It may no doubt be advantageous, for it will enable Indians to enter the Colonial Services, but in view of the general policy of the Colonies to exclude Indians from the natural rights of British subjects, it may not prove to be of much practical use to Indians.

8389 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose—*Vide* my answer to questions (1) and (2).

8390 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I would welcome the system indicated in the question as it secures equality of opportunities to all the subjects of His Majesty without distinction of caste, race or religion.

8391 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I deprecate a separate examination for Natives of India for admission into the Indian Civil Service.

8392 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I deprecate all special treatment. All must enter the Indian Civil Service by means of a competitive examination held simultaneously in England and India. There should be no class considerations or admission of men of inferior qualifications. Both the efficiency and prestige of the service require that the best men should be selected, and there is no other means of testing one's capacity than an examination of the standard of the present Indian Civil Service.

8393 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—*Vide* my answer to questions (7) and (8).

8394 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—*Vide* my answer to questions (7) and (8).

8395 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—The Judicial branch of the Indian Civil Service should be manned by those who have passed the Indian Civil Service examination. They should be either Barristers-at-Law or Graduates in law of any Indian University.

8396 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there "for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of Natives of India.

8397 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I would raise the age limit in the case of Indians to 25 years, as they have to master a foreign and difficult language (English) and reside in a foreign country out of the influence of their parents and guardians.

8398 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—They should not be below the age of 25.

8399 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons?—Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—*Vide* my answer to question (13). I am not particular about the differentiation between the ages of Natives of India and other natural-born subjects of His Majesty.

8400 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No. I will subject all to one and the same standard of examination.

8401 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—No statutory reservation is necessary.

8402 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil

Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I would allot one-third of the Collectorships and three-fourths of the District Judgeships to Indians. The rest may be held by European members of the Indian Civil Service.

8403 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—The present system is not considered satisfactory.

8404 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I would not recommend the revival of "Statutory Civilians."

8405 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—I look upon it as not sufficiently fair to the Natives of India. If the system is to be retained, the number of listed appointments should be increased considerably.

8406 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—I have no objection to the continuance of the present rule.

8407 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I would add to the "listed" appointments the following:—

1 Membership of the Board of Revenue,
1 Secretary to Government,
1 more Secretary to the Board of Revenue,
1 more Under Secretary to Government, and
11 every other appointment which is open to the Indian Civil Service but not reserved to it.

8408 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo any period of probation before being admitted to the service?—(30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—(29) and (30). Yes. Eighteen months ought to be sufficient. It may be extended to two years in special cases. They must learn all routine business, study the laws and rules applicable to the department to which they are attached, and investigate and decide cases (judicial or otherwise) under the supervision of experienced District officers—*vide* answers to questions (39) and (57).

8409 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—In the case of Natives of India who know the vernacular of the province, the probationary period may be eighteen months. In the case of others, it should be two years to enable them to become well acquainted with the vernaculars, and special arrangements should be made to enable them to converse freely and *with proper pronunciation* with people in the vernaculars of the district.

8410 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I think the probationary period should be spent in India by both Indians and Europeans.

8411 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—I see no necessity for a special college. They may learn business in offices and courts and attend a Law College to study Indian law (both non-statutory and statutory).

8412 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes.

8413 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The defect I have noticed, especially in the case of European juniors, is their complete helplessness in understanding what people say in the vernaculars and their disregard of details of business. Steps should be taken to improve them in these respects.

8414 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—The knowledge of the Indian languages possessed by the European members of the Indian Civil Service is growing poorer day by day. Haileybury men were able to freely converse with people in Indian languages and learnt first-hand the grievances of the ryots. The spread of the knowledge of English among native employés of all grades of service has been the chief cause of the deterioration. The European Civilian has now any number of native subordinates for interpreting to him the vernaculars and otherwise to help him. He naturally detests the labour of mastering the vernaculars. The system of rewards for proficiency has not proved a success. I must confess that I am unable to suggest any other remedy than that of stopping or withholding promotion until a European Civilian acquires complete conversational powers.

8415 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—They must be required to pass regular public examinations in law applicable to their departments. The existing special tests laid down for the

Provincial Service will answer the purpose. The law examinations now held *in private* have proved in practice to be quite unsatisfactory.

8416 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—They must be graduates in law of some Indian University or Barristers-at-law. I would prefer graduates of law of Indian Universities on account of their better knowledge of Indian law.

8417 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—I will make them exercise the powers of a District Munsif at least for three years and a Magistrate of the first class for a like period without executive functions.

8418 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

8419 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—Under the system of simultaneous examinations recommended by me, no differentiation in training is necessary.

8420 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—I am against any differentiation between Europeans and Natives except in matters of personal allowance and leave rules.

8421 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants? (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—(45) and (46). I have no objection to European employés present or future being granted a personal allowance over and above the salaries attached to their offices on account of their residence in India, but it should be fixed in rupees. It should not vary with every rise in the exchange value of the currency. There should be no difference between the pay proper of a European and an Indian holding offices of equal grade and class. The personal allowance may be a certain percentage of the fixed salary, say 25 per cent.

8422 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I disapprove of the present arrangement. As regards salary there ought to be no difference between the Indian Civil Service and the Provincial Service. The holder of the office, to whatever service he may belong, should draw the same salary [see also my answers to questions (45) and (46)]. The salaries should be revised, so as to make the salaries paid to the Provincial Service men the standard salaries, Europeans being entitled to personal allowances in addition.

8423 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed-posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I have no objection to Europeans having longer terms of leave than those allowed to Indians to whatever service they may belong. While approving of the distinction between Europeans and Indians as regards leave and personal allowance, I disapprove all other distinctions amongst Civilians, Imperial, Statutory or Provincial.

Written answers relating to the Provincial Civil Service.

8424 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Admission to the Provincial Service should as a rule be by competitive examination.

8425 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

8426 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes. It is no doubt desirable, but to attain this object, any inferior standard of fitness for certain so-called backward classes should not be allowed in the interests of efficiency. Special educational facilities may be given to such classes to qualify themselves as the other classes.

8427 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I think they are fairly good.

8428 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I have no sufficient information on this point to enable me to give a satisfactory answer.

8429 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The executive and judicial functions should be separated and entrusted to separate branches.

8430 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If

not, what would you suggest?—I do not care much for names.

8431 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886--87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—As I do not know the conditions of service in other Provinces for comparison with the Madras Service, I abstain from giving any opinion.

8432 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I answer the first part in the affirmative.

8433 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not approve of the present arrangement. The salary of the office should be the same, irrespective of the service to which the holder belongs. Europeans may be given a personal allowance of 25 per cent. of their salaries for sacrifices involved in Indian residence.

8434 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Europeans may be allowed longer terms of leave than Indians as the former have to go Home occasionally. On the whole, I think the principle of the existing differences in the leave rules may be conceded.

8435 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—I am satisfied.

8436 (64.) Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—*vide* answer to questions (51) and (61).

Diwan Bahadur K. Krishnaswami Rao, called and examined.

8437 (*Chairman.*) I see you have occupied several important public positions?—I was first bench-clerk in the District Court at Nellore, and then I was a Registrar of that Court. Afterwards I was appointed Munsif and I held that appointment for about eight years, and then I was appointed Sub-Judge of Cocanada. In 1884 my services were lent to Travancore as Chief Justice of the Travancore High Court, and I held that appointment for 14 years. Subsequently I was Diwan of that State for six years.

8438. What is your caste?—A Mahratta Brahman.

8439. You are in favour of simultaneous examinations subject to an irreducible minimum of Europeans?—Yes.

8440. How would you attain those two objects?—A certain number of appointments might be set apart for Europeans and the rest might be thrown open to Indians for competition. I have stated that in my answer.

8441. You would select a certain number?—I would allot a certain number, two-thirds Collectorships to Europeans and one-fourth of the District Judgeships to Europeans.

8442. I am talking of the system of examination now, combined with ensuring an irreducible minimum of Europeans?—I do not see how that bears upon the minimum number. If once a number of appointments are allotted, that secures the minimum number. Those who enter the service must enter by a competitive examination or any other examination that may be prescribed.

8443. Would you select so many candidates?—I would not select any candidates.

8444. What arrangements would you make to ensure the proportion: assume that at the simultaneous examination so many Indians were successful that they reduced your fixed proportion of Europeans below two-thirds?—I would not give more than the number fixed. I would say "That is the number allotted to you, you must be satisfied with them."

8445. In that event you would select from the successful candidates?—According to their merit.

8446. After they had been successful in the examination?—And if they had been in subordinate service according to their work.

8447. Have you thought out a scheme by which you could fix a proportion of Europeans in connection with an open simultaneous examination? I understand from you that, assuming the contingency which I suggested of a larger number of Indians being successful than that which would ensure the two-thirds proportion of Europeans, you would select?—I will illustrate my opinion by figures. Say there are 30 appointments for Collectors. Out of it I would give 10 to Indians and reserve 20 for Europeans. The Indians who have passed the competitive examination will be entitled to get the 10 appointments; the Europeans who have passed the Indian Civil Service examination will have the 20 appointments reserved for them.

8448. You say that the Judicial branch of the Indian Civil Service should be recruited from men who have passed the Indian Civil Service examination?—In the Judicial branch I want one-fourth of them to be Indian Civil Service men.

8449. You would bifurcate immediately after the examination?—Yes.

8450. And you would choose from Barristers at law or graduates in Law of the Indian Universities?—And also members of the Judicial service, from the Provincial Civil Service.

8451. In answer to question (31) you suggest a somewhat different term of probation for Indians as distinguished from that for European candidates?—I would have probation for both. In the case of Indians I would give a shorter probation because they are already Indians and know one or two languages of India. They have not to study vernaculars as European candidates would be required to do. In the case of Europeans I say two years, and in the case of Indians 18 months, because one of the languages will be their mother tongue.

8452. You are aware that the seniority of candidates is based on the aggregate results of two examinations, one at the beginning and the other at the end. How would you arrange the seniority by the probation you suggest of 18 months?—I look on probation as the period during which the men have to learn their duties and the vernaculars. I do not look upon it as part of the examination scheme at all. I look upon it as a preparation for departmental work.

8453. Under the present system seniority is based upon the aggregate sum of the two examinations, the examination that takes place at the beginning and the one that takes place at the termination of the probation. You suggest for Indians a different term of probation?—I was not aware of two systems of examination for the Indian Civil Service. My impression was that there was only one which they passed and then they came to India, and that after coming to India they had to pass an examination in vernaculars and law, and I allotted those two years for learning vernaculars and law.

8454. The point you lay stress on is that the probation should take place in India?—Yes, so that they may be able to learn the vernaculars and Indian law.

8455. In answer to question (46) you suggest uniformity of pay for Europeans and Indians?—I would give the same pay, but in the case of Europeans I would give a personal allowance on account of the sacrifices they have to make in coming to India.

8456. Would the 25 per cent. allowance you suggest be in addition to their present salary with the salary of the Indians brought up to it, or 25 per cent. more than the salary which would be uniform as between the two races?—If the pay of a European is Rs. 2,000 the same pay should be given to the Indian Officer, and the European can be given 25 per cent. more as a personal allowance.

8457. (*Sir Valentine Chirol.*) You are vice-president of the Madras Mahajana Sabha?—I am one of the vice-presidents.

8458. Does this evidence that you sent in represent the views of that society or your own individual views?—The Sabha has 500 members so that I cannot say whether it represents the opinion of every one of them. A committee was appointed and they appointed a sub-committee of which I was a member, and the answers were drafted in consultation with the sub-committee.

8459. Without formally representing that Association these views may be taken as generally representing their views?—Yes.

8460. (*Mr. Macdonald.*) In question (20) you were asked whether the present system of recruiting Natives of India is satisfactory, and you say the present system is not considered satisfactory. What do you mean exactly by that?—I understood the question in this light. There have been certain European appointments and also Indian appointments; there are gentlemen who passed a competitive examination in England and come here and there are also gentlemen who are appointed to these appointments; I take that to be two systems of recruitment and I answered in that way

8461. You were asked whether the principle of appointing partly by competition and partly on promotion on account of services was a good principle or a bad one, and you said it is unsatisfactory.—It was a special arrangement, not promotion.

(The witness withdrew.)

(Adjourned to 10-30 to-morrow morning.)

At Fort St. George, Madras.

Friday, 17th January 1913.

NINTH DAY.

PRESENT :

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. *(Chairman)*.

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners :—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } *(Joint Secretaries.)*

Sir JOHN WALLIS, *Kt.*, Judge of the High Court of Judicature, Madras.

Written answers relating to the Indian Civil Service.

8462 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service ? Do you accept it as generally satisfactory in principle ?—My twelve years' experience of India as Advocate-General and Judge does not enable me to speak with personal knowledge of some important matters involved in this and the next following questions. The system of open competitive examination as at present practised assures a certain standard of ability in the members of the service and is a safeguard against favouritism, but it appears to me that the success which has been attained by the service is largely due to qualities not tested by the examination, and that success in the competition cannot be taken as a conclusive test of fitness. I am not prepared to advocate any other method of recruitment. As regards the judicial branch I do not attribute existing defects to the system of recruitment but to the want of proper training after admission.

8463 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty ? If not, what alteration do you recommend ?—My personal experience is not such as to warrant me in answering this question.

8464 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty ?—Some objections may be urged against any method of recruitment, and the proper course is, I think, to consider which method is likely to work best on the whole. Simultaneous examinations would remove a disadvantage under which one class of Indian candidates labours, but the governing consideration appears to me to be, what effect would such a change have upon the recruitment of the service ? This is largely a matter of forecast, and I am not prepared to hazard a confident prediction. At first, I am inclined to think, few candidates prepared and examined in India would be successful ; but with the rapid advance of higher education in India, the inducements there would be to enter the most promising boys for the competition and to strain every nerve to give them an adequate preparation—inducements much stronger than those operating at home—taking account also of the remarkable memorizing powers of Indian students, I certainly anticipate that this state of things would soon be altered ; and it seems to me to be a serious question whether the result would not be before very long to reduce the European element in the service to an undesirable extent. In these circumstances I think there is much to be said for assigning a fixed number of appointments to be competed for by Indians.

8465 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India ? If so, what proportion do you recommend ?—I am inclined to favour this solution but am not prepared to suggest the particular proportion.

8466 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services ?—I am not prepared to recommend any interference with promotion from the Provincial Service.

8467 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service ? If so, please describe the system that you would propose ?—I do not recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service, but I recommend that the number of listed District and Sessions Judgeships in the Madras Presidency should be increased so as to allow of more appointments from the subordinate judiciary and from the Bar direct. Unless it is proposed to do away with the European District and Sessions Judge—and I agree with the Public Service Commission of 1886-87, page 73, that this is not desirable—I think the Judicial branch should be recruited as at present, but that steps should be taken as suggested in later answers to give a satisfactory training. From this branch are selected one-third of the Judges of the High Court and most of the District and Sessions Judges. In the High Court the Civilian Judges supply an experience of revenue law and administration which is not to be looked for in an equal degree in the other members of the court, and their previous experience of criminal work as Magistrates and Judges is specially valuable. As District and Sessions Judges they exercise control and superintendence over the subordinate courts and judicial establishments of the district for which the previous experience has helped to qualify them. Their criminal work as Sessions Judges usually takes up most of their time in court and much of their civil work, original and appellate, as District Judges, is usually done by the Subordinate Judges who are now to be found in nearly all the districts. I regard the administrative and criminal work done by the European Judges as specially valuable, and am opposed to any method of recruitment which would eventually eliminate them. As regards civil work there can be no doubt that Civilian Judges, both European and Indian, owing to lack of proper training and to the practice of drafting executive failures into the judiciary, have too often proved unequal to the satisfactory discharge of their duties—more especially at first. These deficiencies may, I think, be very largely remedied by the improved system of selection and training now in contemplation, which is referred to in subsequent answers, and I do not consider that more drastic changes are called for.

8468 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons ? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.] ?—I would increase the number of listed District and Sessions Judgeships. The Provincial Judicial Service in the Madras Presidency is recruited mainly from vakils and pleaders of less than 35 years of age who are willing to start as Munsifs of the fourth grade on a salary of Rs. 200 a month. Though they include some very able men, they are generally selected from the less successful members of the profession, and I am of opinion that without prejudice to the legitimate expectations of those who enter the service at the bottom, some of the higher appointments should be made directly from the Bar. There is some difference of opinion as to the expediency of this, and it has only been done very sparingly. On the whole I am of opinion that the service would be strengthened by more such appointments. The number of Subordinate Judges is sure to be increased as the result of the revision of the judicial establishment now in progress, and if the number of listed District and Sessions Judgeships also be increased, it would, I think, be possible to make more such appointments directly from the Bar without prejudicing the claims of the rest of the service.

8469 (38). Is the class of posts listed suitable ? If not, in what directions would you suggest any changes and why ?—See my answer to question (23).

8470 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England ? Do you recommend the continuance or abolition of this system ?—I think that legal studies should form a larger part of the probationary course in view of the prospect that probationers may eventually have to discharge judicial functions, and that for this purpose the probationary course should be extended from one year to two. The prescribed study of the two Criminal Codes and of the Law of Evidence will supply a sufficient preparation for their criminal work as Magistrates and Judges if supplemented by compulsory attendance at criminal courts in England. As regards Civil Law I would require probationers by way of a beginning to acquire some acquaintance with the Law of Property as embodied in the Anglo-Indian Codes, viz., the Contract Act, the Transfer of Property Act, the Easements Act, the Trusts Act, the Specific Relief Act, and possibly the Negotiable Instruments Act, and also with the principles of the Law of Torts which has not been codified. Not only are these codes in force in India but they embody in a well-ordered manner the rules of English Law with slight modifications and will enable the probationer to follow intelligently the proceedings in the Civil Courts at Home. A certain number of attendances at civil and criminal courts was formerly required of probationers, and the system should be restored, as I have often been assured that it proved exceedingly valuable. I do not think such training would be of disadvantage to probationers who afterwards take the executive side, but rather the reverse. Lastly, seeing the number of statutes which Civilians have to apply and the trouble which may result from avoidable errors, I think some work on the rules of statutory construction should also be prescribed.

8471 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you ?—See my answer to question (43).

8472 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose ?—I

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have already stated in my answer to question (43), the legal studies I would prescribe during the period of probation. The subject of this question has recently been considered by the Judges of the Madras High Court and the minutes of the Judges have been communicated to the Secretary of State. I agree generally with the minute of Sir Ralph Benson. From the judicial point of view it is important that the election should be made at the earliest possible date, but this involves administrative questions on which I hesitate to express any opinion. In my minute I suggested that the exact manner in which the study leave should be spent should be prescribed by rules made by the Secretary of State in consultation with the Council of Legal Education or such other advice as might be available. Speaking from my own experience as Reader and Examiner to the Council of Legal Education under the present system (1892–98) I doubt if passing the Bar examination and being called to the Bar would be the best preparation. At the end of the leave I think there should be an examination in the principal codified Acts, the Code of Civil Procedure and Hindu Law. Attendance at courts should also be insisted on. There can be no doubt about the advantage to be derived from reading in chambers with a junior in good practice, but I am not sure that juniors who satisfy this condition will be able to find room for this new class of pupils in addition to those who intend to make the Bar their profession and consequently will have the first claim.

Written answer relating to the Provincial Civil Service.

8473 (1) Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have made my suggestions in answer (23) of the previous series.

Sir JOHN WALLIS, called and examined.

8474. (*Chairman.*) You are Judge of the Madras High Court, and have been so since 1906, I believe?—Yes.

8475. And before that, from 1900 you were Advocate-General?—Yes.

8476. In answer to the first question, I note that you emphasise the point that while the open examination is a test for intellectual acquirements, it does not necessarily follow that it is a test for those other qualities which are necessary for an Indian Civil Servant?—That is my opinion.

8477. Would you say, speaking generally, that in your opinion there is room for an improvement in those qualities in the Indian Civil Service?—On the whole, I do not think that the Indian Civil Service has fallen short in the qualities to which I have alluded, and which are not tested by the examination: I mean as far as the service has come under my personal experience, because I have not had any great means of judging administration in the districts; but I attribute that to the general quality of the candidates who have presented themselves for examination.

8478. Therefore, whilst you regard those qualities as being a very important factor in efficient administration, you think, on the whole, that open competition, as distinguished from any method of selection, is the best?—What I intended to convey was that I thought that satisfactory results had been achieved, speaking generally, under the present system; but I do not desire to say that I regard that system as necessarily the best system or being incapable of improvement. I am not, however, prepared to propound an alternative system for the general recruitment of the service, which would give superior results; but I should be very glad if the Commission, after hearing the whole of the evidence, should feel themselves in a position to propound such a scheme.

8479. But you are not prepared to contribute any further advice upon this somewhat difficult question?—I should require to enter upon an investigation such as the Commission is entering upon before I could venture to formulate any conclusions.

8480. Among the reasons that you give for your objection to the establishment of simultaneous examinations is the fact that it would, at any rate, tend towards a risk of diminishing to an undesirable extent the European element?—Yes.

8481. And you come to that conclusion, as I read your answer to the question, because, as you say, the inducements are much stronger in India than those operating at home?—Yes, very largely.

8482. That means I take it, that there is a limited field of opportunity in India for professions as compared with the wider field for other professions in England?—Partly that, and also the naturally much greater desirability and attractiveness to the Indian mind of the career. I think that an Indian naturally and legitimately would be more attracted to this.

8483. And that attraction would not be merely due to the intrinsic advantages of a career in the Indian Civil Service, but also to the fact that there are so few other alternative professions?—That condition would also operate.

8484. I see you are inclined to favour a system under which a strict proportion of the vacancies in the Indian Civil Service would be filled by Indians recruited by a separate examination in India?—Yes.

8485. And do I gather correctly that you would also look with favour on the alternative proposal of separate examinations in each of the Provinces in India?—That is rather a difficult question, and I am not prepared to express a positive opinion upon it. There is much to be said on both sides.

8486. You prefer to confine yourself to the main principle that there is a good deal to be said for a separate examination in India?—Yes, I think that it is an important thing to ascertain, in the first place, what the right proportion of Europeans should be, and from time to time,—of course not as a permanent thing; and then that the remaining vacancies might be best filled by an examination in India which could be especially suited to Indian requirements.

8487. You are not prepared to give any definite opinion as to the means by which that

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examination should be carried out in the direction of the alternatives I have suggested,—a single examination, on the one hand, in India; and, on the other hand, a separate examination in the various provinces?—My knowledge of the whole of India is not sufficiently great to justify me in expressing an opinion.

8488. But may I infer from the answer which you have given to this question that you are of opinion that better opportunities should be given to Indians in the future?—As a matter of general policy, certainly, yes; though I am not prepared to fix the exact proportion. But I take it that there will be an increased admission of Indians.

8489. I notice in answer to question (13) that you suggest an increase in the number of District and Sessions Judgeships; would you be prepared to say, approximately, what that number should be?—I see that one-half has been suggested, and I am not prepared to differ from that, if it can be managed.

8490. Would you recruit direct from the bar to District and Sessions Judgeships, or to Subordinate Judgeships, or would you adopt this process for both?—I would not lay down a hard-and-fast rule. I would generally promote direct from the bar to Subordinate Judgeships.

8491. You would allow a certain amount of elasticity?—Yes.

8492. You would appoint in some cases direct to District and Sessions Judgeships where there were suitable candidates, and in other cases from the lower grades by promotion?—Yes, but I would safeguard the interest of the subordinate judiciary, generally, by limiting the proportion of vacancies to be filled from the bar. I hear that one-half has been suggested, but I would not fill more than one-half from the bar; possibly less.

8493. I take it you would be anxious to combine efficiency by the direct appointment of capable candidates, with the preservation of encouragement within the Provincial Civil Service by promotion?—Yes.

8494. You say, in answer to question (43), that the probationary period for the Indian Civil Service should last nearly two years in order to provide a better training in legal studies?—Yes.

8495. It has been stated to us by some witnesses that men are too old when they take up their work in India. What is your opinion upon that point?—It may be so, but I have not had occasion to find that out.

8496. In some cases?—I daresay it is so. It is not one of the things, however, that come under my observation; but I made the suggestion with a view to the legal training. If civilians are to be retained in the District Courts, it is necessary that there should be some better training from the beginning. Keeping them longer may be a drawback in one sense, but, from my point of view, which is chiefly a judicial one, it would have the advantage of enabling a better legal foundation to be laid.

8497. I take it that you are opposed to any idea of separation between the judicial and the executive branches?—The appointments of District and Sessions Judges?

8498. Yes, a separate recruitment for the two services?—I think, on the whole, that it is desirable that District and Sessions Judges should, to some extent, continue to be recruited from the service, as they have been for the last hundred years. To cease that system altogether would be a greater change than is necessary or desirable at the present time.

8499. But you would supplement the present system with the rearrangement which is in process of taking place now, and also with certain specific training which you propose in a subsequent paragraph?—Yes.

8500. The Commission is grateful to you for the answers you have given to question (43). I am not going into it because it is highly technical, but it will be of use to us in our deliberations as coming from you, so far as the specific training which should be given is concerned. As regards the period of election for the judicial branch you agree generally with the minute that was written by Sir Ralph Benson?—Yes.

8501. (*Lord Ronaldshay.*) I should like to ask you what are the defects which you had in your mind when you wrote the last sentence of your answer to the first question. You say, "As regards the judicial branch, I do not attribute existing defects to the system of recruitment but to the want of proper training after admission"?—I was thinking of the defective acquaintance with civil law which is found sometimes amongst Civil Judges, especially on their first appointment.

8502. Generally speaking, it is a lack on their part of a knowledge of civil law: it is nothing else, is it? That is what you had in your mind, is it not?—Nothing else.

8503. In your answer to question (43), you recommend an altered curriculum for the period of probation; and the curriculum which you suggest is somewhat similar, I think, to the curriculum which was necessary prior to the year 1891. I suppose that you must have had experience of men who joined before 1891; and I should like to ask you whether, in the course of your experience, you have had opportunities of comparing the qualifications of those who entered the service prior to 1891, with the qualifications of those who have entered the service since that date?—I am afraid I have not.

8504. But surely many of the District and Sessions Judges with whom you have come into contact, or whose work you have had some opportunity of seeing, must have been men who entered the service prior to 1891?—Certainly, most of them, I should say.

8505. Those men passed a probationary period of two years, and during that period they had to take up a very considerable legal curriculum: what I really want to try and find out is whether your experience would suggest that these men showed considerable superiority, as far as legal acquirements are concerned, over those men who entered the service subsequently, and who did not pass through the same period of probation?—I believe that my experience has almost exclusively been confined to the men who entered the service before 1891, that is sitting in an Appellate Court, which I have not been doing very recently, as I sit mostly on the original side of the Court. I intend that this suggested probation of two years, to take proper effect, should be supplemented by a further study, because, otherwise, what they learnt in the period of probation they would very likely get rusty in.

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8506. I understand that you want it supplemented by some such course of training as has been suggested by the Government of India in their despatches on that question?—Yes.

8507. In answer to question (13), you say that you regard the administrative and criminal work done by European Judges as especially valuable: you are opposed, therefore, to any method of recruitment which would eventually eliminate them. I suppose when you use the words "European Judges" there you are referring entirely to the Civilian Judges?—Yes.

8508. That is to say Judges who have been members of the Indian Civil Service?—Yes.

8509. You do not apply that equally to English barristers?—I was not considering English barristers at all. I was simply dealing with the District and Sessions Courts in which barristers do not sit. I did not understand that the High Court was the subject of the reference at all, and I have said nothing about that.

8510. You were referring entirely to District and Sessions Judges?—Yes.

8511. That being so, if a scheme for the complete separation of the two branches of the service were introduced, the result would be to eliminate Judges who possess what are in your opinion very valuable qualifications: that is to say, these men who now possess this administrative ability, and this facility for criminal work, would no longer find their way into the ranks of the District and Sessions Judges?—One would have to consider what is exactly the alternative. I do not regard recruitment direct from the European Bar at home to District Judgeships as desirable, or, perhaps, practicable.

8512. If that were not so, would not this follow: if there were to be complete separation of the two functions, if the judicial service was not to be recruited at all from the ranks of the Indian Civil Service, from the executive branch of the Indian Civil Service, and you were not to recruit European barristers, the result would be that the whole of the judicial service would be necessarily manned by Indians recruited from the Vakil class?—Yes, and there would also be Indian barristers. There are a certain number of Indian barristers who would be eligible.

8513. Quite so. It would not be possible under such a system to recruit men who possess these particular qualifications which the civil Judges derive from their experience in the executive branch of the service before they join the judicial service?—They have some executive and judicial experience, and some magisterial experience, and to that extent, of course, that is an advantage to them as opposed to the others.

8514. It is a strong argument for not having a complete separation of the two branches of the service?—Yes.

8515. There is one other question I want to ask you. You say in answer to question (7), that you think that before very long if a system of simultaneous examinations were set up, probably a very large number of Indian candidates would find their way into the service, and you base that opinion, largely, upon what you call the remarkable memorising powers of Indian students. I assume you mean by that, that if an examination for the Indian Civil Service were set up in this country, Indian students who show a great facility for acquiring knowledge by means of their memory would probably cram for this examination, and would cram so successfully that they would be able to pass in considerable numbers. Is that what I understand you to mean?—I suppose there is a good deal of cramming all round for this examination by everybody. I think Indians have great capacity for cramming.

8516. You think they possess a great capacity for cramming?—There, again, I am only speaking from report. I have not been an examiner: but that is what I understand.

8517. That really is the point I wanted to know. I want to know whether you have come to the conclusion that these Indians possess such a remarkable memorising power from your own intercourse with Indian students who have become members of the Bar, and so on. Does your own experience in your contact and intercourse with these men lead you to suppose that they do possess this very great capacity for memorising?—I think they have great memories. I cannot say that from my own experience. I think it is a generally accepted fact, and it is what I have always understood, although it has not come within my personal experience.

8518. There is only one other question I should like to ask you. It is a rather legal one;—a question of law. I understand that you have suggested the laying down of a definite number of posts for Indians, or something of that kind: you are not very definite about it, but you think that is a sort of general scheme which might possibly prove satisfactory?—Yes.

8519. The point I would like to ask you is this: supposing it was considered to be desirable to lay down a statutory minimum of Europeans in the service, would that, in your opinion, constitute a violation of the Act of 1833?—Certainly not. That Act is said to have removed a disqualification.

8520. I will read you the exact words of the paragraph I am interested in. The exact words are "Be it enacted,—That no native of the said territories nor any natural-born subject of His Majesty resident therein, shall by reason only of his religion, place of birth, descent, colour or any of them, be disabled from holding any place, office or employment under the said company"?—That in my opinion is a qualified enactment, "shall be disabled by reason only." But if for the best Government of India it is desirable, and for the best system of recruitment it is desirable, that a certain number of places should be reserved for Indians to be filled by an examination in India, then I do not think that that infringes the qualified provisions of the Statute.

8521. Allow me to interrupt you for a moment. You say that "a certain number of places should be reserved for Indians." I am taking the converse. Supposing it was considered necessary to lay down a minimum of Europeans in the Indian Civil Service, would not the fact of laying down a minimum number of Europeans constitute a breach of that paragraph of the Act?—I do not think so, if a reasonable number of places are reserved for Europeans. This section was enacted, as I understand it, for the purpose of removing some of the disabilities under which Indians were supposed to labour.

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8522. (*Mr. Chaubal.*) Following up your last answer to Lord Ronaldshay, may I ask you this? Supposing it was decided that all Civil Service posts should be filled up by Europeans, would you consider that to be an infringement of the Statute?—Certainly.

8523. If all civilian posts, all the posts which are now in the Civil Service cadre, were filled, or could be filled, only by Europeans, supposing that was ruled, would that be an infringement of the Statute?—If there were very strong reasons, which there are not, for making such a provision, I should say that it would not be an infringement of the Statute.

8524. I am not taking into consideration the reason. Supposing rightly or wrongly that that Act, as you say, removes a disability under which the Indians laboured at that time, do you not think that the rule that all places shall be filled by none but Europeans, would be imposing the same disability which was said to be removed by the enactment?—I think it would be entirely contrary to the spirit of the enactment.

8525. You gave it as your opinion that if there is a complete separation of the executive and the judicial . . . ?—I was speaking as regards District and Sessions Judges: that was the only point I was dealing with. I was not dealing with the magisterial question. It was not in my mind.

8526. A scheme for the separation of judicial and executive is not inconsistent with the persons who ultimately become District and Sessions Judges having previous administrative and magisterial experience?—I am afraid I do not quite follow you.

8527. As I understood, the answer to the question put to you by Lord Ronaldshay was that at present you find that District and Sessions Judges appointed from the Indian Civil Service cadre,—from civilians who have magisterial and administrative experience,—is an asset of great value in the performance of their duties as District and Sessions Judges: that is what you have said?—Yes.

8528. And then Lord Ronaldshay followed that up by asking you whether, if there were a separation of judicial and executive, so far as District Judges are concerned, then the District and Sessions Judges would be lacking in this administrative and magisterial experience. That was the question that was put to you?—I should have to consider what is the alternative scheme for recruitment.

8529. That is what I am coming to. Supposing in the scheme for recruitment—which may be suggested under a scheme for the separation of the two—that District Judges' posts can be given to men before they are made District Judges, men who have experience at the bar, and have done some magisterial and administrative work; if the places are given to such men, there would be nothing against filling up the posts of District and Sessions Judges by these men?—Do you mean that men at the bar were to have judicial experience; because I am not proposing that anybody should be taken up at the bar and pitchforked at once into a District and Sessions Judge's place. If you had a separate system altogether of promotion from the bar to magisterial appointments, if you have a separate criminal system of administration, you might have such a scheme.

8530. If such a scheme were possible, the objection that District and Sessions Judges would be without administrative and magisterial experience would vanish? If the persons who fill up those posts, previous to their being raised or promoted to that stamp, are in places where they will acquire that experience, for some time, then that objection will probably vanish?—Such people would be more competent as far as experience of criminal work goes.

8531. Coming to another point you are, as I understand, in principle of the opinion that the earlier a person selects for the judicial or executive line the better?—Yes, of course.

8532. May I know the nature of the administrative difficulty which you apprehend in the way of that being carried out?—This matter was considered by the Madras High Court, and certain administrative difficulties were pointed out. I have, however, no experience of administration, or of administrative difficulties, and I take this on trust. I cannot speak to that.

8533. I should like to have some more definite opinion as to why you consider persons, passing the bar examination as it is now constituted, and being called to the bar, would not have a better preparation than by attending barristers' chambers?—I do not think I said that. What I meant was this. Civilians are very good examinees. It is comparatively easy for them to cram up and pass the bar examination. I have known it done in a most surprisingly short time in my own experience. As far as the bar examination is concerned with English law, I would sooner have them begin their studies in our Codified law. Our codified law has great educational advantages for Civilians. It is much shorter and much easier to acquire many of the chief rules of the law from our Codes than the English Case law.

8534. Referring to your answer to question (64), is the reading in chambers to be at home, or out in India here?—The suggestion was that it should be at home, but you will see that I have been very cautious as to that. I am not convinced that it would work. I am not prepared to express an opinion upon it. I think it is a question which should be decided at home by people on the spot. I have been out here for twelve years, and I am not now sufficiently in touch with those matters to be able to speak to them.

8535. Supposing a person was called to the bar, and then put in six months with a barrister either at home or out here in India, would you not think that that would be the best equipment and training?—I would sooner have a study of the Indian law.

8536. That would be better achieved by being in chambers here, would it not?—No, by a separate examination. I would have them pass an examination in the law as administered in this country. I do not attach very much importance to being called to the bar for people who are going into the judiciary: it is largely formality and eating dinners.

8537. You do not attach importance to the sort of lectures in law which are now given at home?—Yes, I do. I think they would be a great advantage. I intended to suggest that they

might even be required to attend lectures, or still better that they might have special lectures suited to themselves. I attach great importance to attending the courts in England. I think that would be most salutary.

8538. (*Mr. Gokhale.*) I am not sure that I clearly understand the opinion you have expressed on the subject of the Statute of 1833. I should like to invite your attention to the exact wording of the section. It is as follows:—"No native of the said territories nor any natural-born subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said Company."—They may, I think, be so disabled; but if it is for the general interests of the country. . . .

8539. We will take the section as it stands?—That is the interpretation I put upon the word "*only*."

8540. Therefore, if any proportion of the total number of offices in the Civil Service,—no matter what it is, whether it is the whole, three-fourths or two-thirds,—is definitely prescribed as the proportion which must be filled by Europeans, to that extent would there not be a disability put upon an Indian by reason only of his colour or place of birth—to that extent?—Not in my opinion.

8541. I want to know how that is?—What is the reason which dictates the exclusion?

8542. I should like first of all to be clear upon the letter of the law?—It says, "*only*." If you have any other reasons, it does not come within the section according to my construction.

8543. Therefore, if you say that persons who are unfit for certain reasons (those reasons being unconnected with race, or creed, or colour) shall not be employed, I can understand that; but if it is merely said that two-thirds of the places shall go to Europeans, if this is expressly laid down, then you say that an Indian by the mere reason of his colour or his place of birth shall be excluded from those two-thirds: is not that so? If an Indian is unfit, that is another matter; but if an Indian is fit, how can you keep him out?—My view is that if the general interests require that there should be a certain proportion, then it is necessary. The question is what the section means.

8544. With regard to your answer to question (7), I see that you think that if simultaneous examinations are instituted, at first only a few of the candidates who are examined in India will be successful, but that this would soon change, and that before long the service would run the risk of being swamped by Indians: that is your opinion roughly, is it not?—Yes.

8545. Could you give us some idea as to how long it would be: would it be 20 years?—I have said it is only a matter of forecast: I am not a prophet.

8546. I should like to know what is in your mind?—I should anticipate before many years; say 10 years or so.

8547. That the necessary facilities would come into existence in this country, and that Indians would probably get in in large numbers in ten years: is that roughly what you mean?—Yes, I think so; in increasing numbers.

8548. There are two things you state in connection with this. You say, first, that with the rapid advance of higher education in India the inducements there would be greater; and, secondly, you state that the remarkable memorising power of Indian students would also bring about such a result. Those are the two reasons that you have mentioned here?—I think that, naturally, all the brightest Indian boys, or at any rate, a great majority of the brightest Indian boys, would be entered for the service. I think you would have the very pick of Indian students going in for this examination, naturally.

8549. I see what you mean, but I want to know what you mean by "rapid advance of higher education"?—I mean the quality of the education which, I hope, is improving.

8550. You are Vice-Chancellor of the Madras University, are you not?—I am.

8551. So that you are fairly familiar with the standards prescribed for the various examinations. I am not going into details, but, in a general way you know what the standards here are just now?—Yes.

8552. Do you think that there has been much perceptible increase in the standard during the last fifty years. At the highest examination there is perhaps some increase, but it is very little?—I could not answer that question. I have not compared the standard of the papers that have been set.

8553. Take the standards of the B.A. and M.A. papers when the University was first established. Were they less difficult than they are now?—I should like that information to be given by some educational authority.

8554. I put the question to you because you are the Vice-Chancellor of the University. Supposing it was only the numbers that were increasing, and that the standard of the examination was not really perceptibly much higher?—I look at it in this way. You have 32 subjects for the Civil Service.

8555. It is 38?—It may be 38, but I read 32 here this morning. You take a certain number of those with aggregate marks of 6,000, so that you can only have a selection. The B.A. Honours course lasts from 15 to 20. A brilliant student will take Honours at 20 in the Madras University. We have a specialising system, so that he will not take Honours in many branches. He will not have many subjects available to take him into the Civil Service. But under the present system he has four years more to prepare. When I said this, I did not attach much importance to my own opinion: it is the general impression which I formed in conversation with those here who, I think, are best able to judge; and that impression is that a certain number of successes would be obtained before long, and then I think that there would be, it seems to me, every incentive in India to make that number of successes as large as possible.

8556. I quite admit that there would be every incentive, but there is the question of whether there would be the necessary facilities for passing the examination in this country?—The facilities must vary. I should imagine that in Calcutta there will be very good facilities.,

8557. We are talking of this Presidency?—And I hope here too. If you have a brilliant Honours student passing at 20 he has till 24.

8558. That is the latest at which he must appear. He might be 22 or 23?—It is only a matter of forecast. I certainly anticipate that there would be a very large proportion of successes.

8559. Do you know the case of a student of the Madras University who took a first-class in Mathematics here, and who went to Cambridge and passed as Senior Wrangler, but stood fairly low in the Civil Service Examination? Have you heard of that?—I know the gentleman you mean. He was a scholar nominated by the University here.

8560. He was Senior Wrangler of his time?—Yes.

8561. So that in one subject he was extraordinarily brilliant, but that did not help him very much in the Civil Service examination, and your Honours men will be men who have studied only one subject particularly well?—My point is that they will have an opportunity of studying.

8562. Your Honours course is five years?—Yes.

8563. And a boy matriculates when he is 15?—Yes.

8564. Fifteen is the minimum age, is it not?—Yes, 15 is the minimum age.

8565 And he must spend five years before he takes Honours?—Yes.

8566. That will mean he will be 20?—Yes. I may say this. I have no doubt that if such a system is introduced pressure will be brought upon us to depart, to some extent, from this specialising system, which was adopted after much controversy, and that we shall have to frame our Honours course in a way which will be more advantageous for the proposed candidate.

8567. Do you really think that the pressure would be felt by the Senate of your University?—Certainly. I do not understand. Why not?

8568. How many candidates at the most would there be?—I think there would be a very strong public feeling in the Presidency that additional facilities ought to be granted, and I think that that being so, public opinion would find effect in the Senate.

8569. You know that four-fifths of your Senate is appointed by Government every five years?—I am glad to say that our divisions have not proceeded upon those lines.

8570. But four-fifths are appointed by Government, are they not?—Yes, that is so.

8571. And the majority of them are composed of European officials?—That also is so; but very few are Civil Servants. I feel that it would be exceedingly difficult for the Senate of the University to resist the pressure. I know that some educationists dislike the suggestion on the ground that it would interfere with the present system.

8572. Your experience is different from mine. One more question. You are in favour of a separate examination for any proportion that might be fixed for Indians?—On the whole, it is a difficult question; but I am inclined to think that that is the solution which has the fewest difficulties in the way.

8573. You do not express any opinion about the proportion yourself?—I leave the proportion to be fixed.

8574. Do you know that the Madras Government in 1893 favoured a proportion of one-third?—I believe that is so.

8575. Would you leave it to the Government to fix the proportion?—I would leave it to be settled.

8576. But, as far as that proportion is concerned, would you have any objection to the examination being held in India under the authority of the Civil Service Commissioners—not at the same time when the London examination is held, but at some other time of the year—the examination to be of the same stiffness and standard? Would you object to a separate examination, held at another time, so that the danger about Indians displacing European candidates might be removed; an examination to recruit in India only for the proportion laid down in India under the authority of the Civil Service Commissioners?—I have no objection to the Civil Service Commissioners holding the examination. Of course it is possible that some better method might be devised.

8577. You do not see any objection?—I should think that the Civil Service Commissioners would be as good examiners as to be found anywhere. I should not have any objection to their holding the examination.

8578. Would it not remove the grievance of the Indians who may be taken into the Civil Service in that way that under any other arrangement there would be a stamp of inferiority on them?—Personally I do not believe in the stamp of inferiority at all. It seems to me that civilians are not judged by the place at which they come out in the examination. I should imagine that they would be judged by the work they did. I am not prepared to say, but I do not know that men in the Army entering by the Militia in the old days have a worse standing than men who entered by Sandhurst.

8579. Would you include the men who get in by the examination in India in the same list as those who come in by the London door; or are they to be on a separate list?—Personally I have no objection to excluding them.

8580. Excluding them, or including them?—Treat them in the same way.

8581. (*Mr. Sly.*) In answer to question (23) you have said that the number of Subordinate Judges is sure to be increased as the result of the provision?—Yes.

8582. Do you confine that to Sub-Judges, or is the number of Munsifs also likely to be increased?—I believe so.

8583. At the end of that sentence you go on to suggest that some District and Sessions Judgeships should be recruited direct from the Bar?—Some. I would have some Subordinate Judgeships and District and Sessions Judgeships, but I would leave that as a matter of discretion to the Government, acting in consultation with the High Court, which is practically the present system.

8584. If you increase the number of District and Sessions Judgeships open to that service, will not that *pro tanto* injuriously affect the interests of the Provincial Civil Service? They have got four Judgeships at present, have they not?—Yes.

8585. Proportionate to a certain number of Sub-Judges and Munsifs?—Yes.

8586. Do you see my point?—Certainly; but I think I have said that I would have regard to the interests and the present prospects of the subordinate service.

8587. You do not think it would be to the interests of the judicial administration of the country that that service should be prejudicially affected?—No.

8588. If the increase in the number of listed posts of District and Sessions Judges is to go wholly to the Bar and no part of the increase is to go to the Provincial Service, although the number of Sub-Judges and Munsifs is largely increased, their interests will be prejudicially affected?—No; I hardly think so. What I mean is that they would be getting as much as they had any right to when they entered the service. All that I mean to say is that a certain infusion of fresh blood from the Bar would I think, on the whole, be a desirable thing.

8589. Then, in your answer to question (43), you have given us some interesting proposals for the training in law of officers, the members of the Civil Service, during the course of their probation. I should like to have your opinion on one point. Do you recommend during the probationary period a course of instruction in the codified laws of India? A view has been expressed that what is required is not training in England, during the probationary period, in the codified laws of India, which, it is alleged, can be taught and acquired equally suitably in India, but preferably that such officers should undergo a thorough course of training more in the general principles of jurisprudence and the general principles of law, which would give them a much better legal basis for the appreciation of Indian codes than could be obtained by simply studying all these particular codes in England. That is the alternative which has been put forward and I should like to know which is the better method of legal training?—I have stated my opinion. I have considered that matter and it is a very difficult one. I personally have been through this suggested training and it is difficult to say how much good it did me. One has to make the best use of the time when one has only limited opportunities. I certainly believe that a mastery of the codified laws of India would be of more practical use to them than a general knowledge of the general principles of jurisprudence which is a very vague thing; and a knowledge of the general principles of jurisprudence can, I think, be acquired from the little book called "Holland on Jurisprudence" in a comparatively short time. There is the Roman Law and it is desirable to know something of it at Home; but there again it is more a luxury than a necessity.

8590. If the probationary course in England be restricted to a study of Indian codes, would you tell me whether those codes could not be equally well taught in India itself without any probation in England?—But the probationary period in England should be used in attending Civil and Criminal Courts and seeing how justice is administered; and as far as residence in England goes, I attach chief importance to that point, because the codes might just as well be mastered in India.

8591. The attendance at High Courts and other courts in India would not be equally effective?—Certainly not; I do not think so. I think that justice is administered in a model manner in the higher Civil and Criminal Courts at Home and I think it desirable that they should see it there.

8592. Then you have recommended that the bifurcation between the Executive and Judicial functions should commence at the earliest possible age?—From the Judicial point of view. That is my point of view. I am not competent to deal with the administrative difficulties and that is why I have left myself in the hands of Sir Ralph Benson on the point.

8593. But from the Judicial point of view, do you think there is any difficulty in the officers of such young age either electing or being selected for particular aptitude for the judicial service? Would it be difficult at the earliest possible age to discover it? Would it be easier later in life to elect for the service?—I should think not. Men choose their profession earlier in life.

8594. There is another objection which has been put forward, and on which I should like to have your opinion as to whether it is entitled to weight or not. That is, if you put the age of selection very early, you would discourage men from going into the judicial department, because while young they would like to lead a more active life, they would like executive work and camping, etc.; and all that would tend to discourage selection for the judicial branch at that age?—There may be some force in that objection. But if Civilian Judges are to be retained, it is necessary, in my opinion, that some steps should be taken to give them an adequate training. That there are difficulties I quite realise.

8595. (*Mr. Macdonald.*) I wonder if you would mind again turning to the section of the Government of India Act, as the question has been raised. You have dealt with the first part of the section which relates to religion, place of birth, descent or colour. The latter part of it says "Be disabled from holding any place, office, or employment." "Any" there might mean one of two things: either any place separately and individually in the sense really of "every," or it might mean any category of place, not in the sense of "every" at all, so that you could say that, in the general cadre of the service, one half of the places should in the public interests be reserved for Europeans, and yet contend that there was no place, no kind of place, from which an Indian was excluded by reason of his religion, place of birth, descent or colour?—Quite so.

8596. You consider that the word "any" in the Statute might be considered in one of the two ways?—I quite accept the construction of the Statute which you suggest. If it was said that no Indian shall be a member of Board of Revenue, that is an infringement of the Statute.

8597. But you may say that half the members of the Board of Revenue shall be or may be Indians?—That is my construction of the Statute.

8598. I just wanted to know if I was right in my construction of the Statute?—That is my construction.

8599. If you turn to your answer to question (1), in the last sentence of it, you refer to the Judicial branch; but I think you said afterwards that you did not take into consideration the Judicial branch below the District and Sessions Judge when you made that observation?—That is so.

8600. So that, if I were to go and put any question about the magisterial section of the branch, your answer would not be properly based?—My experience of the magisterial branch has been comparatively slight and therefore I refrained from answering those questions.

8601. Perhaps I will put a question and see if you cannot answer it. We had a statement made in the course of our sittings here that this kind of case is fairly common: a police case is settled in the law court and its report is sent to the Collector who, on reading the report and the decision, allows his mind to be swayed by information which he has received from the police diary or by other departmental information, which was not brought up in evidence and from which therefore his mind would be not absolutely colorless. Occupying an executive position he, knowing these things, orders the case to be retried either by sending it back to the original court or by asking a special magistrate to try it; a case of discharge. Would you say from your experience, and not from hearsay, if these cases are common?—I cannot say. But I should like to say this: that the power which is given to Magistrates, after discharge by a Subordinate Magistrate, to direct a further enquiry and practically a retrial, appears to me to have been dictated by the conditions of the country, and the opinion of the legislature at the time at which it was passed was that the subordinate judiciary and criminal magistracy could not always be entirely relied upon, and that there were possibilities of corruption or other things, which required to be checked by the superior Magistrate. If the Magistrate happened to have a knowledge of that sort which you have alluded to, it would be impossible for him to altogether exclude it from his mind in carefully examining the evidence.

8602. Would not that be a departure from the method of strict justice?—It is altogether an anomalous power, this directing a further enquiry; and there has been a discussion of it in our courts. Some judges were inclined to hold that a discharge by a Magistrate amounted to an acquittal. All I can say is that it is almost impossible for a Magistrate to exclude altogether information of that sort which he may have in his mind; and I am not sure that it was intended that he should.

8603. We have no parallel to it at home?—Absolutely nothing. In India you are getting an evolution of judicial methods which rouses some sort of general criticism about those methods which have been taking place from time to time and by reason of which our evolution has gone on.

8604. Possibly the point I would like you to consider is: Do you not think that, when the judicial mind of India reaches a certain stage, this kind of power that you have just been describing and which you say is a historical product and has arisen under certain circumstances under which India had to be governed—don't you think that the time would come when it would mean that there would be a lack of confidence in the impartiality of the exercise of the judicial function and when changes will have to take place in consequence?—It would be desirable, when the subordinate Criminal Magistrate commands sufficient confidence to do away with it. But taking Indian opinion alone, even in recent years, very strong criticisms have been passed (I am not in a position to say whether they were justified or not) upon the reliability of the magistracy.

8605. Does the word "Magistrate" include Collector?—I mean the Subordinate Magistrate, the lowest class of criminal Magistrates. It is chiefly with his judgments that the District Magistrate interferes under this section by ordering a further enquiry; taking notice of discharge and ordering a further inquiry either by that Magistrate or, if he so chooses by another Magistrate.

8606. Has not complaint been made that a District Magistrate himself, by the exercise of this power, has done injustice, when justice was done originally?—Of course such complaints may have been made.

8607. Did you come across them in your judicial experience?—I do not at present recall myself cases where injustice was done by the District Magistrate rather than by the Sub-Magistrate. There are, no doubt, cases in which that power has been injudiciously exercised by District Magistrates. If you give a power like that, it is perfectly certain that human nature being what it is, in a certain proportion of cases interference may be uncalled for.

8608. You see the bearing which this point has upon the separation of the executive and judicial functions?—Yes. If you raise the character of your Sub-Magistrates, who are generally supposed to be in a less favourable position than District Munsifs—if you raise that you render less necessary a control of this nature.

8609. In so far as you raise the status and probity of the lower grade of your judiciary, by so much do you naturally separate the judicial functions from the executive functions, because the executive function is not required to come in to check it?—There would be less need of such checks as that.

8610. That has been, as a matter of fact, done in this Presidency; where you have a large district, your Tahsildar has not got the magisterial functions to discharge that he used to have before?—I am afraid that is a branch of which I have no personal knowledge.

8611. (*Mr. Madge.*) Judging by the fruits of the competitive system you think that, though not theoretically perfect, it practically gives such results that you are not yourself prepared to recommend any improvements, but you think that an improvement is possible?—I should be very glad to see it considered. That is all I can say.

8612. Would it help you either to know that the opinion has been offered that, as a test of character and a number of other things that an average Englishman is supposed to possess, it has been suggested that a Board for English candidates affords facilities for estimating character? Do you think that such a Board would be advisable here if possible?—There is difficulty in anything of that sort working well.

8613. Do you think those difficulties are insurmountable?—I should not like to say that; but they are very great. I mean that is a

question I am willing to leave to the Commission to consider.

8614. One of your objections to the simultaneous examinations is that they would be crowded with students in the country. But suppose the Government only declared a certain number of appointments vacant which should be filled from successful passes, that objection would disappear?—I do not quite follow you.

8615. Suppose, previous to any simultaneous examination, the Government only called for an examination in any particular year in order to fill a certain number of vacancies and no more, then that objection would not hold good—the objection that the examination would be crowded?—You mean that the Government should admit Indians to compete only for particular offices. You mean that when the vacancies do occur the Government should hold a special examination for a number of vacancies.

8616. For a number of vacancies in each particular year?—I think that is what they always do.

8617. Then it would not matter if the examination were held or not if only a number of particular vacancies are filled?—I understand that there are always a particular number of vacancies.

8618. Do you or do you not think—you have already partially answered the question—that the simultaneous examinations in this country would exercise a pressure on our Universities which would tend to a deterioration of the standard of general education?—That is a matter which we should have to try and guard against. It might raise difficulties which we should have to try and meet as best as we could.

8619. You have admitted the pressure, but you think that it should be avoided?—The Universities should try and avoid it.

8620. You said that you consider that the executive experience gained by Civil Servants by the time they reach the branch of Sessions Court is a valuable asset. Consequently if any bifurcation took place before that period our Sessions Court would be deprived of very valuable experience?—Yes.

8621. And if the Sessions Court and other Courts were recruited largely from the Bar they would be deprived of that experience altogether?—I think it is desirable that more Judges should have such experience; but, on the other hand, Judges recruited from the Bar may have other qualities. Taking the thing as a whole, I am not in favour of eliminating the European District and Sessions Judges—that is practically what I mean—but, at the same time, I think that there should be a larger number of District and Sessions Judges nominated from the Provincial Service and the Bar.

8622. Would the familiarity with the technique of Law compensate for the absence of experience gained in the executive offices?—If suitably chosen, the members nominated from the bar would have a class of experience of their own which would be of value.

8623. I did not under-estimate that value, but I wanted your opinion as to whether one would compensate for the other or not?—I think that seems to be a question not easy of solution.

8624. Would your opinion on this point affect or not affect your opinion as to the period of bifurcation that would be desirable?—Not much. I think the period of bifurcation, from a purely judicial point of view, should be as early as possible; but we run up against administrative difficulties, that I do not feel competent to deal with. That is why the High Court has recommended a later period than it would otherwise do.

8625. The country is passing through a state of transition and Mr. Ramsay Macdonald has referred to the evolution of the judiciary. Do you think or do you not that the administration of justice both now and in the past has, in some measure, been in executive and judicial hands, looking at the administration of justice as the setting of a wrong right?—If you mean that the officers who administered justice have also had executive functions, yes—a large number.

8626. I do not want to go into the history of the subject; but I may say that before the British rule the administration of justice was vested in the ruler?—There was confusion of powers; one man had all the powers very often.

8627. So it occurred to me that, partly because of that, British justice in this country took on both the executive and judicial character, and the District officer has opportunities of travelling into the interior and of setting things right that belonged to the judicial rather than to the executive?—Yes, possibly, I am not prepared to express any opinion about that.

8628. (*Mr. Abdur Rahim.*) I should like to ask you one or two questions about the Act of 1833 to which your attention has already been drawn. The wording is "shall, by reason only of his being a Native of India or by reason of his religion, place of birth, descent or colour, be disabled from holding any office." As regards the word "only," I wish to suggest this: reasons other than consideration of the efficiency of administration. By reason only of religion, place of birth, descent or colour means reasons other than efficiency of administration and the fitness of the candidate. I suggest this, because this Act, as you pointed out, was intended to remove disabilities and it could not have been intended that for any political considerations there should remain any further disability. Therefore, the word "only" there suggests reasons other than considerations of the fitness of the candidates or of the efficiency of administration?—You might exclude them for deficiency or on general considerations of administration.

8629. Of the efficiency of administration?—Yes.

8630. But not political considerations?—I am afraid I do not follow you.

8631. But not political considerations?—I do not know what you mean by political considerations.

8632. I mean this: this act was enacted in order to remove a political disability?—I think, if you read the whole statute, you will find that this was enacted to remove a supposed legal disqualification. But at the time it was enacted the only people who had been through Haileybury were to be civil servants, which practically debarred all Indians.

8633. What I mean is: if you exclude Indians on merely general political grounds, that will really be an infringement of the Act?—In my opinion it will not.

8634. I mean, apart from the question of the efficiency of administration?—I suppose that the justification for retaining a minimum of Europeans is for the efficiency of administration.

8635. If it could be brought under that head?—Then you would also have to consider whether the British connection is an advantage to be maintained. I do not think that they ever dreamt of any such question arising, because there were then no Indians in any post of consequence.

8636. But the words have to be construed in considering it?—I think it is most unfortunate if in dealing with the very difficult problems that the Commission have to deal with, the solution should be restricted by the language of an ancient statute which was passed without any regard for the present conditions; and if there were any difficulty, I should be in favour of repealing this section, but in my opinion there is not. I should certainly be in favour of repealing it, and so long as the proposed measures are by way of increasing their share in the government of the country it seems to me then there is no objection either to the letter or to the spirit of it.

8637. I hope you have not misunderstood me; I am not suggesting that it is not desirable that there should be a certain European element in the service—I am not suggesting it for a moment—but I am purely upon the construction of the statute. In making any recommendation, we shall have to consider whether our recommendation should include a repeal of this statute or not. It is purely upon that question of law I am suggesting to you that, unless you exclude the Indians on grounds of efficiency of administration or their unfitness for holding particular appointments, it would be a violation of the statute, if it is on any other ground?—I think that if you exclude them on any other ground than that of religion, place of birth, descent or colour, you are not infringing the statute.

8638. As regards the suggestions made by Mr. Macdonald as to holding "any" place, I may recall to your mind the Charter Act or the Letters Patent which lays down that one-third shall be civilians and one-third barristers. That is the purport of the Act?—You mean the High Court Act of 1861.

8639. Yes, and I am asking you to consider whether that Act in any way has a bearing upon the suggested interpretation. I do not remember if it has been suggested that it is *ultra vires* with the Act of 1833?—The Act of 1861 is of the same authority. Both being Acts of Parliament, the later is to be preferred to the previous one and no question can arise there.

8640. It has been suggested that, if the word "any" in "holding any place" means any kind of place, this statute might support that interpretation; for otherwise, it would be inconsistent with this Act of 1833. I want to know whether there would be any force in that argument or not?—I do not suppose that the legislature which passed the High Court Act of 1861 considered that they were infringing any principle which had been embodied in the Act of 1833.

8641. So far as you remember, has the question been raised?—I don't think that it ever suggested itself to anybody.

8642. As regards recruitment, you have it suggested—do you agree with it, having regard to your experience here—that, if it is possible to secure qualified candidates, it would be desirable, having regard to the condition of India, that important provinces and larger communities should be represented in the service, subject of course to that qualification?—*Per se* it is desirable.

8643. As regards the method of recruitment, you are not able to pronounce any definite opinion?—I am conscious of the difficulties of all systems of recruitment.

8644. As regards the recruitment for the judiciary, I understand that you will enlarge the listed posts to about half the number of District and Sessions Judgeships?—I have not said that. If that has been suggested, as I believe it has been, I do not dissent from it.

8645. And out of that you would like to see a fair proportion of appointments be recruited for directly from the Bar?—A certain proportion, yes.

8646. I think you suggested that half of that half might be reserved for it?—Have I suggested it?

8647. Not in your written answers, but in one of your oral answers?—Somebody else suggested that we should have to consider the prospects with which the existing subordinate judiciary entered on their appointments.

8648. What is your view on the point, supposing there was no question of impairing the prospects of men already in the service?—I take it that it is desirable that a certain number of appointments should be given to the Bar.

8649. That Subordinate Judges as well as District and Sessions Judges should be recruited from the Bar?—Generally so, but Sub-Judges should occasionally become District Judges.

8650. You mean directly from the Bar?—Yes.

8651. I want to know this: here in Madras have you got proper men that could be appointed direct to the place of Subordinate Judges or District Judges, whether they be English or Indian members of the Bar?—You include Vakils?

8652. Including Vakils as well as European and Indian members of the Bar?—I should say that appointments could be made from the Bar.

8653. At the present moment, I should like to know whether you could supply for instance three or four men for the appointments?—I have not considered that; but I certainly think that we could make suitable appointments.

8654. Do you know the European members of the Bar?—At present there are individuals who might be willing to accept, but not many. Whether they would be willing to accept or not I cannot say.

8655. What about Vakils?—I cannot say. I have not considered these questions, and I do not want to commit myself. If you take the whole Bar, I should say that there are a fair number of people who might be appointed.

8656. It has been suggested, as a sort of general matter, that the profession of law does not give the exact training which fits a man for judicial duties; that is to say, the Barrister or Vakil conducts the case of one party at a time, and therefore such a training would hamper him in some way or other in discharging his duties as a

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Judge, when he is appointed a Judge. Is there any force in that suggestion?—The English system has always been to recruit from the Bar and it has worked fairly well. But the foreign systems are to recruit very little from the Bar.

8657. I want to know about the system with which you are familiar?—I am familiar with the English system.

8658. I want to know whether there is any force in that suggestion?—Whether the English system of recruitment from the Bar is absolutely the ideal system.

8659. I do not ask you that. Is it a system which does qualify a man to properly exercise judicial functions?—A good selection may be made by that system as also by other systems.

8660. I am asking you about the profession of law and you say that a good selection can be made from them?—By selection from the Bar and also by the French and German systems. A man enters service as a Magistrate in France at once. Instead of going to the Bar, after he has finished his legal studies, he becomes a Magistrate, as a substitute, and he discharges the lower duties of a Magistrate.

8661. That may be. Another suggestion has been made that the Indian Members of the Bar are not properly qualified to discharge the duties of a Magistrate or a Sessions Judge. I should like to have your opinion on the point?—I am not prepared to say that they are disqualified.

8662. You know this: that the present District and Sessions Judges have been recruited, except one gentleman who has lately been appointed, from the Provincial Service; from the Sub-Judges' rank?—Yes.

8663. Sub-Judges do not do any Criminal work?—No.

8664. If there is any deficiency in these Sessions Judges trying Sessions cases, that would be, I take it, due to the fact that they have not had their training as Criminal officers; that would account for it?—To some extent.

8665. Is there any other reason that you wish to suggest, because we have to recruit men to the listed posts from that service?—It is really a question of comparison. I am not prepared to say that they are disqualified or that there is any disqualification.

8666. I want to know from your experience whether there may be some other reason?—It has been suggested that the European District Judges should be eliminated. But I think that, on the whole, it is desirable to have a certain proportion of Europeans as District Judges.

8667. If you ask my opinion I should like to say yes?—It is only from that point of view I approach this question. I think that Indian District Judges, on the whole, do their work efficiently.

8668. I want to put some more questions to you regarding that. I want you to keep your mind clear of any suggestion that there should be no European element or there should be no fair proportion of European District and Sessions Judges. As regards the question of the separation of the two services, there are two questions that I should like you to bear in mind. There is the question of separate recruitment and there is the question of the separation of the executive and judicial functions. As regards separate recruitment, I should like to know your opinion: I understand that you want that, in the open competition, there should be a proper provision for the study of law?—Yes, after the probation you mean?

8669. I mean, in the open competition. Sir Ralph Benson is very strong on that point, that there should be adequate provision for law?—That law should be highly marked?

8670. Yes, that is Sir Ralph Benson's opinion?—I have not considered that. I had limited my consideration to the period after the open competition has passed; to the period of probation. But that is a question for the Civil Service Commissioners to consider.

8671. Let me have your opinion on that point, whether the study of law should not form part of the curriculum for the open competition?—As an optional subject?

8672. Of course, all these are optional subjects?—Certainly I see no objection to its being an optional subject. I think the English law is an optional subject already.

8673. I think it has a very small value?—500, I think it is. I noticed it this morning.

8674. A suggestion has been made that it ought to have a greater value and the range of subjects should be wider?—That raises all sorts of questions with which I am not competent to deal, from an educational point of view.

8675. Would not you agree with me that the study of law should form a part of liberal education?—To some extent I think it is a good thing. That was the old idea in England. That is what Blackstone's Commentaries were written for.

8676. Having regard to the duties which an Indian Civil Servant has to perform in India, even his executive duties, they have to interpret many an Act and Statute?—Yes.

8677. Then as regards probation, I take it that you would require a certain course of training for two years?—Yes.

8678. In law?—I would not entirely spend it in law. I should like legal studies to be pursued during that time.

8679. Is it for all?—It is for all. It is desirable, if it can be managed.

8680. When they come out after the period of probation, would you have them elect for the judiciary or the executive at once?—It is said that there are administrative reasons against it. I think that they would be better for a little executive experience at first. I do not agree with the statement that that would be detrimental to them, which, I see, has been made by some witnesses.

8681. For what period would you have them discharge administrative duties?—From the legal point of view, I should say for three or four years.

8682. They will have no judicial duties?—They will have magisterial duties.

8683. And you will have them discharge revenue functions also?—I think that is desirable.

8684. What are those revenue functions that you will have them discharge?—I would have them discharge those duties that they now do.

8685. Can you let me have an idea?—Only generally. I have no more knowledge than you have.

8686. Taking the magisterial functions, would you like them to devote more time to the magisterial than the revenue work?—I don't think that matters much.

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8687. I suppose you agree with me that if this period, during which they do administrative duties, is prolonged, there is every likelihood that the knowledge they acquire of law would become more or less impaired?—No doubt.

8688. Then after three or four years, you would ask them to elect?—Yes; as soon as it can be done practicably.

8689. Then you would have them take up civil work at once?—I should like them to have this further study at home.

8690. That is after three or four years?—Whenever it comes. I should like them to have this study at home and then they should take up work here. The time that we reckon upon is about three or four years; but it may be a longer period.

8691. Am I to understand that the idea in your mind is that, for the purpose of exercising the judicial duties, the study of law prescribed during the probationary period in England would be sufficient?—Should be supplemented.

8692. Would be sufficient?—I should say not.

8693. For discharging magisterial duties?—Yes.

8694. And for discharging the general duties of a Judge, you would require them to have a further course of study in England?—Yes.

8695. Then they would take up their work; begin work as Munsifs and as Sub-Judges. Have you any opinion on that?—I think that is desirable.

8696. Would they be doing magisterial work also?—No, I think not. But those are details which I am not prepared to say. Considerations of convenience will settle all that.

8697. I should like to clear this matter up as regards the High Court's recommendation you have referred to. The subject of reference was rather narrow,—what would be the proper training for the members of the Civil Service. It was not in contemplation at the time that there should be a complete examination of the system of recruitment, and the only question was as to the best training to be given to the members of the Civil Service. That was the scope of reference?—Certainly.

8698. It was a limited reference and there was a dissent among the Judges too?—I believe so.

8699. Now as regards the separation of executive and judicial functions, I should like to have your opinion whether as a general proposition you do not agree that the head of the district, who is responsible for the peace of the district, should also have control of the subordinate magistracy, supervise their work, and see whether a conviction has been proper, for instance, in police cases, and whether acquittals or discharges have been proper?—As a general proposition, it may not be so; but I do not consider that I have had enough experience of the working of this system to express any opinion. I have not answered that question. I have given no answer to that question in my written answers.

8700. You have said in your answers that subordinate magistrates have not a desirable reputation?—I said that the Indian opinion, influential Indian opinion, has been expressed very unfavourably about them.

8701. Have you any opinion on the point?—I have not had the means of testing their work. I do not think that what I merely see in the High Court would enable me to test their work.

8702. Then I take it that you are not prepared to express any definite opinion as to the separation of the executive and the judicial functions?—No.

8703. (*Sir Murray Hammick*). I would just like to ask you one question to clear up a matter. We were told yesterday that it was a serious blot on our administration that—Mr. Ramsay Macdonald referred to it again this morning—after a subordinate magistrate has discharged a prisoner, the District Magistrate, either on the police report or on some other information which he might have got outside what was recorded in the court, should have the power of ordering a re-inquiry after discharge. What I would ask you is: whether you do not think it possible and probable that the intention of the legislators who made that provision in the Criminal Procedure Code was not that the District Magistrate should use the extraneous information which did not appear in the records, before he made up his mind whether to order a re-inquiry into a case which has been discharged?—Speaking from memory, I think the language of the section is exceedingly general, and possibly it was so.

8704. Speaking for myself, as a District Magistrate, I did not have any hesitation, if the evidence put before me had not been put in the trial, and if I thought it important I had no hesitation in ordering a re-trial, and I did not think that I was doing anything wrong in doing that. I take it that it is possible that the legislature intended that course?—That perhaps may be the case, and I should like to consider the matter further, and I should not like extra-judicially to express any opinion about it.

8705. All I was going to say was: if, at present, that power which the District Magistrate has is considered to be used improperly, it is a perfectly simple course to take to so amend the law that a re-trial or re-inquiry after discharge should not take place without a reference to the High Court, that would be a simple way?—That would be burdening the system.

8706. Or without a reference for the Sessions Judge or some superior authority over the District Magistrate. That would be the obvious way out of the difficulty?—Yes.

8707. As regards the training of Indian Civilians to be Judges, I understand that you rather put on one side the importance of reading general jurisprudence at that period owing to the ample amount of information which is given in the Indian Codes as regards law?—I thought that it was desirable that they should make the best use of their very limited time. I should be very glad to see Jurisprudence included, but there are so many other things that they have to find room for.

8708. I suppose you would agree with this quotation which I will give you out of the minute which was written by Sir Henry Mayne in 1875, in which he says: "It happens that the Indian Codes correspond to Jurisprudence in this sense about as closely as any body of rules could do. Their law is stated as generally and simply as is consistent with the practical usefulness?"—That is exactly what I mean.

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8709. It was said here by a witness some days ago that the appointment of Indian Judges is made at such a late period, too late in their service, that they have no time or desire to study law: are you of that opinion?—You mean from the Provincial Service?

8710. No, no, I mean the Indian Civilian Judges. We were told by one witness that the Indian Civilian officers are promoted to be Judges too late in their life to show any desire to study law?—I am not prepared to confirm that opinion.

8711. Do you know that, as a matter of fact, in the last three years three Judges appeared in England for the Final Law Examinations at the Bar?—I believe that one of them got honours.

8712. One of them got a high place; another one passed last year and I understand that the third one appeared in December last. That probably is some evidence that Indian civilians, when they become Judges, are not altogether unable or desirous to study law?—Certainly.

8713. I should like to ask you this question. This is a thing which was put to me 2 or 3 times lately as regards the simultaneous examinations. The point that has been put to me and on which perhaps you, as Vice-Chancellor of the University, might throw some light is: it has been raised as some objection to the simultaneous examinations in this Presidency, that any system which would so add to the strain already imposed by examinations—that the system of having such an examination of extraordinary stiffness, as the one to which such a large number of graduates in honours would be attracted, would result in a strain on the youth of this part of India which would have deleterious effect on their mental and physical vigour; and the illustration that was given was the position of the candidates who appeared for the M.L. examination, where, perhaps with one or two exceptions, they have never been able to succeed afterwards in the Bar. I should like to know whether that coincides with your opinion?—I am not prepared to discuss what the M.Ls. have done; but I think there is no doubt that it might be a serious strain upon some of the Indian candidates who would be likely to devote themselves heart and soul without any sort of consideration for health to preparing for the examination, without keeping themselves physically fit; and that is a thing to be guarded against. If there was a separate examination, it might be possible to guard against that better.

8714. The point that was made to me was particularly as to the climate of Madras; that the climate of Madras is a hot-house climate which renders it deleterious to mental and physical vigour to make men read very late in life for very hard examinations?—I should think that is a possible danger to be guarded against.

8715. (*Mr. Oldfield.*) I have only two short points. Firstly, as regards the District Magistrate's orders setting aside discharges, are they subject to High Court's revision? In your experience have you known sensational allegations as have been suggested?—I have never had any sensational case. The only case that I have had with regard to that was as to the extent of the power.

8716. Rather more a legal point as to the introduction of extraneous information?—Yes.

8717. The other point is: you told us that the High Court and the Government have been concerned in recent years about improving the qualifications of Civilians. One matter of detail in which some interest has been taken and about which I want to ask you is: was any arrangement made about two years ago in order that a Judge who left one district should see the appellate judgments in the cases he disposed of even after he got to another district?—We found that the appellate judgments were not being sent to Judges who had left the district and it was arranged that in future they should be sent, and I believe that is being done now.

8718. (*Mr. Subrahmanyam Pantulu*). It has been put forward by some witnesses that the Indian District and Sessions Judges may not possess such administrative capacity as Civilian Judges do. It has also been replied to by other witnesses that the Indian Judges who are promoted to District and Sessions Judgeships from the subordinate judicial service, viz., from Sub-Judge's and Munsif's places, acquire that capacity in a measure which makes them fit to discharge those duties as well as Civilian Judges. I understand from your evidence that you are in favour of recruiting for the District and Sessions Judges' places directly from the Bar?—Some of them.

8719. I suppose you are aware that every District and Sessions Judge in the Presidency has to discharge necessarily administrative duties along with his judicial duties?—Yes, certainly.

8720. There is no District Judge's place in the Presidency where only judicial duties are to be performed?—Quite so.

8721 I should like to know how your Lordship would supply the necessary training to candidates directly recruited from the Bar to District Judges' places in administrative duties?—They would have to pick it up as they went along.

8722. At the expense of efficiency?—At the temporary expense of efficiency. There are all these aspects; there is no perfect system.

8723. (*Sir Theodore Morison.*) May I ask you, as Vice-Chancellor, whether there is any regulation in the Madras University which would enable the Senate to prevent the principal of an affiliated college from admitting to any class that he likes any person whom he chooses, if that person did not propose to take a degree?—After the matriculation or the school-leaving certificate requirements have been satisfied, then they are admitted to an affiliated college, and I do not know if there is anything to prevent the principals of these colleges from admitting people who do not go then for a degree.

8724. Anything to prevent it?—This is a new question; I am not aware of anything.

8725. I have done it in another capacity; but is there anything to prevent it in the regulations of the University?—I think in big institutions like the Presidency College and the Christian College, they would do it.

8726. If a person came forward to join a college for the sake of learning and does not want to take a degree, is there anything in the University regulations which would prevent a principal from admitting him?—Not that I know of. I do not think there can be anything like that rule.

(The witness withdrew.)

17th January 1913.] Mr. C. KARUNAKARA MENON. [continued.

M.R.Ry. Diwan Bahadur C. KARUNAKARA MENON Avargal, Editor, *Indian Patriot*.

Written answers relating to the Indian Civil Service.

8727 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept it as satisfactory generally.

8728 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. It is not. The same examination should be held in England and in India.

8729 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—It is not to the advantage of Indian interests, as those who can do so will go over to the Home or Colonial Service. But if they can be confined to India, if they succeed, they will come in.

8730 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I would propose an examination in India.

8731 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—It would be quite suitable.

8732 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am opposed to it on principle.

8733 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Natives of India should be eligible for appointment in England under any circumstances.

8734 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—No. I do not.

8735 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vic., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am.

8736 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The maximum age that I would propose is 23. The minimum is 21. I insist that candidates for the Civil Service must have passed through a University and must be graduates.

8737 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—It must be 25.

8738 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I do not think any change is called for

8739 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I do not think that any posts should be specially reserved, but I would allow any man of proved merit and ability to rise to however high an office he may be fit to hold.

8740 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do not think it desirable at present to fix any proportion.

8741 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No. I do not.

8742 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not think that it can be revived.

8743 (22) If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—It does not prevail in this Presidency and should not be introduced.

8744 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—I would not keep it except for the purpose mentioned in my answer to question (18).

8745 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed-posts?—No. I am not.

8746 (26). Are you satisfied with the system by which most of the inferior listed-posts are

merged in the Provincial Civil Service?—Yes, I am.

8747 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I think they are suitable.

8748 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes. I do.

8749 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—It must be for two years.

8750 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—The courses of study for Natives of India must be pursued in England, and for others largely in India. Natives of India must learn something of English institutions and systems, and this can be best done in England; while English boys have to learn one or two Indian languages and Indian customs and laws which can be best studied in India.

8751 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Natives of India will best spend it in England.

8752 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—Yes.

8753 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I think it is desirable, but doubt whether it would be practicable.

8754 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—The general impression is that there has been a deterioration. The causes are—(i) the necessity to study two languages; (ii) the increasing number of Indians who know English; and (iii) frequent transfers. Transfers can be minimised if they cannot be altogether prevented. And perhaps the study of one language may be made ordinarily sufficient. For the rest we must rely on natural inclination and necessity.

8755 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I think the same instruction as is given to B.L. candidates will do for all Civil Servants, but in the case of those who select for the Judicial branch I would give them training in lower Judicial offices.

8756 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—The same as the B.L. course.

8757 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—Officers selected for the Judicial branch must begin as Munsifs, and they must have at least three years' experience before they begin to exercise appellate functions.

8758 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

8759 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

8760 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—It ought to be unconditionally abolished except in the case of those to whom it has been granted.

8761 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I would suggest the same rates of pay for officers of the same grade.

Written answers relating to the Provincial Civil Service.

8762 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—They are suitable and I have no recommendations to make.

8763 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—It will be enough if the authorities of colleges nominate their best graduates and the Local Governments make their selections from them.

8764 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes. It ought to be.

8765 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I think all are fairly represented. I consider it is desirable, and in the present circumstances it is best to leave it to the Local Governments concerned.

8766 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—So long as a distinct designation is needed, it does not matter what it is.

8767 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

8768 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes.

8769 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No, I do not. The rates of pay must be the same.

Mr. C. KARUNAKARA MENON, called and examined.

8770. (*Chairman.*) You are the Editor and Proprietor of the *Indian Patriot*?—Yes.

8771. Have you held any public positions?—No.

8772. What is your caste?—I am a Nayar.

8773. I notice that in answer to questions you state that you are in favour of simultaneous examinations?—Yes.

8774. And you would do away with the listed posts?—Yes.

8775. But I understand that if you do away with the listed posts you would leave an opening to men of merit and ability being promoted?—It is only under that condition I recommend its abolition.

8776. In other words you would not altogether abolish the listed post system?—I would abolish the listed-post system under the examination that I recommend for India.

8777. What do you exactly mean by that reservation in favour of allowing men of proved merit and ability to rise to the top?—That is in regard to promotions from the inferior service.

8778. In answer to questions (31) and (32), you recommend probation in England for Indians and probation in India for Europeans?—Probation for those who are admitted to the service: the probation must be for Indians in England and for Englishmen in India.

8779. How long would you make the probations for Europeans in India?—Two years.

8780. And the same for Indians in England?—Yes.

8781. You do not favour the proposal of a separate recruitment for the two branches of the service, Executive and Judicial?—No, I do not.

8782. Can you tell me when you would recruit, how soon after the examination you would be prepared to see recruitment made for the Judicial branch?—I suppose those recruited will be drawn for the Judicial branch like other people who would be drawn for the executive branch.

8783. (*Sir Murray Hammick.*) In reply to question (21) "Do you consider that the old system of appointment of 'statutory civilians' under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?" You say "I do not think that it can be revived." What is your reason exactly for objecting to this statutory service system or what are the obstacles in its way?—I do not think it would be popular in the first place, and I am not satisfied that there should be a different grade of service from the one that exists, viz., the Indian Civil Service.

8784. Then I see in reply to question (27) as regards listed posts you say "I think they are suitable." Do you approve of the system at present in force as regards listed-posts? Perhaps you do not understand what the listed-post system is?—I understand.

8785. Do you approve of that system?—As it exists, it may be.

8786. But if you had the simultaneous examinations would you continue the system of listed appointments?—I would not.

8787. You would abolish it?—Yes.

8788. I do not understand your answer to the President's question. How are you going to get your men of proved merit and ability promoted, if you had not the listed-posts?—It would be according to the opinion of the Local Government.

8789. You would enable the Local Government to appoint outsiders to any appointment in the service?—To any post which they desire.

8790. Then you would take away the schedule which reserves posts to the Indian Civil Service officers. You would like to see that schedule to the English Statute which reserves certain posts to the Indian Civil Service; you would like to see it abolished?—I think myself that all appointments must be for the Civil Service and those who are outside may be admitted to them in cases of exceptional ability and merit.

8791. (*Sir Valentine Chirol.*) I understand that you would still like to see suitable persons, who happen to be in the Provincial Service, promoted?—Yes.

8792. When you abolish the system of listed posts, you would give authority to the Government to promote men to posts, whether they now happen to be listed or not?—Yes.

8793. (*Mr. Madge.*) With reference to your answers to questions (58) and (59), apart from any opinion which you hold as to the relative proportion of salaries between two sets of offices, you would retain the designation of the Provincial Service as opposed to the Imperial Service; as regards the adjective to be applied to officers, would you retain the designation of the word "Provincial" as a branch of the service, or would you abolish it?—I have no objection to have a service called the Provincial Service or under any other name.

8794. (*Mr. Sly.*) In answer to question (19), you say "I do not think it desirable at present

to fix any proportion of Europeans" Will you tell us your reasons for that opinion?—Because there is no necessity to do so at present.

8795. Why is there no necessity?—Because they are in sufficient numbers at present.

8796. You see no danger of that number being reduced below a satisfactory minimum?—I don't think so.

8797. On principle do you consider that there should be a minimum or there should not be, if it came to the point?—There must be a minimum.

8798. Then in question (37) you suggest that the same instruction as is given to B.L. candidates should be given to the members of the Indian Civil Service in the Judicial branch?—Yes.

8799. How long does that course take?—Two years.

8800. Then in answer to question (52) as regards the Provincial Service you have recommended a system of nomination by heads of colleges and selection by the Local Government from such nominated candidates?—Yes.

8801. Can you tell us why you have not recommended any system of examinations? Do you think that any system of examinations would be unsuitable as regards the Provincial Civil Service?—Because for the Provincial Civil Service I think it would be best to secure class representation by having this selection.

8802. Because of the desirability of having the representatives of classes and communities; is that your reason?—Yes, that is one reason.

8803 (*Mr. Gokhale.*) How long have you been Editor of the *Indian Patriot*?—For more than seven years.

8804. Before that you were Editor of the *Hindu*?—Yes, I was.

8805. How long were you Editor of the *Hindu*?—For eight years.

8806. Your whole experience of public life has been in the field of journalism?—Yes; it has been for over twenty-four years.

8807. The Government conferred on you the title of Diwan Bahadur for your services to journalism?—Yes.

8808. I want to know what your scheme really is: you would have simultaneous examinations?—Yes.

8809. You would abolish listed appointments?—Yes.

8810. You would promote from the Provincial Service deserving men?—It would be very rarely.

8811. It has happened in old times Do you know that two appointments were made under the Act of 1861? Two Indians were appointed under the Act of 1861: are you aware of it?—I am not aware of it.

8812. It was an exceptional exercise of an exceptional power?—Yes.

8813. You would then have that provision for the Provincial service?—Yes; whenever there is exceptional ability to be rewarded, I would have it.

8814. But the bulk of appointments will be reserved for the Civil Service recruited in England and India?—Yes.

8815. You say in answer to question (18) "I do not think that any posts should be specially reserved, but I would allow any man of proved merit and ability to rise to however high an office he may be fit to hold"?—Yes; they would be generally for them, the Civil Servants.

8816. You would take away the schedule from the Act of 1861?—Yes.

8817. As regards a minimum of Europeans, you agree that there must be a minimum number of Europeans for the efficiency of the service?—There must be. I do not say for efficiency.

8818. For various reasons?—Yes.

8819. But you would prefer not to lay that down expressly either by statute or by rule?—No.

8820. You would leave it to practical arrangements as such an express provision would be hurtful to the feelings of Indian?—Yes.

8821. (*Mr. Oldfield.*) You know the West Coast well?—Yes.

8822. Do you know the Thiyas of Malabar?—Yes.

8823. Are they one of the depressed classes?—They are not.

8824. There are a certain number of graduates among them?—Yes.

8825. Are they admitted to the Zamorin's College at Calicut?—I do not think they are admitted.

(The witness withdrew.)

M.R.Ry. Rao Bahadur W. L. VENKATARAMIAH Garu, Government Pleader, Berhampur.

Written answers relating to the Indian Civil Service.

8826 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Judging from what I have seen of all grades of Indian Civil Service officers during my experience of over twenty-one years I consider the system has worked very well. I accept the system as generally satisfactory in principle.

8827 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The Judicial branch of the Indian Civil Service is not as efficient as the Executive. The alteration I would suggest is contained in my answer to question (11).

8828 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is equally suitable.

8829 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I consider the combination is to the advantage of Indian interests. Because (*a*) it ensures a high standard: (*b*) it attracts the best candidates:

(*c*) It places the Indian Civil Service on the same level as the Home and Colonial Civil Services. (*d*) It emphasises the unity of Empire and the fact that Indians are citizens of the Empire.

8830 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of the system. Such a system is not desirable because—

(*a*) Indian candidates are under no greater disadvantage in having to sit for the examinations in England than are candidates from the Colonies.

(*b*) As against the additional cost and the risks attendant on young men having to go to England for the examinations, should be set the undoubted advantages, *e.g.*, the tone and distinction, the wider culture and broader outlook on life, that training in England gives; the sense of detachment from one's immediate surroundings, which is necessary for an Indian who on entering the Indian Civil Service becomes a member of the ruling class; close contact at an impressionable age with Englishmen and English institutions and the "atmosphere" of English life, which is calculated to fit Indians for the responsibilities of administration and qualify them to work with Europeans on equal terms, as colleagues and comrades, and not as subordinates and inferiors.

(*c*) The standard for the Indian Civil Service open competition is so very much higher than the highest standards of our Indian Universities, that even the best men from our Universities have found that one and even two years of hard work in England in the very studies in which they had excelled here was necessary before they could hope for being "placed" in the Indian Civil Service examinations. This being so, and there being no likelihood of agencies being established here for "coaching" candidates, it seems to me that holding simultaneous examinations in India will result in no practical advantage to Indian candidates, since men locally trained will have really no chance of passing.

(*d*) While every one is agreed that English residence and training are necessary, the advocates of simultaneous examinations would postpone that residence and training to after the results of the open competition are published. This plan is open to two objections:—(i) the candidate being older and being assured of a position in life will be much less receptive of moral and intellectual impressions than if he had gone to England two or three years earlier; (ii) a differential treatment for Indian and British candidates will be necessitated, which is wrong in principle, and will lead to practical difficulties in actual working.

(*e*) The main difficulty in the way of Indians in larger numbers going to England to compete for the Indian Civil Service is not caste, but the question of means: (i) Is it altogether desirable that the very poor should get into the *corps d'élite* of the Indian Public Service? (ii) Is it possible even in England for the poor scholar to aspire for the Indian Civil Service? (iii) Has want of means really prevented many likely candidates in India from appearing hitherto? (iv) Would not a system of State scholarships such as I have suggested in my written answer to question (8) meet the case of young men of moderate means who have a fair chance of success in the Indian Civil Service examinations?

(*f*) There is always the contingency that with the introduction of a system of simultaneous examinations, there will be some restrictions imposed on the number or proportion of Indians to be admitted each year to the Indian Civil Service. This would be a retrograde measure and highly objectionable; it would mean imposing a "colour bar," which would be most un-British, while it would wound Indian susceptibilities most cruelly, and contravene the solemn assurances of our King-Emperor and his august predecessors. What thoughtful Indians covet most is not high office or handsome salaries, but the recognition of the vital principle of equal citizenship, and of equal chances and equal treatment in the public service of their country.

8831 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of such a scheme.

8832 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—To enable deserving Indians to compete for the Indian Civil Service, I should suggest that three scholarships for each of the larger provinces and one or two for each of the smaller, of £250 a year, for three years, be established, to be awarded on the results of an open competitive examination. This would ensure a fair number of picked Indians going up each year to England to study there for the Indian Civil Service and would go a long way towards minimising the inevitable disadvantages to Indians of holding the Indian Civil Service examinations in England. I am not for nomination in any form. Nor am I for sectional representation which would be out of the question in such a scheme as I have suggested.

8833 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India, do you consider that "Natives of India" should still be eligible for appointment in England?—In view of my answer to question (8), I need only say here that what Indians want is equal opportunities with other subjects of the Empire to qualify for the highest grades of the public service. To declare them for whatever reason ineligible for appointment in England would be most repugnant to their legitimate aspirations.

8834 (10). Would you regard any system of selection in India which would recommend for young men who are "Natives of India," as being in lieu or as supplementary to the present system of promoting to listed posts officers of the Provincial Civil Service? If the former,

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what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I am not in favour of any such system.

8835 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Excluding the listed posts, a certain proportion of the service, say 50 per cent., may be recruited from leading members of the Bar in England as well as in India. I am for reserving only about 9 District Judgeships for members of the Indian Civil Service, the remaining appointments being filled by members of the Bar and of the Provincial Civil Service in the proportion of 9 to 4.

(*a*) For members of the Indian Civil Service who elect for the Judicial branch, I should insist on a good knowledge of law. I do not think being called to the Bar is a sufficient guarantee that one possesses such a knowledge of law as is necessary for a District Judge. I am afraid that Civilian Judges do not as a rule realise that law is a highly technical subject requiring close study for years, that a Judge should be familiar with the laws he is called upon to administer, or that a constant study of the growing volume of case-law is absolutely necessary for the efficient discharge of judicial duties. It is well known that the failures of the Indian Civil Service used to be disposed of by appointing them District Judges. Sometimes official punishment took the form of translation from the Executive to the Judicial branch of the service. All this is not calculated to raise the standard of equipment of Judicial officers. For what sort of test I propose, I would refer to my written answer to question (37).

(*b*) It has been found that educated Indians are highly successful as Judicial officers. The system of recruiting High Court Judges from the Bar has proved thoroughly successful. It is generally admitted that Indian lawyers make very good Judges. In the various District Courts we have highly trained lawyers enjoying a large and lucrative practice. They would make excellent District Judges, and would be preferable to all but the very foremost members of the High Court Bar. I should recruit nine District Judges from amongst them, fixing an age limit of forty-five to fifty, and providing a special scale of pensions for service of five to ten years. They should draw salaries two-thirds of what Indian Civil Service Judges would be paid. This arrangement, while affording a wholesome incentive to the mufassal Bar, will provide a succession of really competent Judges intimately acquainted with the languages, customs and conditions of the country, and will effect a considerable saving in salaries and pensions.

(*c*) The four listed appointments as now may be still reserved for the Provincial Civil Service. But I should say that men who have for about twenty years served as District Munsifs and then for about four years as Subordinate Judges are as a rule "played out," they are apt to be cramped in their views, and are not always equal to the wider world in which a District Judge has to work. More often than not they are not very successful as Criminal Judges, having for over twenty years had no criminal jurisdiction at all. The remedy is to promote District Munsifs to the first grade by merit and not by seniority: merit to be tested by a fairly severe examination as well as by their record. Officers whose probity is not above suspicion should be ruthlessly weeded out or superseded; and on no account should they be promoted to the first grade or to Subordinate Judgeships. In this matter, I am bound to say, neither the Government nor the High Court have been sufficiently strict. From the first grade, promotion to Subordinate Judgeships should be by merit and not by seniority. Subordinate Judges should always be made Additional Sessions Judges. In this connection I would refer to my written answer to question (56) as to grading of District Munsifs and Subordinate Judges.

8836 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I consider the present age-limits suitable in view of the age at which the best Indian students can complete their University course in India under the present University regulations.

8837 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—About 25.

8838 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—Please see my answer to question (13). I am not for *any* differentiation at all.

8839 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I should place Sanskrit and Arabic on the same footing as Latin and Greek as to marks, etc. I should include Indian History in the syllabus of subjects with 500 marks.

8840 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I am not for any differentiation whatever.

8841 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do not consider there is any need for an irreducible minimum of European subjects in the higher posts of the Civil Administration. Still less do I consider there is any argument of necessity or expediency for defining such a minimum.

(*a*) There is no argument of necessity or of expediency for defining such a minimum. As matters stand, there is now, and will be for many years to come, a preponderance of the European element in the Indian Civil Service, and that element will therefore for many years to come preponderate in the higher posts. To provide now for such a remote contingency as a preponderance of the non-European element is not advisable, for the obvious reason that the exact and entire state of affairs when such a contingency occurs can scarcely be gauged now with any degree of accuracy.

(*b*) The proper position is that as far as possible the highest posts should be opened to only the members of the Indian Civil Service, who form the *corps d'élite* of the public service, and who, even if not European by blood or birth, are sufficiently Europeanised by culture, by traditions of their service, and by training, to be regarded as fit for the highest responsibilities of administration. I say *as far as possible*: meaning that there should be no rule excluding from the highest offices men who, though not in the Indian Civil Service, are by experience, character and attainments qualified for such offices. For some years we shall have to go outside of the ranks of the Indian Civil Service to recruit a sufficient number of properly qualified Indians for the Executive Council, and the Board of Revenue: for I hold that from every point of view it is desirable that highly qualified Indians should be intimately associated in the administration of their province: *i.e.*, not merely to satisfy Indian aspirations, but to ensure that the administration is sufficiently in touch with the actual sentiment, and real conditions of the people.

(*c*) The reservation of even a very small number of the highest posts for Europeans will mean the imposition of the "colour bar" which, as I have already said, is un-British, is wholly repugnant to Indian feeling, and would contravene the solemn pledges of our Imperial rulers — pledges so often re-affirmed, and which we Indians regard as inviolable. To quote from the Proclamation of His Majesty the late King-Emperor in 1908: "Steps are being continu- "ously taken toward obliterating distinctions of "race as the test for access to posts of public "authority and power." To earmark this or that public office "for Europeans only" would be *creating* race-distinction where none now exists, instead of making for the *obliteration* of such odious distinctions: it would be a most retrograde step, and bound to create the profoundest dissatisfaction and resentment throughout the country.

8842 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Yes.

8843 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I am not in favour of its introduction into this province.

8844 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—I am in favour of the system.

8845 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed-posts?—I think the rule is a good one but should not be limited to one-quarter of the listed posts.

8846 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

8847 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Of two years. In addition to the present course of study, the probationers should be made to read in a Barrister's chambers for a period of about six months and attend trials of a certain number of civil and criminal cases.

8848 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

8849 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The time should be spent in England. My answer applies equally to both European and Indian members.

8850 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Not quite. Attendance at the High Court for a period of about six months is desirable.

8851 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—(i) There has been a deterioration. (ii), (iii) No. There should be more searching tests, written as well as *viva voce*, held by the University, than the present language examinations, and promotion should be withheld till these tests are passed.

8852 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—(i) As to all officers—they must pass a searching examination in Criminal Law, Criminal Procedure Code, Law of Evidence and Revenue Law as a *sine quâ non* for promotion. (ii) Judicial officers—before appointment as District Judges, they must pass a searching examination in Hindu Law, Property Law, General Jurisprudence, etc., of the standard required for the Bachelor of Laws degree in this University.

8853 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Please see my answer to question 37 (ii).

8854 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who

are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is desirable.

8855 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation is necessary.

8856 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I am in favour of the arrangement.

Written answers relating to the Provincial Civil Service.

8857 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—Recruitment for the Provincial Civil Service should be by open competition. This is the ideal system to which we must gradually work up. The men thus recruited have been as a rule quite unexceptionable, and often very distinguished, both as regards capacity and character. For the present, however, I think only one-third of the appointments should be made on the results of a competitive examination.

(*a*) One-third should be recruited from the graduates already in Government service. To shut them out from the Provincial Civil Service would be an injustice to them as well as a waste of valuable material. Men of proved ability and character should be taken into the Provincial Civil Service by nomination. After a few years all the really good men available will have been absorbed into the Provincial Civil Service. Thereafter two-thirds of the appointments should be made by competitive examinations.

(*b*) The remaining one-third should be, for the present, by nomination from communities not well enough represented in the Provincial Civil Service, *e.g.*, Indian Christians and Anglo-Indians. In their case, a good general education—in most cases, a good University degree—should be insisted upon; personal character and social standing being of course required. The due representation of all communities in the higher grades of the public service is desirable in two ways: (i) It is due to the various sections of the people that members of each community should be encouraged whenever they are found qualified. Their lawful aspirations are satisfied in this way. (ii) Even more important is it that the public service should not be allowed to become the monopoly of just a few classes. Such a monopoly is not calculated to keep the spirit of the administration sufficiently catholic; and if catholicity is ever needed in public affairs it is needed in a country like India with its diverse peoples and tongues and faiths and its civilizations of varying degrees. I need not touch on the more obvious disadvantages of a monopoly of public offices by a few classes.

8858 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes. Including the Native States under the political control of the Government of the province.

8859 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—(*a*) Not adequately.—(*b*) Please see the second part of my answer to question (52).

8860 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—No, not in the Judicial.

I should recommend—

8 Sub-Judges	.. ..	1st grade.
8 ,,	.. ..	2nd ,,
8 ,,	.. ..	3rd ,,

	Rs.
Fourth-grade District Munsifs to start on	250
Third ,, ,, ,, ...	300
Second ,, ,, ,, ...	350
First ,, ,, ,, ...	400

Among Deputy Collectors—

10 in the	.. ..	1st grade.
12 ,,	.. ..	2nd ,,
15 ,,	.. ..	3rd ,,
20 ,,	.. ..	4th ,,
25 ,,	.. ..	5th ,,
25 ,,	.. ..	6th ,,
30 ,,	.. ..	7th ,,

8861 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Please see my suggestions as to District Munsifs in answer to question (56).

8862 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes, I approve.

8863 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I should suggest the following posts to be listed:—

Four District Judges, excluding those to be recruited from leading members of the Bar both in India and England [please see answer to question (11)].

Six District Collectors.

Six Sub-Collectors.

Six Assistant Collectors.

One Secretary, Board of Revenue.

One Under Secretary to Government.

Mr. W. L. VENKATARAMIAH, called and examined.

8864. (*Chairman.*) Can you tell me what public positions you occupy?—I have been Government Pleader and Public Prosecutor, Ganjām, for the last eleven years.

8865. How many years you have been in public service?—Eleven years.

8866. You are in favour of maintaining the present system of open competition for the Indian Civil Service?—Yes.

8867. In answer to question (6) you say you are not in favour of the establishment of simultaneous examinations?—I am not in favour of it.

8868. Your main reasons being, I understand that it would tend to deteriorate the *personnel* of the Indian Civil Service?—That is one of my reasons.

8869. Why do you think that it would tend to deteriorate the *personnel* of Indian Civil Service?—I think it will work out like this, as I have pointed out in clause (*c*) of my written statement under question (6). The standard for the Indian Civil Service open competition is so very much higher than the highest standard for our Indian Universities that even the best men from our Universities have found that one and even two years of hard work in England in the very studies in which they had excelled here was necessary before they could hope for being 'placed' in the Indian Civil Service Examinations. This being so, and there being no likelihood of agencies being established here for 'coaching' candidates, it seems to me that holding simultaneous examinations in India will result in no practical advantage to Indian candidates, since men locally trained will have really no chance of passing.

8870. That is arguing against the establishment of simultaneous examinations on the ground that Indians would not be able to succeed in them, and not on the ground that those who succeeded would tend to deteriorate?—I was going to say that this being so, the establishment of simultaneous examinations will eventually result in the lowering of the standard and in that way we shall have an inferior set of men.

8871. You anticipate that the Indian would find it so difficult under the simultaneous examination system to come out successful, that there would be a desire and a demand for lowering the standard to enable him to pass?—Yes.

8872. And that is how you come to the conclusion that it would ultimately result in a deterioration of the *personnel* of the service?—Yes.

8873. You regard it as essential that all Indians before entering the Civil Service should have an English training?—Absolutely.

8874. You regard it as important for other reasons than that of giving them better education in England?—I have amplified my answer in clause (*b*).

8875. Will you do so verbally?—Taking the word education in its widest sense I should say 'yes,' for the additional educational advantages which residence in England would involve.

8876. You would retain the present competition as it is, and to enable Indians to have better opportunities, you would institute a series of scholarships?—Yes.

8877. Of £250 each a year for a period of three years for about three scholars in each Province?—Three in the larger and one or two in the smaller provinces.

8878. Making in all how many scholarships in India?—About 12 or 15.

8879. Those 12 or 15 scholars, you anticipate, would be in addition to the normal number of candidates that now go up yearly for the open competition?—It would naturally reduce the number of Indian candidates that go up.

8880. You mean it would reduce the others?—Yes.

8881. Why do you say it would reduce the others?—After all, the number available for the purpose is limited and if you take away 15 of them as Government scholars there will be 15 less.

8882. Have you any idea from personal knowledge as to the number of Indians who have been to England for the last three or four years?—All that I can say is that for the Madras Presidency the average is about four or five every year.

8883. I should like to ask you one or two questions as regards these scholarships. Would you make these scholarships tenable only at certain approved Universities?—Preferably.

8884. Would you tell us what Universities?—Oxford and Cambridge by preference.

8885. Would you confine them to these?—No; I would include Scottish Universities also.

8886. Then you would have to draft certain rules to ensure that the scholarships were not abused?—Yes. You may have rules similar to those which now obtain with reference to the award of Government of India scholarships. There are some scholarships now which come round to particular provinces every year and there are some rules in connection with those scholarships. Similar rules will have to be drafted.

8887. The amount of scholarships at the end of three years would come to £750. Suppose the students fail, that would mean that that amount is a loss to the State?—Yes. It would be, as it is now with regard to the Government of India scholarships. As regards Government of India scholars we have not heard of any failures; but if they do fail, the amount would be a loss to the State.

8888. You do not anticipate that these scholars that go up every year would be successful?—Not all of them, but there would be a fair proportion.

8889. They would be picked men?—Yes, it would be the picked men that would get the scholarships.

8890. It would be a stiff test; the test for getting scholarships?—Yes.

8891. Where will the test be held?—In India.

8892. They must pass that examination after training in India, prior to going to England?—Yes.

8893. What is the age at which they would pass that examination?—About 20, so as to give them at least two years.

8894. So as to give them two to three years before they go up for the competition?—Two or three years.

8895. Then you have to give them the ordinary probation afterwards?—Yes.

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8896. As regards your answer to question (11), you make certain suggestions about District Judges. You would reserve only nine posts of District Judges for the members of the Indian Civil Service?—Yes.

8897. And you would allow the remaining posts of District Judges to be filled by members of the bar and of the Provincial Civil Service in the proportion of nine of the former to four of the latter?—Nine to four.

8898. Therefore four posts will be listed posts?—Yes.

8899. Then I notice in reply to question (25) you say "I think the rule"—which prescribes that Natives of India other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts—"is a good one but should not be limited to one-quarter of the listed posts." You would extend that?—Yes.

8900. Therefore under your scheme one or more of the four posts of District Judges might go not to the Provincial Civil Servants but to candidates recruited from other sources?—No. In the case of Judicial appointments I should reserve those listed-posts for the Provincial Service men.

8901. They would be exclusively for the Provincial Service?—Yes.

8902. You are strongly in favour of maintaining the open competition system for recruitment. You think that is far better than nomination or selection?—For the Indian Civil Service, yes.

8903. In regard to appointments belonging to the Provincial Service, you would have no objection to nominations being made?—No, no objection in the case of Provincial Service appointments.

8904. What influences you in that connection; is it the desirability of communities being adequately represented?—There are two considerations that influence me, with reference to that recommendation, concerning the Provincial Civil Service. One is that there are a number of efficient men in the lower grades of the Government service whose claims to promotion to the higher appointments of the Provincial Service should not be neglected. It would be a waste of material not to promote a number of tahsildars and revenue inspectors who are graduates. I suggest that one-third of the appointments should be reserved for them. The remaining one-third I would leave to the communities that are not well represented already in the public service.

8905. Do you think that communities are adequately represented in the service in Madras?—No.

8906. Do you think there is room for improvement?—Very much room.

8907. Do you think that it is important that communities should be represented in the cause of good administration?—Yes, I do.

8908. Do you think that good administration is apt to be sacrificed by failing to carry out that principle?—Yes.

8909. (*Sir Theodore Morison.*) I only want to ask you one question about these scholarships which you would give. You would give them after an open competitive examination?—Yes.

8910. Why would you not be satisfied with the Government of India scholarships scheme which is at the present moment in vogue? You compared them with the Government of India scholarships. Would you not be willing to allow them to be given in the same manner?—I do not think that the present method of awarding Government of India scholarships is as satisfactory as competition. The object of these scholarships being to choose the very best and picked men in India for the Indian Civil Service competition at home, it is necessary to have the most unerring test for the selection of the candidates for the scholarships and for that purpose nomination is not satisfactory.

8911. How are the Government of India scholars selected here?—By nomination.

8912. How?—Recommended by heads of colleges and decided by Government.

8913. It does not go through the University here?—I do not think so.

8914. You would not mind imposing another examination immediately after they come out of their B.A.?—I would not mind it.

8915. You are dissatisfied with the present system of selecting Government of India scholars?—Yes.

8916. Do they not select the right people?—Not always.

8917. But a fair proportion have already got into the Indian Civil Service; a fair proportion of Government of India scholars?—Yes.

8918. Do you think that if they were otherwise selected a few more would get in?—In this scheme that I suggested of three scholarships for each province, there will be more.

8919. Do you think that the proportion would be more under your scheme than under the present scheme of the Government of India scholarships?—More.

8920. (*Mr. Chaubal.*) Will you please excuse my curiosity. I want to know when the title of Rao Bahadur was conferred upon you?—In 1910.

8921. Were you a Christian then?—Yes.

8922. Do Christians have the title of Rao Bahadur?—Yes.

8923. I ask simply because Rao Bahadur is a purely Hindu title?—I understand it to be an Indian title.

8924. You would not give Khan Bahadur to a Hindu?—That is for Muhammadans.

8925. I cannot understand the propriety of giving Rao Bahadur to Christians. How many members has this Association of yours got?—Very nearly three hundred.

8926. As regards the answers given to us, are they to be taken as the opinions of the Association, or are they your individual opinions?—They are primarily my views, placed before the Association, and approved.

8927. They have been placed before the Association?—Yes.

8928. With reference to the question that was put to you by the Chairman, I should like to know whether, when you say there is no adequate representation of the classes in the service, you mean not adequate taking into consideration the amount of efficient material which each community affords?—Yes.

8929. Do you propose that the course of studies mentioned in your answer to question (30) should be for the members of both the branches; the judicial as well as the executive?—Yes, for both.

8930. In answer to question (35), you say that "attendance at the High Court for a period of about six months is desirable." For whom?—For those who elect to enter the Judicial branch.

8931. Then that is in addition to six months that you recommend for both?—Yes.

8932. Would there be attendance at the High Court while he is studying in Barristers' Chambers?—I mean the Indian High Courts.

8933. May I know your reasons for saying that persons who hold listed posts should draw two-thirds pay and not the full pay of the places?—First of all for the important reason of economy; and secondly these are men who have not been to the same expense in fitting themselves for the public service as the men who have gone to England to compete for the Civil Service.

8934. You think that salaries are adjusted with the sense of recouping that expense already incurred?—In recognition of the higher standard of training.

8935. (*Mr. Gokhale.*) I wish to understand clearly your scholarships scheme. You would have 12 or 15 scholarships for the whole country. Do you mean to say that you would award 12 or 15 every year or there would be 12 or 15 altogether?—Every year.

8936. These scholarships would be tenable for three years?—Yes.

8937. The total number would therefore be 36 or 45?—Yes.

8938. Are you quite sure that the Government of India scholarships are awarded by the Local Governments?—That is my impression.

8939. My impression is different. In Bombay it is the Syndicate of the University that awards these scholarships. I believe it is the same thing here. The Syndicate takes the whole career of the candidates into consideration and awards the scholarships. If that is so, would you see much objection to it?—Yes.

8940. On the whole the men who have been selected, have they been fairly good men or not?—Fairly good men.

8941. Do you know that in 1868 Lord Lawrence instituted nine scholarships for the same purpose?—I believe so.

8942. But they were disallowed in the year following by the Duke of Argyle on the ground that a scheme like that was inadequate?—I am not aware of the grounds on which the scholarships fell into disuse.

8943. They were disallowed on the ground of the utter inadequacy of an arrangement like that to meet the requirements of the case. You propose a larger number of them and that is a point in your favour?—Yes.

8944. In your answer to question (6) you say in clause (*e*) "the main difficulty in the way "of Indians going to England in larger numbers "to compete for the Indian Civil Service is not "caste, but the question of means: is it "altogether desirable that the very poor should "get into the *corps d'élite* of the Indian Public "Service." You object to the very poor getting into the service. What is your objection?—It is not a desirable thing that a very large number of the very poor should get into this *corps d'élite*.

8945. Do you not know that most of the Government of India scholarship holders are from the ranks of the very poor?—In my experience not of the very poor.

8946. What do you mean by "very poor"? Could they afford University education without scholarships? You mean the very poor who cannot afford to give University education to their children?—Yes.

8947. If they have not gone through a University course and have no higher education, even if you throw the Indian Civil Service competition open to them, how would they compete? They must acquire the necessary education to appear for the examination. If they can acquire the necessary education, they can obtain these scholarships?—Yes.

8948. How will you keep them out?—The thing is that a man who is so poor as not to be able to send his children for the local University education is certainly too poor to send him to England.

8949. There is no risk, whether you have simultaneous examination or you have scholarships, of the very poor competing unless they have received higher education?—I think that a very large number of poor would appear for the simultaneous examinations and they would compete for the scholarships.

8950. Even though they could not afford to acquire University education?—University education would not be a *sine quâ non* in their case.

8951. But they must acquire some kind of higher education and that would cost them money?—Yes.

8952. What is your objection to the very poor appearing in the ranks of the Indian Civil Service? In this country has not the tradition rather been that poverty and education have gone together, taking long centuries into consideration?—It has been so.

8953. Do you think poverty is a disqualification?—I think that for the Indian Civil Service appointments which involve administrative responsibilities heredity is a factor that we must reckon with.

8954. A person born in a certain caste but very poor, would he be a proper candidate to get into the service?—Yes.

8955. Then why do you make means, wealth or poverty, a test rather than caste?—What I really mean to say is people whose record of heredity is undesirable should not enter into the service.

8956. That is not the meaning of the expression "very poor"?—That is really what I intended.

8957. It is a difficult matter to lay down what heredity is necessary to get into Government service. Can you suggest anything definite? Taking the different castes, what would you lay down as the kind of heredity required?—I should not welcome peasants into the ranks of the governing body.

8958. Even if a peasant boy acquired University education and stood at the top?—There are exceptional circumstances, but as a class I should not welcome a large influx of the peasant class.

8959. Do you not think that we are dealing with exceptional boys? Those that go up for

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competition must be exceptional boys and you would not have exceptional peasant boys in the competition?—I should not shut them from the scholarships.

8960. Then why should you shut them out from simultaneous examinations?—My fear is that they would come in in such large numbers.

8961. Peasant boys?—Boys belonging to the peasant class.

8962. Would there really be many?—Quite a number.

8963. For some time there was a competitive examination for the Provincial Service. How many peasant boys appeared?—None.

8964. Were not those posts attractive enough for the peasant boys?—I cannot say.

8965. You said in one of your answers that if simultaneous examinations were instituted and very few Indians got in, as is very probable, there would be a cry for the lowering of the standard of the Indian Civil Service examination and the standard may eventually be lowered?—Yes.

8966. Do you think that the cry for the lowering of the standard would be necessarily effective?—It is quite probable.

8967. You know for how long this agitation for simultaneous examinations has gone on?—Yes.

8968. It has gone on for nearly 60 years?—Yes.

8969. Has it been successful?—No.

8970. You come from Ganjām?—Yes.

8971. Have you any knowledge of your own as regards riots in your district?—Yes.

8972. Will you tell us briefly and without mentioning any names as to how Indian officers and European officers have dealt with riots?—There was one riot which was more than a riot; it was something of a political rising on the part of the Khonds, who thought that they had some forest grievances. This was 15 years ago. Then the Divisional officer was a Brahman gentleman and he very successfully coped with the situation single-handed; and I believe it was chiefly for his services in that connection as well as for his generally brilliant record the Government honoured him by conferring a title on him. He was a Provincial service man. Last year there was a Hindu-Muhammadan riot in Berhampur. The matter is *sub judice* before the Government and the High Court probably, and naturally I feel some diffidence to speak at length about it. But I may say this: the general impression is, and my impression is, that neither the European officers who were present at one part of the riot, nor the Indian subordinate officers who were present throughout, distinguished themselves in the matter. Again, in October last, there was a disturbance in another part of the district, the agency part of the district, in which a European officer and an Indian Deputy Tahsildar both did very well. I believe the Collector reported very favourably on both of them and the matter is embodied in a Government Order.

8973. (*Mr. Sly.*) You are a resident of the Ganjām district?—I originally belonged to Madras but I settled down there.

8974. Have you been there for many years?—For 22 years.

8975. In your scheme of recruitment for the Provincial Service you recommend a certain proportion of nominations for the purpose of getting a due representation of different castes and communities, do you not?—Yes.

8976. Is there any agitation or feeling in Ganjām for the employment, apart from castes and communities, of Uriyas in Orissa?—The feeling is strong, and has been steadily growing.

8977. There is one point in your answer to question (65) which I should like to have cleared up. There you say "I should suggest the following posts to be listed." Does that list include posts already listed?—It includes those posts.

8978. In dealing with the question of scholarships, Mr. Gokhale referred to a scheme recommended by Lord Lawrence in 1868, and after one or two years that scheme was abandoned in consequence of the passing of the Statute of 1870 which was believed to give a better method of admission of Indians into the service than the method of scholarships would give. That Statute of 1870 is still in force. In spite of that Statute still being in force, you think that the scholarships scheme in addition would be useful?—Yes.

8979. (*Mr. Macdonald.*) There is just one question that I should like to put to you. In your answer to question (8) with reference to scholarships you make no provision that these scholarships should not be monopolised by any section of the community?—No.

8980. You are not afraid of that at all?—No.

8981. You think that the best men should get them and their abilities should be placed at the services of the whole of India?—Yes.

8982. (*Mr. Madge.*) Do you not consider that the enquiries that precede nominations by Government afford a test of character and other necessary qualifications that are not secured by mere competitive examination?—Oh, yes. Inquiries do embrace other qualifications than can never be tested by competition.

8983. The questions test character which is not tested through competitive examination?—They are capable of doing so, but that they always do so I am not prepared to admit.

8984. My question is: whether they do work effectively or do not?—They are capable of affording a test with reference to other qualifications; but whether they always result in eliciting those other qualifications or not, I am not prepared to admit.

8985. Do you mean from exact knowledge of your own that the officers who are in a position to make the necessary enquiries do not make them?—Judging from the instances where those tests are supposed to have been applied, one cannot say that the men thus recruited possess those moral and other qualifications that are involved in the question.

8986. You say that from your own knowledge?—Yes.

8987. (*Mr. Abdur Rahim.*) How long have you been a Public Prosecutor and Government Pleader?—For 11 years.

8988. I should like to know if in your official capacity you have got to advise District Magistrates and Collectors in matters of Revenue law?—Yes.

8989. Suppose there is an appeal to be preferred where a question of Revenue law is concerned, the District Magistrate would look to you for advice?—Yes, always.

8990. Do you get many references like that?—Yes.

8991. So also in matters of criminal decisions?—Yes.

8992. If there is an order of acquittal or discharge which the District Magistrate thinks is not right, he has recourse to you for advice?—Very often.

8993. Then I should like to know also if the members of the Bar generally in the course of their practice have opportunities of learning Revenue law?—Yes.

8994. And Criminal law?—Yes.

8995. And how they are applied; how the Revenue and Criminal laws are applied?—Yes.

8996. Have you had experience of many Indian District and Sessions Judges?—During my 21 years' practice I served under 21 Judges.

8997. Were some of them Indians?—Eight.

8998. In your capacity as Government Pleader and Public Prosecutor, or rather as Public Prosecutor, you have to conduct Sessions enquiries in behalf of the Crown?—Sessions trials are conducted by me.

8999. I should like to know without any names being mentioned what your opinion is as regards the way that Indian Sessions Judges have been doing their criminal work—Sessions work?—I may say that of the eight Indian Sessions Judges under whom I served, two belonged to the Indian Civil Service. With reference to one of them I cannot offer an opinion, because his term of office was so short; the other was quite as good as any other Judge. The remaining six Judges were members of the Provincial Service. I must say with reference to four of them, that they were rather rusty in Criminal law and not quite at home. That result, in my opinion, was due to the fact that they had served so long as District Munsifs and Subordinate Judges with purely civil jurisdiction that they had practically forgotten the Criminal law. The remaining two Judges of the Provincial Service I consider quite successful as Criminal Judges, the reason being that one of them had rapid promotion from the grade of Munsif to that of Sub-Judge and then to that of Sessions Judge, and the other because he was recruited direct from the Bar.

9000. In your experience have you found any want of efficiency, generally speaking, on the part of the Indian Magistrates and Judges in administering Criminal law?—No, except what I have pointed out in the case of some.

9001. That you attribute to want of training in criminal work?—Yes.

9002. Have you had much experience of magisterial work?—For the first ten years of my practice I used to appear before Magistrates, and since my appointment as Government Pleader their work comes up before me in various forms.

9003. So you have considerable experience of magisterial work?—Yes.

9004. How is that work done in your opinion, firstly by Sub-Magistrates and then by Deputy Collectors who are also Magistrates?—Sub-Magistrates are not at all satisfactory.

9005. What are your reasons for saying so?—They do not seem to have anything like an adequate knowledge of legal principles, leave alone of legal details.

9006. Are they recruited from the profession?—No, they are generally men that have risen from the lower ranks of the service as clerks in Collectorates.

9007. Clerks, Deputy Tahsildars and Tahsildars?—Yes.

9008. Are there Deputy Collectors appointed from the profession?—No; very rarely.

9009. I should like to know this: as regards the unsatisfactory nature of the work done by the Subordinate Magistrates, is that in any degree due to the fact that the District Magistrate combines in himself the executive as well as judicial functions, that is as the head of the Police as well as the Magistracy?—I cannot bring to mind any instance in my experience where there was any disadvantage due to the combination of executive and judicial functions.

9010. What I want to get at is this: is there any public opinion or is it the opinion in your profession that Sub-Magistrates would inspire more confidence in their administration of the Criminal law if they were not placed under District Magistrates?—Oh, yes. There is a very strong opinion.

9011. In the profession?—Yes.

9012. Do you think that opinion is justified?—Yes, I think so.

9013. (*Sir Valentine Chirol.*) You say that you attach great importance to English training and education as essential to those entering the Indian Civil Service?—Yes.

9014. From what point of view is it essential?—To begin with, the whole course of studies in England is on a much higher plane.

9015. Have you been in England?—No; but I have come in contact with those who have been partly educated here and who have been educated in England.

9016. You regret that you had not that opportunity yourself?—Oh, yes, I regret it very keenly.

9017. Has it not often been the case that young Indian students who were sent to England very poor have been exposed to special difficulties and special temptations because they found themselves adrift, they being left without a regular supply of funds from their parents?—There have been such cases.

9018. Even without going to England there have been many cases of parents who, in their very laudable desire to give education to their children, have entered their children for a course of education which their means would never allow them to carry through, with the result they have had to drop it afterwards?—Yes.

9019. To the great detriment of the children?—Yes.

9020. (*Mr. Subrahmanyam Pantulu.*) You have had experience of English as well as of Indian Judges. In reply to Mr. Justice Abdur Rahim you gave your opinion as regards the capacity of Indians to do criminal work as Sessions Judges. Would you be able to give the Commission any opinion as regards their capacity to do administrative duties connected with the office of the District and Sessions Judge?—They do them very well.

(The witness withdrew.)

(Adjourned for a short time.)

A. D. Jackson, Esq., Madras Chamber of Commerce.

Written answers relating to the Indian Civil Service.

9021 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—In my opinion it has ceased to be generally satisfactory as it no longer attracts the best men available. This may be due to a variety of circumstances, but I would emphasize the fact that India is no longer a cheap country, and that the conditions of pay and service generally are not nearly so attractive as they used to be.

9022 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I suggest that the present system leaves room for too large a proportion of failures. It would be better in my opinion if some scheme could be devised whereby candidates should not be admitted to examination unless personally they were considered in every way suitable. Some system of nomination, possibly by school and college authorities, might secure this.

9023 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I think the suggestion I have made in my answer to question (2) is even more applicable to Indian candidates, and that a system of nomination would have a beneficial effect. The question of up-bringing would naturally arise under such a system of nomination in India.

9024 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—No. I think it desirable that candidates should have a definite object in view and that their destination should not be determined by their place in the pass list. Under present conditions the best men elect for the Home Service.

9025 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—*Vide* answer to question (2).

9026 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I should not approve of it. As already indicated in previous answers, I do not look upon the mere passing of an examination as a sufficient test of fitness.

9027 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not approve of any fixed proportion. I would not limit the number of Natives of India employed in the Indian Civil Service, but *vide* answer to question (6). I do not look upon the mere passing of an examination in India or elsewhere as a comprehensive test of fitness.

9028 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of any system of selection in India alone and I do not see any reason at all to provide for class representation.

9029 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I do not recommend any separate method of recruitment for the Judicial branch, but I am of opinion that a successful candidate for the Indian Civil Service should elect at once for service in the Executive or Judicial branch, and if the latter that he should receive some special training at Home, and should not be allowed to exchange from one branch to the other.

9030 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Viet., c. 3), as including "any "person born and domiciled within the dominions "of His Majesty in India, of parents habitually "resident in India, and not established there "for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I do not consider that persons of unmixed European descent can be correctly described as Natives of India in any circumstances.

9031 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I have no recommendation to make.

9032 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—22 to 25 years.

9033 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I do not recommend any differentiation.

9034 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—*Vide* answer to question (7).

9035 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I see no objection to it in principle: I understand the appointment of members of the Provincial Civil Service is permissive only.

9036 (25). Are you satisfied with the present rule which prescribes that Natives of India other than members of the Provincial Civil Service or Statutory Civilians may be appointed to one quarter of the listed posts?—Yes, if, as I presume, it is thus possible to appoint a suitable man who would otherwise be ineligible.

9037 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes, but I would make the probation a long one. It should, I consider, be possible for Government to get rid of a merely unsuitable man after fair trial, but it would be necessary to make the compensation substantial so that this possibility should not act as a bar to men joining the service.

9038 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—I suggest that if at the end of say five, seven, or ten years a man is found to be unsuitable he should be retired with a substantial gratuity which would be sufficient to enable him to make a fresh start.

9039 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In India in all cases.

9040 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I think that selected schools or colleges in India might have special classes for intending candidates for the Indian Civil Service, and that such schools and colleges should be given the powers of nominating candidates.

9041 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—*Vide* answer to question (33).

9042. (36) Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I am not in a position to answer this question definitely, but I am inclined to think that the present conditions of service are unfavourable to the attainment of the necessary proficiency owing to the numerous transfers which take place due possibly to the exigencies of more frequent leave-taking.

9043 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions. Should such abolition apply to officers already employed or be restricted to future entrants?—I consider exchange compensation an anachronism and should be abolished, the pay of the appointments being adjusted where necessary.

9044 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—It does not appear to be necessary.

9045 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—If they are good enough for the post I don't see why they should not draw the full pay attached to it.

Written answers relating to the Provincial Civil Service.

9046 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

9047 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I do not approve of class representation as such.

9048 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes. I have no exact knowledge of the terms usually obtaining as regards salary, but I am led to believe that they are insufficiently attractive to secure the best men.

9049 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—*Vide* answer to question (59).

9050 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—*Vide* answer to question (47).

Mr. A. D. Jackson, called and examined.

9051. (*Chairman.*) You are a partner in the firm of Messrs. Parry & Co. of Madras?—Yes.

9052. And you are also the Chairman of the Chamber of Commerce?—Yes.

9053. Are the written answers you have put in intended to represent the corporate opinion of the Chamber or merely opinions of your own?—They are my own opinions, but so far as I have been able to ascertain in conversation with members of the Chamber I think they are very generally approved.

9054. But they do not come officially?—No, I have not been briefed.

9055. They do not represent the views of the Chamber officially as a corporate body?—No.

9056. I understand you do not desire to be examined upon the answers you have given to these questions, and that being the case the questions and answers will be placed under the category of those non-oral witnesses who have sent in their answers and will be dealt with at the discretion of the Commission hereafter?—I think I would be willing to be cross-examined.

9057. I thought you sent notice to the contrary effect?—I did say so, but I am prepared to be cross-examined. If they are matters within my own knowledge, I will answer the questions; if not, I will say so.

9058. Have you been in business in Madras for a considerable number of years?—Twenty-four years.

9059. And therefore you can speak with an intimate knowledge of the city and its people?—I think so.

9060. Do you know the outlying districts of the Presidency well?—I have travelled a good deal and I have made many tours of inspection in connection with business all over the Presidency, but I have never resided in the mufassal.

9061. In the course of your business you have had in your employ, I suppose, a considerable number of Indians of all castes?—A large number, yes.

9062. Have you found in your observations that caste feeling has undergone modification?—I cannot say whether it has undergone very much modification. I know that it still exists to a considerable extent.

9063. Looking back over the period of time you have been in Madras, what do you say?—I should say that generally it has been modified.

9064. (*Sir Murray Hammick.*) There was a question raised the other day that I should like to ask you about. Are there firms now in Madras with Europeans and Indians as partners?—I do not know of any firm in Madras with Europeans and Indians as partners.

9065. You have a large number of European subordinates in your firm, have you not?—Yes.

9066. All over the country?—Yes.

9067. You pay them considerably more, I suppose, than you pay your Indian subordinates?—Yes.

9068. And for your up-country agencies you, as a rule, employ Europeans?—Yes.

9069. (*Sir Valentine Chirol.*) You are aware under the present system in the Civil Service a man who passes in the Civil Service must serve for a given number of years before he is entitled to a pension?—Yes.

9070. But certain pensions are granted in the case of a man who has to retire for ill-health before the end of that time?—I believe so.

9071. Otherwise even if a civil servant is found to be markedly unsuitable for the work which he has to do, the Government cannot retire him on a pension, but only dismiss him if he has done anything really discreditable?—I have no intimate acquaintance with the rules of the Civil Service, but that is what I have always understood.

9072. Practically there is no option but to keep him on until he has served his full term of years for a pension. Would you or anybody conducting business on practical lines in this country or in any other country act on those principles?—No.

9073. (*Mr. Madge.*) You do not say anything about the domiciled European or Anglo-European communities. Have you any such in your employment?—I think we have no what are termed domiciled Europeans, but I think we have a few Eurasians.

9074. Have you found them fairly satisfactory or otherwise?—I think for the work for which they are engaged they are satisfactory enough.

9075. (*Mr. Macdonald.*) You have said that you pay your European subordinates more than you pay your Indian subordinates, but do they do the same work?—No. We have really no very highly paid Indian subordinates.

9076. They have not the same responsibility?—No.

9077. You differentiate between the European staff and the Indian staff so far as business responsibility is concerned?—Certainly.

9078. Have you ever tried an Indian in one of the superior posts of your business?—No.

9079. Is that on account of use and wont and unwillingness to change the system you have had experience of, or is it because you did not think it was advisable?—We did not think it was advisable.

9080. For business purposes?—From a practical business point of view.

9081. The business point of view meaning from the point of view of efficiency?—Yes.

9082. And that is true both as regards Messrs. Parry & Co. and the Bank of Madras of which I see you are President, is it?—I was President of the Bank of Madras, but my term of office has expired and I am at present Vice-President.

9083. But what you have been saying is both from the mercantile point of view and the financial point of view?—Yes.

9084. In answer to question (4) you say that under present conditions the best men elect for the Home Service. What do you mean by "best"?—I mean the men who come out highest in the list.

9085. In answer to question (6) you say: "As already indicated in previous answers, I do not look upon the mere passing of an examination as a sufficient test of fitness," and in answer to question (7), you say: "I do not look upon the mere passing of an examination in India or elsewhere as a comprehensive test of fitness." So that "best" in question (4) simply means the most successful in passing an examination?—Yes.

9086. It is not a reflection upon the quality of the man?—No.

9087. You say that in your opinion the age of 22 to 25 is the best age to bring your men out. Have you any rules about that in your business?—No, we have no fixed rules.

9088. Have you a practice?—Yes. We make it a practice as far as we can not to bring out a man too young or too old.

9089. What are the extremes?—Those are the limits I have given as nearly as I can. I do not say there are no exceptions; there may be exceptions in the direction of bringing men out rather younger.

9090. But, as a practice, you bring your men out from 22 to 25?—We prefer to bring them out about that age. Something depends of course upon the nature of the work they are intended to do when they come out. If we require what we call a learning boy, a boy who has had no particular business training, then of course he comes out fairly young and learns his business more or less in the country. If we bring out a man for some particular technical work, then it follows that he has to come out rather older because he has had to learn his technical knowledge at home.

9091. I was going to cover that ground and I will do it in my own way, if you don't mind. I was going to ask whether you bring out men who are trained before they come out or whether you give the men training when they come here. Are the men whom you bring out to be trained in your business, men whom you want to use generally in your business and to keep promoting as their ability and years go on?—Yes.

9092. Those men you think are much better trained in India than in England?—Yes; in certain cases I suppose they could not get that particular training at home.

9093. It is only where the men are going to do some specialised work that you bring them out trained from England?—Yes.

9094. From your knowledge of the work that has to be done by a Civil Servant, and from your knowledge of India and its requirements, would you, if you had the power, train the Civil Servant at home, or would you bring him out here as soon as he has passed his examination, and give him his training on the spot?—I think my idea would be to bring him out here and give him his training here.

9095. And whatever educational or other facilities are required to complete that training you would just cut your coat according to the cloth: you would give the facilities here somehow or other?—The training I am thinking of is the training of experience.

9096. A training in the vernaculars?—Yes, here.

9097. A training in Indian law?—With regard to the training in Indian law, I think I have said in one of my answers that where men elect for the judicial side they should have some training at home.

9098. But in any event the training in the practical part of a man's work in India you think is better acquired in India than at home?—I should say so.

9099. In reply to question (36) you think there is some deterioration in vernaculars? That I suppose is partly owing to the general change in Indian social life making it much easier for a man to get on with English than it used to be?—The reasons I have heard assigned are that men are moved, say, from a Tamil to a Telugu district, or *vice versâ*.

9100. Is that the only reason?—That is the only reason.

9101. Do you find the same thing taking place in business, that your business subordinates are as efficient in vernacular as they used to be?—No, I do not think they are.

9102. Do you think that English has become a sort of *lingua franca* for India?—Yes, I think it has.

9103. (*Mr. Sly.*) Are the men that you choose between the ages of 22 and 25 university men as a rule?—No.

9104. Are they public school boys?—They are very often public school boys: we prefer the public school boy.

9105. The public school boy ordinarily leaves school at about the age of 17 or 18. What happens to him between the time he leaves school until recruited by you?—If he is going to choose a mercantile career he very often goes into a bank or office, but our experience is that the time he spends in a bank or office at home is of very little use to him in the matter of training. Some of them no doubt go to the university.

9106. Can you tell us what salaries are ordinarily paid to youths who come out in commercial careers in Madras?—Of course that depends on what I said before. If a man comes out here untrained, his terms are no doubt lower than the terms of a man who has had some technical training at home and therefore to a certain extent is qualified when he arrives. What we call the learning boy, the untrained boy, comes out at Rs. 250 with free quarters.

9107. Is there any other free allowance, free carriages or free horses?—He very often gets a horse allowance.

9108. It is usual to bring them out under a sort of agreement, is it not?—Yes; a five years' agreement as a rule.

9109. Can you give us an idea of what the terms of the agreement would be?—The learning boy would come out at probably Rs. 250, with annual increments of Rs. 25 a month; after that, if he was any use at all, he would expect to get a much larger annual increment.

9110. After the expiry of his five years?—Yes. We look on the five years more or less as probation. The technically qualified man of course comes out on better terms.

9111. Can you give us any idea as to what the prizes of the commercial career would be? Of course I do not want to go into figures because they might be embarrassing. You know the prizes of the Indian Civil Service. A Member of Council is the highest prize a Civilian can get and there are two for the whole presidency at the present; there are a certain number of Members of the Board of Revenue, and then come the Collectors. What I should like to get an idea of is how the prizes of the Indian Civil Service compare with the prizes to be secured in a commercial career?—There are prizes in the commercial world which are no doubt very much larger.

9112. I believe your firm does a certain amount of banking, does it not?—Yes.

17*th January* 1913.] Mr. A. D. Jackson. [*continued.*

9113. Do you keep many accounts of Indian Civil Servant members?—Our banking business is small compared with what it used to be, but we still keep some and have kept a good many.

9114. Can you draw any conclusion from those banking accounts as to the adequacy or inadequacy of the present salaries of the Indian Civil Service?—I should say that the junior civilian usually starts in debt and has to borrow money when he comes out. In his middle service, provided he has not a wife and large family, he is fairly well off. I should think probably towards the end of his service, if he has not secured one of the prizes, he is worse off than he was in his middle service, if he is a married man with a wife and family to send home.

9115. Another matter that I think will be of interest to the Commission is your leave arrangements. Could you kindly tell us what your leave arrangements are in regard to the Europeans in your employ?—Every assistant is supposed to have, and does as a matter of fact get, a month's leave during the year in the country, and after five years he gets six months' leave at home. After that we do not expect a man to stay out more than three and a half or four years and then he gets another six months on full pay.

9116. He gets an annual holiday of one month?—Yes.

9117. Is that popular or unpopular with the assistants?—I think it is popular.

9118. What leave allowance do they get during that month?—They are on full pay.

9119. And at the end of five years they get six months' leave?—If they are re-engaged.

9120. What leave allowance do they get during those six months?—Full pay.

9121. And thereafter at intervals of about three years?—Three or four years.

9122. On full pay?—It depends on circumstances. We have no fixed rule.

9123. Have you got any pension scheme for your European employés?—No, speaking of course as a partner in Parry & Co.; the Bank of course has a pension fund.

9124. Let me take you to a few more general questions concerning Madras trade. Is the export and import trade of Madras more in the hands of European firms or in the hands of Indian firms?—The import trade of Madras is almost entirely in the hands of European firms. There are two Muhammadan firms; one a large and important firm and the other less important. As regards the export trade, there are large European exporters, but there are also some considerable Indian firms who export seeds and hides and skins.

9125. Is the proportion of the import trade in the European firms increasing or decreasing?—The business of Madras in the import trade is increasing.

9126. I mean the proportion relatively held by Europeans?—There has been no increase in the number of Indian firms of importance dealing in imports.

9127. What about export trade?—Of that I cannot speak with so much certainty.

9128. Is the proportion of Europeans employed in the business firms of Madras relatively getting smaller or not?—I can only say that there are more European firms here than there were, and I should say that the staff in each case is considerably larger than when I first came to Madras twenty-four years ago.

9129. Relatively the European staff is larger than it used to be?—Distinctly.

9130. Do you know any European firms that employ Indians in responsible positions in their firms?—Yes.

9131. To what extent?—They employ them as dubashis—brokers.

9132. Are Indians employed in the higher positions of responsibility in European firms?—Not in the higher positions as assistants.

9133. Do any Indian firms employ Europeans at all in their business?—The large Muhammadan firm I referred to, I believe, employs a European in one department in a responsible position, and I think the South Indian Industrials has engaged a European General Manager, but I cannot say.

9134. How do you recruit your Indian staff, simply from the number of candidates who come before you?—Yes.

9135. Do you find that any particular caste predominates at all or that any caste has any special aptitude for business purposes?—As clerks undoubtedly the Brahman caste predominates or has a tendency to predominate.

9136. In any other capacity than clerks?—There practically is no other capacity. We do not employ them except in subordinate positions.

9137. Do you usually recruit Indian graduates, B.A.'s and that class?—No, we do not make any special effort to recruit them.

9138. They are not attracted?—Occasionally we have had applications from them.

9139. (*Mr. Gokhale.*) Taking the Indian firms in Madras doing considerable business successfully, would you say that they employ a large number of European subordinates?—No. There are only two large Indian import firms, and so far as I know there is only one European assistant employed.

9140. And the export firms?—I do not know very much about the export firms; so far as I know they do not employ Europeans.

9141. They do their business with Indian subordinates?—I imagine so.

9142. Are they doing fairly successful business?—I cannot say.

9143. What do they do about their up-country branches as far as you know?—I have no knowledge whatever of the working of these Indian firms.

9144. You have Europeans in charge of your upcountry branches and I wanted to know if Indian firms also had Europeans in charge of their upcountry branches?—I do not think that the Indian firms have branches in the same sense that we have. They may have agents, but they have not branches as far as I know.

9145. The agents would be Indian agents?—I imagine so.

9146. With regard to the comparison between the Civil Service and business careers, how would you compare the two as regards power and influence in the country?—I am afraid I cannot answer that.

9147. Civil Service men naturally have more power?—I cannot say that.

9148. Do not you think the position of a Civil Servant, say a member of the Council or of the Board of Revenue, gives him more power, official power?—Of course, he has official power.

17*th January* 1913.] Mr. A. D. Jackson. [*continued.*

9149. As regards the other question of attractiveness of careers, while there may be a few high prizes in business, taking the number of Europeans that all the European firms employ and striking their average, would you say the average was higher than the average for the Civil Service?—I should say that undoubtedly in commerce the proportion of failures is very much larger.

9150. While the men at the top probably have better emoluments the average amount of emoluments does not come up to the average of the Civil Service?—Possibly not.

9151. (*Mr. Chaubal.*) Do you know any vernaculars of this district?—No, I have no particular knowledge.

9152. Can you speak in Tamil or Telugu with any Indians of the country?—Not fluently.

9153. In your experience, when a young man comes out from England, what are his first surroundings here? Is he purely in European society or are there any chances for him to mix amongst the Indians and gather his ideas about the different peoples in this province direct, or does he get permeated with the views which European society has about the Indian people?—Our practice with a young assistant, as a rule, is to send him to an up-country station where we have a large branch, and there I think he certainly has opportunities of meeting the Indians.

9154. My question was with reference to the young officer who comes out as an I.C.S.?—I cannot say.

9155. I thought you might be able to say what their first surroundings on coming into the country were?—I cannot say.

9156. (*Sir Theodore Morison.*) Can you give us any idea about what is the highest salary which an Indian, either in your employment or any other employment, is likely to get as a clerk? What is the highest prize open to him in business under an English firm?—I can only give you my own experience. I think the maximum pay we give to an Indian subordinate is within Rs. 150 a month.

9157. You said in an answer just now that it had not been your practice to employ Indians as assistants. Have you ever considered the question of employing as assistants Indians who had been trained in England?—I have never come across Indians of that description.

9158. The question I wanted to put to you is perhaps a hypothetical one. Supposing a man who had been trained in the Liverpool or Glasgow School of Technology came to you with very high recommendations from a business firm, who said they had put him through all the different branches of the firm and could speak highly of him, would you consider such an application or would you think it would disturb the work of your firm?—I should certainly consider an application from an Indian who was highly recommended and whom I thought suitable in every way.

9159. What sort of salary would you offer him?—Unless I know the nature of the work it is impossible to say.

9160. Supposing you got a man who, so far as you can see on paper, seemed about as good as the average English assistant, who I suppose is rather an unknown quantity when you get him, what sort of discount so to speak from the ordinary salary would persuade you to take an Indian?—That is very difficult to answer; I should say that in a case like that one would probably ask the man what he wanted.

9161. Supposing, for instance, he said Rs. 150 as against the Rs. 250 which you generally pay: would that in itself be a considerable attraction?—No, not in itself.

9162. So that it is really a question about his credentials affecting you as to his efficiency?—If we were perfectly satisfied that two men were identical in their qualifications, character, and everything else, we should obviously take the cheaper man.

9163. Would you take the cheaper man if you were perfectly sure the two things were the same?—Yes.

9164. (*Lord Ronaldshay.*) Have you in the course of your experience as a business man come across many instances of men possessed of considerable scholastic attainments who have proved failures as business men, and on the other hand men of only modest scholastic attainments who have proved successful as business men?—Certainly. I know of many cases of that kind.

9165. A considerable number of cases?—Yes.

9166. Many of the qualifications which are necessary to make a successful business man are, I suppose, equally necessary to make a successful administrator?—I should think so.

9167. Then it is on your personal experience of men that you have come to the conclusion that an unrestricted competitive examination does not necessarily give you the best type of man for an administrator?—Quite so.

9168. I see you advocate recruits to the Indian Civil Service passing through a period of probation in India. It has been suggested as an objection to that that for these men to come out to India immediately after having passed a very stiff examination, and start a further period of studies in the Indian climate, might be very bad from the point of view of their health. Has that consideration ever occurred to you?—No. My idea of probation was a probation passed in the exercise of the duties that a man was expected to perform, and that I considered to be the only reasonable probation for a business man.

9169. Perhaps in the case of the Indian Civil Service you are confusing the period of probation with the period of training. The young Indian Civilian passes his period of probation, at the present time one year, in England, during which he has to acquire some special study such as Indian Law and subjects of that kind, and pass an examination in them?—That was not the kind of probation I was really thinking of. My answer was merely with reference to the possible failures, discovered failures.

9170. Assuming that the present system continues, that is to say, that a recruit to the Indian Civil Service has to spend one or two years in undergoing instruction in special subjects, would you still think it desirable that that period should be passed in India or England?—I am not qualified to express an opinion on that.

9171. But from the point of view of health. You must know this country and climate pretty well: do you think it would be deleterious to the health of a man, after he had undergone a considerable strain in England in order to pass the competitive examination, to come straight out to this climate?—If the studies can be just as

well conducted at home, I think they had better be conducted at home.

9172. (*Chairman.*) In regard to the answer you gave just now to one of my colleagues, that the highest salary you give to an Indian subordinate is Rs. 150 a month, could you explain what sort of a position that Indian occupies in relation to the other men who are working around him? Is he a foreman or something corresponding to that?—He is what is known as a manager of a branch but under European supervision.

9173. He manages a group of men under him?—He manages the Indian staff under him.

9174. Do you find that that arrangement works well?—Yes.

9175. As regards leave, you said it was the custom to grant Europeans full pay during leave. Is there any allowance granted to them for their travelling?—No, not in our firm. Other firms have a different practice: some firms give half pay and passage money: but our practice is to give full pay and no passage money.

9176. You have branches about the country, and from time to time I suppose you transfer your men?—Yes.

9177. Could you tell us what system of allowance you grant for the expenses of transfer?—Practically we pay the whole expenses. We have to see that the assistant who is transferred does not suffer financially.

9178. So that in the course of his transfer he incurs no out of pocket expenses himself?—Practically none.

9179. With regard to the vernaculars, your European assistant arrives out in this country, I suppose, ignorant of any vernacular?—Quite.

9180. Does he have any facilities offered to him for picking up the vernacular?—If he goes up-country he has plenty of opportunities of practising it. He is encouraged to employ a teacher, and naturally if a man becomes proficient in a language, other things being equal, he would command a better salary than a man who is not proficient.

9181. Taking the assistant of average capacity, how long as a rule does it take him to pick up sufficient vernacular for ordinary conversational purposes?—A great deal depends on where he spends his time. In Madras he has not the same opportunities, but up-country he learns fairly quickly. Then again you have some men who have the natural faculty for picking up languages and become proficient very quickly, and other men never seem to learn at all. In a year or two he could probably make himself understood.

9182. When you say he has not the same opportunities here you mean that he is talking English so much more?—Yes.

9183. I suppose for the purpose of intercourse with the employés in the business he has to speak the vernacular?—Not necessarily in Madras.

9184. Do the men in the business talk English?—All our clerks speak English.

9185. I don't mean the clerks but the workmen?—We very often have a dubash who acts as an interpreter.

9186. But the workmen do not speak English, I suppose?—All our clerks in Madras speak English.

9187. Have you not got men in your business who are workmen?—We have up-country, in the factories and places like that, and it is very necessary then.

9188. The giving of orders and so on has to be done in the vernacular?—Yes.

9189. Is it the case that there is a rule in some businesses that when assistants get married before they reach a certain standard of salary they are not engaged or retained?—There are rules of that kind in some firms and banks.

9190. Those rules would obviate to a certain degree some of the difficulties you were describing just now?—Yes.

9191. (*Mr. Oldfield.*) I understand the bulk of your business consists of trading in jaggery and sugarcane and distillation?—Our business is a very large one and perhaps the most important part of it is that we manage large sugar factories and distilleries.

9192. All the assistants to whom you have been referring are mostly engaged in various stations about the country in dealing with the un-manufactured jaggery or in the manufactured products?—No. Our agencies have a general business apart from the factories themselves.

9193. The assistants of whom you have been speaking are not mainly or directly concerned with the actual factory?—Not all of them.

9194. With regard to the Indian subordinate who is paid Rs. 150, does he give security?—Yes.

(The witness withdrew.)

Mr. V. Pandrang Row, I.C.S., Divisional Officer, Tellicherry.

Written answers relating to the Indian Civil Service.

9195 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system has proved fairly satisfactory; no other system by itself will prove as satisfactory. Nevertheless I am of opinion that it would be better to supplement recruitment by open competition by recruitment by selection—not a combination of the two into one system such as competition among selected candidates, but the adoption of the two systems side by side—a certain proportion of the appointments of the Indian Civil Service being made as at present according to the result of an open competition and the rest being filled up by selection of candidates possessing the requisite qualifications. I would suggest that three-fifths of the total number of appointments be made as at present and the remaining two-fifths by selection. Of these latter not less than one-half, *i.e.*, one-fifth of the total, should be selected in India from "Natives of India" and the rest in England from British subjects naturalised in the United Kingdom.

9196 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The open competition is now open to all British subjects including those born or domiciled in the self-governing Colonies, Dependencies, etc., whereas it is *not* open to persons born in the Protected Native States of India. This anomaly should be removed. The subjects of the Native Princes of India are practically British subjects: they are protected by British Consuls in foreign countries and are looked upon as British subjects by other nations. British subjects are freely admitted in the Native States and employed in their services, whereas the self-governing Colonies refuse free admission to Indian subjects of His Majesty. I would therefore recommend the *exclusion* of persons, born or domiciled in such of the self-governing Colonies and Dependencies, as refuse free admission to Indian subjects into their countries, from the open competition for the Indian Civil Service and the *inclusion* of the subjects of the Protected Native States in India. The former have in many cases a native antipathy to colored races and are likely to prove unsympathetic officers in India.

9197 (3). Is the system equally suitable for the admission of "Natives of India," and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes; there are however certain disadvantages under which Natives of India labour at present, but these are due to faults in the details of the system and not to the system itself.

9198 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No; any attempt to apportion appointments to different communities will be either futile or lead to deterioration of the service. Of no country in the world can it be said that all classes of the community are duly represented, *i.e.*, in proportion to their numbers, in the *superior* services such as the Civil Service, the Army, the Navy, the Medical service, etc. The most democratic countries in the world have not succeeded in obtaining a large number of representatives of "the man in the street" or "the working man" in their superior services. The attempt to introduce the principle of representation (by class or religion) or that of counting of heads in the system of recruitment for a service like the Indian Civil Service is, in my opinion, a grievous mistake.

9199 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination is not to the advantage of Indian interests. Of course, the examination may be common to the candidates of all the three services for convenience: that is to say, the examination papers may be the same as well as the time of examination, the examiners, the valuing of papers, etc. The competition should be different and candidates must choose *one service only*, and *before* the examination, and should not be allowed to reconsider their choice so far as the particular year's examination is concerned. My reasons are (*i*) the present system of combining the competition renders the chances of Indians of getting appointments in the Indian Civil Service more hazardous and difficult, as they have to compete with the best educated young men of the whole British Empire, (*ii*) if the combination is not allowed, more Indians will get into the Indian Civil Service; this is in my opinion a desirable result, as an Indian of slightly less academical ability is likely to prove as efficient an officer as a non-Indian of slightly more ability, and will have more knowledge and sympathy, (*iii*) the Indians in the Indian Civil Service will live and die in India and their experience of public affairs will be a public asset after their retirement from service.

9200 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—I do not propose any *alternative* system but am in favour of supplementing the present system by recruiting a proportion by selection: please *vide* answers to questions (1) and (10).

9201 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Considered from a purely political standpoint it may be desirable to conciliate Indian public opinion by instituting simultaneous examinations. I am however not much of a politician, *i.e.*, not accustomed to look at things from a politician's standpoint; and my own view is that simultaneous examinations will be either a failure or lead to serious deterioration in the administration. The object of simultaneous examinations is to secure a larger number of Indians in the Indian Civil Service. I may here remark that this object can be achieved better if my proposal to make one-fifth of the appointments by selection in India from Natives of India is adopted. The object will not be achieved at present even if simultaneous examinations are instituted, on account of lack of the requisite facilities for preparing for the examination; and if, as I suspect, there will be no appreciable increase in the number of successful Indians, and if, as I suspect, an Indian of less ability who prepares for the examination in England and sits for it there passes it successfully while his classmate of more ability who prepares for the examination in India fails, the result will be attributed not to its real cause, viz., want of facilities in India, but to the alleged attempt of Government to nullify the effect of the institution of simultaneous examinations by issue of secret instructions to the Civil Service Commissioners; suspicion will also be thrown on the examiners. In short, the discontent would become more serious. On the other hand, if, owing to the establishment of "cramming" institutions and the like in India, the Indian candidates are able to secure the necessary facilities for preparation, it is not at all unlikely that a large number of Indians will be successful with the result that the Indian Civil Service will be swamped by them. This will make it difficult for Government to keep up a minimum of Europeans in the service, which is essential if the administration is not to deteriorate. Subsequent restrictions on Indian entrants and the creation of a partial monopoly for the benefit of Europeans will be extremely unpopular and arouse discontent. We are thus landed on

the horns of a dilemma, if simultaneous examinations are introduced. In my opinion, the want of them cannot be very prejudicial, because even now Indians can sit for the examination in England without making any previous stay there. The expenses of the journey are not too high, and, as I am of opinion that under no circumstances should the probation of selected candidates in England be given up, I fail to see what appreciable advantage will be conferred on Indians by simultaneous examinations. My own proposal to give one-fifth the appointments to Indians by selection will secure a definite result and avoid the danger that attends speculative experiments such as the institution of simultaneous examinations.

9202 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

9203 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what *proportion* do you recommend?—I am against this proposal; it will create two divisions in the Indian Civil Service, destroy its integrity (*i.e.*, unity), undermine its traditions and considerably damage the *esprit de corps* of the service. The officers thus recruited will inevitably tend to form a lower class in the service. Nevertheless, I am less opposed to this proposal than to the proposal to institute simultaneous examinations, and if no such proposal such as the one made in my answers to questions (1), (6) and (10) is adopted, this proposal to recruit a fixed proportion by a separate examination confined to Natives of India may be adopted; and if so, I would recommend a proportion of 2 to 3 *for the present.*

9204 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am in favour of filling up not less than one-fifth the total number of vacancies every year by selection in India of Natives of India. The selection should be made by His Excellency the Viceroy on the recommendations of the local Governments. The apportionment of these vacancies among the various provinces should be chiefly based on the figures of population according to the decennial census and be made by His Excellency the Viceroy. The selection should be confined to Honours or Tripos graduates of an approved university in India or the United Kingdom who are of good moral character and are free from constitutional or bodily disease, etc. The selected officers should spend a probation in England of two years if they are not already graduated in a British University, or one year otherwise. The posting of the officers to the various provinces is to be left to the Viceroy. I do not consider it desirable that all classes and communities should be represented: please *vide* answer to question (4).

9205 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Yes; they should be eligible for appointment in England if they succeed in the open competition but not otherwise. This is quite essential. It is on this understanding that I prefer selection to competition in the case of recruitment in India.

9206 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alterations, if any, would you recommend in the conditions governing the Provincial Civil Services?—I look upon the system of selection proposed by me as supplementary to the present system of promoting Provincial Civil Service officers to listed posts.

9207 (13). Do you recommend any separate method of *recruitment* for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No; better training for the Judicial branch will secure the desired object and I am not in favour of creating an unbridgeable gulf between the two branches from the very start.

9208 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the dominions of His "Majesty in India, of parents habitually resi-"dent in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes.

9209 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The present age limits (22 to 24 years on 1st August) seem to me to be the most suitable, as my idea is that the service should be recruited as far as possible from Varsity men, *i.e.*, after completion of a Varsity course.

9210 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17–19 years, followed by two or three years' probation at an approved University and since 1891 (age limits 21–23 or 22–24 years, followed by one year's probation)?—I have no particular knowledge of this, but I should think that the candidates selected since 1891 have a keener sense of discipline and duty and are less arbitrary or eccentric in their official demeanour than those selected prior to 1891. The latter were probably better liked and respected by the people as they had more sympathy and more scope to give practical effect to it.

9211 (18). What is the most suitable age at which junior civilians should arrive in India?—Twenty-four years.

9212 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—The same limits as those prescribed for other candidates, viz., 22 to 24 years on 1st August, as the object should be to secure university men with a year or two to spare for special preparation for the examination. I do not recommend any differentiation in respect of age-limits.

9213 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be "of such a nature that no candidate who may "fail shall, to whatever calling he may devote "himself, have any reason to regret the time and "labour which he had spent in preparing him-"self to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee but I would add that a fair knowledge of English Literature, English History, English Law, and Political Science should be an essential requisite.

9214 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—I am not in favour of framing the syllabus in order to attract candidates of school-leaving age. The changes that I would propose in the syllabus are twofold: viz., (*i*) to make certain subjects compulsory and (*ii*) to remove certain slight disabilities under which the Natives of India labour at present. As regards (*i*) I would like to make the following subjects compulsory and allot the marks as follows: viz.—English Composition (500 marks) with a paper on General knowledge (100 marks), 600 marks in all. English Language and Literature, 500 marks; English History, 400 marks; English Law, 500 marks; and Political Science, 500 marks. Total 2,500 marks. A knowledge of these subjects is likely to be of much use and they are offered as a matter of fact by many candidates; no doubt English candidates will be at an advantage as compared with Indians if these subjects are made compulsory, but it cannot be helped. As regards (*ii*) I would give the same prominence to Sanskrit and Arabic as is given to Latin and Greek, by allotting the same number of marks to all the four subjects, viz., 1,100 marks each, and add three new subjects, viz., Indian Philosophy, History of Muhammadanism, History of Ancient India (up to 13th Century) each carrying 500 marks. These subjects will correspond to Roman Law, Greek History and Roman History, which are included in the syllabus; students of Greek and Latin are at an advantage as regards these subjects, which are almost taboo to Indians on account of their ignorance of Latin and Greek.

I would raise the present maximum to 7,000 marks; the maximum for optional subjects being 4,500 marks and that for the compulsory 2,500 marks.

9215 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.—No.

9216 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—Yes: all the posts now reserved, except of course those that have become extinct. The posts are important and involve considerable responsibilty and require special ability for the performance of the duties attached to them. This requisite ability and experience is not to be found in any other service. The due performance of the duties attached to the posts requires also that the officers who perform them must command general respect and obedience, which is paid in a high measure to the members of the Indian Civil Service on account of its glorious traditions and fine work in the past. The prestige of the Indian Civil Service is too precious a thing for the Government to throw away or endanger.

9217 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes; the proportion I suggest is 5 to 3; *i.e.*, $\frac{5}{8}$ of total vacancies. This is of course a maximum which will not be reached in practice for years to come. Even when it is reached in practice the higher posts will be allotted probably in equal proportions to Europeans and Indians—which is, in my opinion, quite a safe figure.

9218 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do

you recommend any alterations in this system, and if so, what ?—Yes, the alterations I recommend are stated in my answers to question (10).

9219 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—This is not for me to answer though it concerns me, because it is personal.

9220 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—Yes; please *vide* my answer to question (10).

9221 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—(*a*) No. (*b*) No. I do not see any particular advantage in the arrangement.

9222 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Yes; no changes to suggest.

9223 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—I do not think so as regards the officers selected for executive work; as Judicial and Secretariat officers they are, I think, at least as efficient as members of the Indian Civil Service on the average.

9224 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The probationary course in England is quite essential; it should be continued at all hazards, whatever changes may be made in the method of recruitment.

9225 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) One year for those recruited by one competition in England. (*b*) Two years for those selected in India who are not already graduates of an English University and one year for those who are such graduates. One year in England for those selected in England by the Secretary of State (and also one year in India).

9226 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes; this is not only desirable but quite essential in my opinion. The probation in England will lose half its value for Indians specially if it is not to be spent at an approved University.

9227 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Yes. I would confine the selection to the ancient Universities of Cambridge and Oxford. Reasons: (*i*) It will bring the selected candidates together and afford opportunities for cultivating mutual friendship and it would also arouse a spirit of generous emulation among them. (*ii*) It will bring them into touch with the undefinable atmosphere of the ancient Universities, and their association with other members of these universities and the professors and the men of light and leading in the universities will be invaluable, at least as a corrective of vanity or undue self-gratulation. (*iii*) It will make it more convenient to give the candidates the necessary training and facilities for preparing for the final examination. (*iv*) It will also bring about a stronger feeling of unity in the Indian Civil Service.

9228 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend—Yes; I would recommend an allowance of £200 a year at Cambridge and Oxford and £150 a year elsewhere. For those *recruited* in England by selection a similar allowance in England and Rs. 300 a month in India. The conditions may be the same as those that are now imposed.

9229 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No; this will be undesirable and costly as well. The candidates must not be allowed to lose touch entirely with people of their age and rank who are destined for other careers, as they would if a separate institution were established. They must of course have facilities for associating with other selected candidates and these will be abundantly available if the proposal contained in my answer to question (46) is approved. It is also desirable and necessary that they should imbibe the spirit of Varsity life.

9230 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes; yes.

9231 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—The alterations I would like to recommend are the following:—

(*a*) For those recruited by open competition—All the subjects should be compulsory and these should be (*i*) vernacular (500 marks), (*ii*) Indian History (400 marks), (*iii*) Indian Law (Indian Penal Code, Criminal Procedure Code, Evidence Act) (800 marks), (*iv*) Sanskrit (400 marks) *or* Arabic (300 marks) and (*v*) Hindu and Muhammadan Law (450 marks), Riding (200 marks). Those who have taken up Sanskrit or Arabic in the open competition should offer Hindustani, Bengali, Marathi, Telugu or Tamil (300 marks), provided it is not their mother tongue and is not the same language as No. (*i*).

(*b*) (i) For those recruited by selection *in India—two years' probation.* The same syllabus as that prescribed for the Final examination of 1891 *plus* Riding (200 marks) (please *vide* Appendix VI) with the difference that either Sanskrit or Arabic should be taken up and not both and that one of the following subjects, viz., agricultural chemistry, botany, geology or zoology (350 marks each) should also be offered.

Note.—Those of this class who are to spend only one year's probation in England will have the same probationary course as (*a*) above.

(ii) For those recruited by selection in England. Two years' probation.

Probation—one year in England—Law as described in foot-note to Appendix VI (1,250 marks); Political Economy (350 marks).

Second year in India—Sanskrit (400) or Arabic (300) marks; Vernacular (400) marks; History and Geography of India (350) marks; Riding (200) marks.

9232 (52). In particular, please state your opinion as to the desirability during the period of probation of (*i*) compulsory attendance at Law Courts in England and reporting of cases; (*ii*) the teaching of Indian Law in addition to the general principles of jurisprudence; (*iii*) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (*iv*) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—All these are desirable except teaching of accounts.

9233 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—England; emphatically. In the case of those recruited in England by selection, the second year may, with advantage, be spent in India; but this is not quite essential.

9234 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am against this proposal except so far as it relates to candidates recruited in England by selection. The proposal would be in any case too costly and the advantage that would be derived from it would be hardly worth the cost.

9235 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am entirely opposed to this proposal so far as it relates to the probationary course that candidates have to undergo before appointment to the Indian Civil Service. Of course, the training of appointed candidates, *i.e.*, subsequent to the probationary course, must be left to the Local Governments. In this connection please see my answers to questions dealing with the training of officers.

9236 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I am of the same opinion as the Treasury Committee and consider that the objections detailed above cannot be satisfactorily met by any scheme of instruction in India. There is also the question of extra cost involved. Only practical training, *i.e.*, actual touch with official business, should be given in India.

9237 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of *or supplementary to the system of recruitment* in England, please state what system of probation you recommend for such officers?—Please see my answer to question (51) on this point. The selected candidates should join some college in Cambridge or Oxford and take up some Tripos or Honours examination; if possible, preferably Law, Historical or Economics.

9238 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—Most certainly in England.

9239 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary as regards probationers, European and Indian, recruited by open competition. The differentiation required in the case of probationers *selected* in India and in England has already been described in my answer to question (51).

9240 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Only the arrangements provided in the Madras Presidency and contained in the Indian Civil Service Manual are known to me and all my remarks and answers dealing with this branch of the subject, viz., training of junior civilians, apply only to those arrangements.

The arrangements are fairly satisfactory on paper, but they are not actually carried out in practice with sufficient zeal by the Collectors who are entrusted with the training of junior civilians. The changes I would like to see introduced are the following: (*i*) A portion of the training period (about 3 months) should be spent under the guidance and control of the District Judge; at present the training is wholly entrusted to Collectors: who are an overworked

class of officers. This monopoly of training enjoyed by Collectors is in my opinion partly responsible for the general distaste evinced by junior civilians for judicial work and the judicial branch, and the distaste thus acquired very often matures into disgust and contempt. (*ii*) I would also suggest that every junior civilian should be given about three months' training in the Chief Secretariat. (*iii*) It is also desirable that junior civilians should be put in actual charge of a Deputy Tahsildar's division and made to do his work for at least two months. (*iv*) The present arrangements attach too much importance to revenue work and too little to judicial work; at least the training actually given merits this description. Steps should be taken to remedy this undue exalting of revenue work over judicial.

9241 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend ?—The system is good enough but it does not work as satisfactorily as it should. The examinations are in practice too easy, including those in the vernacular. The causes are obvious. The only change I would propose is that the actual work of the junior civilian in his district should also be scrutinised and taken count of along with the result of the written departmental examinations. As regards the syllabus of the latter I would recommend the addition of a new division to the Higher standard examinations, viz., a division comprising subjects such as Civil Procedure, Contract Act and Transfer of Property—with and without books.

9242 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service ? If so, what are the causes ? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied ?—Yes; the causes are (*i*) the absence of Sanskrit among the compulsory subjects set for the final examination for probationers: Sanskrit is the mother of practically all vernacular and a knowledge is a great help in the study of the vernaculars; (*ii*) the increase in the work and responsibility of junior civilians and consequent lack of leisure: in many cases a junior civilian of hardly two years' service is put in charge of a heavy division, the work of which being new and onerous occupies and must occupy all his time; (*iii*) replacement of the vernaculars by English in official correspondence; (*iv*) increase of knowledge of English among the members of the clerical and even menial establishments, and among people who frequent public offices generally; (*v*) the easy nature of the departmental examination in the vernacular; (*vi*) lack of sufficient recognition of a good knowledge of the vernaculars by way of promotion.

The remedies I would recommend are (*i*) making of Sanskrit compulsory in the final; (*ii*) to relieve junior civilians by giving them light Deputy Collector's divisions to manage for about a year after they pass the departmental examinations; (*iii*) to prohibit the frequent use of English abstracts of vernacular correspondence in offices; (*iv*) to make the departmental examination in the vernacular more stiff, and (*v*) to reward proficiency in the vernaculars not by money rewards alone but by regarding it as a claim to special promotion as well.

9243 (63). Do you recommend any changes in the rules for the encouragement of the study of oriental languages, and if so, what changes ?—I would recommend that further encouragement may be offered for the study of vernaculars. No additional encouragement is required for the study of classical languages—Sanskrit, Arabic or Persian. The additional encouragement required for the study of vernaculars may take the shape of the grant of rewards of the same amounts to those who attain high proficiency in the vernaculars as to those who attain proficiency in the classical languages, viz., Rs. 2,000. The Honours rewards need not be raised by more than 50 per cent. in the case of vernaculars and not at all in the case of classical languages. I would also extend the period during which rewards can be earned for high proficiency from 10 years' to 12 years' service. Examination leave for three months on full pay may also be granted on a single occasion alone by the Government after consulting the Board of Examiners, on the condition that it is liable to be commuted into furlough in case the examiners declare that the officer has not attained even minimum proficiency.

9244 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in Barristers' chambers or other), and what conditions do you propose ?—As regards the steps necessary for improving the knowledge of all officers please *vide* my answer to question (61) the last sentence thereof. It is not so much the want of knowledge of law that is to be remedied as the want of ability to appreciate evidence properly and the absence of a judicial frame of mind. The former want, *i.e.*, the want of ability to appreciate evidence, can be remedied only by better knowledge of the vernacular, keener insight into the life and customs of the people and deeper sympathy with their hopes and fears. As regards the case of officers selected for the Judicial branch, I would recommend a special examination in Civil Law *preceded* by special training for one year, divided as follows :—three months' training under experienced District Munsifs and Sub-Judges (three months under each) and six months' actual service as Assistant Civil and Sessions Judge. I am not in favour of granting study leave to Europe for any purpose such as call to the Bar or reading in Barristers' chambers.

9245 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch ?—No; the officers will, during their practical training for one year [referred to in my answer to question (64)], pursue such course of study as they think fit to prepare for a special examination in Civil Law, including the Law of Evidence.

9246 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch ? If so, please give details ?—Yes; for details please see my answer to question (64).

9247 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages ?—Yes. Officers of over eight years' service and under fifteen years' service alone should be granted rewards.

9248 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty ? If so, please state your proposals ?—No; I do not consider it desirable or necessary, except to direct that the training of members of the Indian Civil Service, who are Natives of India, should be entrusted to senior Collectors and Judges selected for the purpose and that at least equal pains are taken with their training as are taken with that of other members.

9249 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers ?—The same system which I recommend for members recruited by open competition will do for those recruited in India.

9250 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent ? If so, please state your proposals ?—No differentiation is in my opinion necessary: please see my answer to question (68) in this connexion.

9251 (72). The present theory underlying the conditions of service in the Indian Civil Service is that (*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency on at least the lowest of those appointments after the completion of eight years' service. Do you accept this system ? If so, do you consider that the period of eight years is suitable, or do you recommend any change ? What alteration (if any) would be necessary if the age of recruitment were lowered ?—I accept the theory enunciated in clauses (*a*) and (*b*) above, but do not accept the arrangement provided for carrying out the theory into practice as sufficiently satisfactory. The limit of eight years is not unsuitable, *provided* the block in promotion that has always existed after eight years and before completing 13 or 14 years' service can be avoided or is removed.

9252 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement ? If not, what alteration would you suggest, and for what reasons ?—No; a better arrangement would be to adopt a time-scale. The present arrangement means too sudden and unforeseen jumps, with long periods of stagnancy. For instance, the pay of a passed Assistant Collector is Rs. 500; when he completes about three years he will get about Rs. 700; and for about three or four years more to come he will get only Rs. 700 or probably Rs. 833⅓. Then, again, he will get an increase of about Rs. 200, and he will remain practically stationary for another four or five years. No officer can predict what salary he will get, say a year or two hence, and very often he has to refund a part of the pay already drawn. This will be avoided by adopting a time-scale.

9253 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers ?—No; the individual officers are helpless while the Administration is quite able to take care of its interests. The reasons for selecting particular officers for higher appointments are not disclosed, nor am I aware that any general rules have been framed for the purpose and communicated to all the members of the service. There is no real inspection or check of the actual everyday work done by officers, and in its absence impressions favourable or the reverse regarding an officer's fitness for special promotion are naturally and inevitably based not on the actual worth of the man or of his work but on private and extraneous considerations. Natives of India are especially sufferers in this respect, because they are not (for reasons unnecessary to mention) sufficiently intimately known to, and in sufficient touch privately with, their superiors, who are in the majority of cases Europeans.

Compulsory retirement of inefficient officers is necessary and this weapon no Administration can do without. It should be nevertheless resorted to only after careful inspection of the officer's work for a period of years by a competent board of his fellow officers selected for the purpose, and after obtaining the officer's explanation to specific charges of inefficiency, and not on confidential reports made behind the officer's back.

9254 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated ? Is any change desirable and, if so, in what directions ?—I would advocate the separation of the functions of a Sub-Collector from those of a Joint Magistrate and similarly of the functions of the Collector and District Magistrates in *particular and selected* divisions and districts, firstly, because the work of these officers in certain charges is too heavy for one officer to cope with satisfactorily, and, secondly, as an experimental measure. This is being done to some extent already by the appointment of

Special Deputy Collectors to try Estates Land Act suits, to acquire lands, etc., and of additional District Magistrates in certain divisions and districts. The system should be based on a settled plan and not adopted by fits and starts as at present. There are some Divisional and Collectorate charges in the Presidency which are always too heavy for one officer and in these places the separation of judicial and executive functions is one of the methods and a good method too of meeting a purely administrative difficulty; it is not merely a matter of speculative interest or of any *a priori* theory. I am, however, not in favour of the immediate separation—partial or entire—of the two functions in the case of all officers of the Indian Civil Service, irrespective of tangible and existing administrative inconvenience or difficulty and merely on the *a priori* reasoning that the combination of the two functions in one person is always to be avoided. The separation should be gradual and by degrees and should be tried in one set of localities after another and not in a wholesale fashion. I am, however, in favour of the separation of the functions in the case of Deputy Tahsildars. In any case the separation, if it is to be entire, should be first tried in the case of Provincial Service officers and its effects seen before it is applied to the Indian Civil Service.

9255 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—No; I recommend the adoption of a time-scale; for details, please see my answer to question (102) *infra*. The starting pay should be Rs. 500 a month.

9256 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—I think it relates to both, but it is chiefly and keenly felt as regards the pay and grading of the lower posts.

9257 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—Yes. No dissatisfaction on *this score* to my knowledge exists in this Presidency.

9258 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—No; it may be continued.

9259 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The system operates as a hardship on the officers in question specially where the officiating period is fairly continuous and likely to last a considerable time. I think the amount of the acting allowance should be fixed at four-fifths of the difference if not the actual difference itself between the pay of the two appointments—substantive and acting.

9260 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The system is worked automatically by the Accountant-General. It may be convenient to the Government but is certainly not so to the officers of the service. I recommend the adoption of a time-scale for posts of all grades in which the duties are more or less the same, viz., Collectors, District Judges and Sub-Collectors, etc. For details, please see *infra*.

9261 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am in favour of a separate time-scale for each of the main classes of appointments and advocate its adoption. It should not in my opinion be restricted to the lower grades, but the lower grades must in any case get it as their need is greater and urgent; please *vide* my answer to question (100) below.

9262 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—This is what I recommend in preference to a system of purely graded promotion or to a rigid time-scale for the whole service. The main classes requiring a time-scale are Assistant Collectors, Sub-Collectors and Joint Magistrates, Collectors and District Magistrates, and District and Sessions Judges. No change is necessary in the case of special appointments of and above the grade of Collector or Judge; in the case of other special appointments the officer appointed is to get his pay according to the time-scale of his class *plus* a special allowance varying from Rs. 100 to 200.

9263 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive branches of the service is different?—The system I recommend is a separate time-scale of pay for the four main classes or really three main classes of appointments, viz., (i) Assistant Collectors, (ii) Sub-Collectors, (iii) Collectors or Judges.

The *scale for Assistant Collectors* will be Rs. 500 to 800 by annual increments of Rs. 100 a month, the initial pay being Rs. 500. No increment to be drawn till the Assistant Collector becomes a passed Assistant Collector and is invested with the powers of a first-class Magistrate.

The *scale for Sub-Collectors* to be Rs. 900 to 1,500 by annual increments of Rs. 100 a month.

The *scale for Collectors or Judges* to be Rs. 2,000 to 2,750 by annual increments of Rs. 125 a month.

As regards special appointments, please see my answer to question (100) above.

I would propose no conditions regarding grant of increments and promotion except those that now regulate promotion.

As regards charge allowance, please see my answer to question (97).

Finally, I would apply the time-scale to the provinces where the scale of pay for the two branches is different by abolishing the difference.

9264 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—I cannot at present answer the first part of the question; as regards the second part my answer is in the affirmative.

9265 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—No. I suggest a time-scale for Provincial Service officers also but the rate of pay should be as nearly as possible based on the principle of two-thirds. I do not recommend that a separate class of Statutory Civilians should continue to exist. The Civilians to be recruited in India by selection [*vide* answers to questions (10) and (25)] should *in all respects* be treated in the same manner as Civilians recruited in England by competition and selection as regards pay, acting allowance, leave, pension, promotion, etc.

9266 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—Here I would like to point out the hardship recently entailed on members of the Indian Civil Service as well as those of the Provincial Service who are Natives of India by the rule promulgated by Government compelling them to live in residences provided by Government or rather to pay the rent fixed for these residences whether they live in them or not. In the case of the members of the Indian Civil Service who are Natives of India, this rule, which did not exist when most of them joined the service, operates as a compulsory deduction from their salary not provided for in the covenant. The rent is generally 10 per cent. of the gross salary, *i.e.*, pay *plus* acting allowance, and it is much higher than what is demanded for residences owned by private persons and offering more comforts and conveniences to Natives of India. The Government residences were built to suit European modes of living and to suit Europeans, and the Natives of India who have to live in them are put to considerable every-day inconvenience and their requests for any amelioration of their discomforts are flouted by the Public Works Department.

9267 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I think all the leave on full pay is availed of: the only reason for not doing so is the fear of a transfer and consequent expense and trouble. The amount of leave on full pay that can be earned under the existing rules is not sufficient. The only alternative I can suggest is to allow commutation of ordinary furlough into leave on full pay—furlough for any particular period being regarded as equivalent to leave on full pay for half that period. Commutation should not be allowed at a lesser interval than four years and the maximum period of furlough that can be commuted should be one year.

9268 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—All the furlough due is not ordinarily taken though it is necessary to allow as much furlough as the present rules do. The reason for this is that the furlough allowance is too low and insufficient. The change I would propose is described in my answers to the questions immediately preceding and succeeding this question.

9269 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—No: the furlough allowance should be fixed at half the salary as at present but the maximum and minimum should be fixed at Rs. 1,250 and Rs. 625 per month instead of the two sets of existing maxima and minima in sterling and in rupees. There should be no difference in the amount of the allowance and it should be calculated only in rupees; the concession referred to in question (110) may, however, be continued.

9270 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—I recommend no change in this matter.

9271 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—No. Please see my answer to question (109). I would recommend the fixing of only one maximum and minimum and this should be expressed in rupees—1,250 and 625 a month, respectively. There should be no alternative rates fixed in sterling and in rupees. The same allowance in rupees to be paid whether the officer takes leave out of India or in India subject to the concession described in question (110).

9272 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—As regards special leave, the allowance should be the same as furlough allowance are at present. I have no objection to make to existing rules on these subjects.

9273 (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—Yes, to some extent. Leave should not be granted, except privilege leave, special leave on urgent private affairs and furlough on medical certificate, at shorter intervals than three years. This will prevent excessive transfers to some extent.

9274 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—The manner in which the leave rules press hardly has been described in the answers to previous questions and the remedies also suggested, viz., commutation of furlough and revision of furlough allowances.

9275 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—I think the system is not generally accepted as satisfactory by the members of the Indian Civil Service.

9276 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—It will be preferable in the interests of both if the pension is fixed at a maximum of £1,200 and a minimum of £1,000, the present rate of annuity, but *not otherwise*. No reduction of the amount of the pension even if it is non-contributory would be preferable in the interests of the members of the Indian Civil Service.

9277 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—I suggest the following modifications:—(i) In the event of dismissal or death before retirement at least the actual amount deducted at the rate of 4 per cent. of the salary towards the annuity should be refunded to the officer or his family. (ii) The amount of the annuity should be raised to £1,200 a year.

9278 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of 1,200*l.* a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—The arrangement may continue but the period of actual service may be reduced to 8 years.

9279 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—Yes: to members of the Executive Councils of His Excellency the Viceroy, their Excellencies the Governors of Presidencies and to Lieutenant Governors—who are also members of the Indian Civil Service. The pension may be £1,500 if they serve the full term of five years' service in these appointments.

9280 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—The existing system of invalid pensions must be left intact. The superannuation pension should be fixed at one-half the salary (calculated on an average of the last three years) subject to a minimum of £1,000 and a maximum of £1,200 per annum. The pension may be earned after 25 years' service, of which at least 21 years should be active service. The minimum should not be fixed in any case lower than £800 a year.

9281 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes; I recommend the grant of reduced pensions calculated according to the years of service put in by the officer at three-fourths the rates of the invalid pensions prescribed in the Civil Service Regulations.

9282 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Subject to the remarks contained in my answers to the previous questions, the rules are suitable. In my opinion, compulsory retirement should ensue after 32 years' service except with the permission of the Secretary of State for India, unless the officer proposed to be retired under this rule will be entitled under the pension rules to a pension of less than £1,000 a year, in which case he should be retired only after completing 35 years' service.

9283 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—I am not in favour of the continuance of a separate class of Statutory Civilians. As the rules stand at present, the maximum pension is fixed too low and there is no minimum. This should be remedied. I would suggest a minimum of Rs. 500 a month and a maximum of Rs. 750 a month.

9284 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—I would suggest the same minimum and maximum as are noted in my answer to question (127).

9285 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I do not approve of the exclusion of the Natives of India from the benefits, because the Government have not provided any other reasonable facilities to them for making a suitable provision for their families. I consider that the formation of a separate Family Pension Fund for such officers is more desirable than their inclusion in the existing Family Pension Funds, but failing this, their exclusion is unjustifiable. I would in the alternative recommend their admission to the benefits but make the following changes. The pension for widow should be paid only to a wife whose marriage was monogamous, *i.e.*, her husband should have had no other wife living when she married him and the pension should be only Rs. 250 a month and payable for a period not exceeding 30 years or till decease if it takes place earlier. The pension for a daughter to be fixed at Rs. 125 a month and payable only till she attains 30 years or death, and that for a son at the same amount and payable only till he attains 21 years or death.

9286 (131). Do you recommend that such admission should be optional or compulsory?—It should be compulsory.

9287 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—I consider the latter preferable to the former.

9288 (134). Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—I am not aware of any such facilities provided by Government except those furnished by the Postal Insurance system and the General Provident Fund. These do not give as good a return as the Insurance Companies. The desideratum is the provision of an annual pension and not the saving of a lump sum of money. The latter may be squandered; it is subject to loss in various ways.

9289 (135). Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?—The rules should provide for the grant of wound and extraordinary pensions on a liberal scale. Under the rules, the maximum amount of pension payable to the family of an officer killed in discharge of his duty is only Rs. 25 a month except in the case of State Railway servants. This is ridiculously low as far as the Civil Service is concerned. The same ridiculous kind of pension is paid to an officer who receives serious injuries in the discharge of his duty. This should be remedied and the expression "in the discharge of duty" should be liberally construed. Take, for instance, the case of officers assassinated on account of so-called political motives by anarchists, etc. In such cases, as in others, the families of officers killed in discharge of duty must get a liberal pension, or if they are eligible for a pension under the Family Pension Fund rules an appreciable addition should be made to such pension. Similarly in the case of an officer invalided on invalid pension in consequence of injuries received in the discharge of his duty should receive a substantial addition to the invalid pension which he would have got had the injuries been received under different circumstances.

Written answers relating to the Provincial Civil Service.

9290 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I am not prepared to concede that the object of securing due representation in the public service of the different classes of the community is in any way as important as that of obtaining thoroughly efficient candidates so far as a superior service like the Provincial Service is concerned. It is no doubt desirable that in the lower services all classes should be duly represented, but it is not a *sine quâ non* in the case of superior services; in fact an attempt to secure such representation at all costs may prove fruitful of positive evil. I would therefore define the object of the rules should be to secure the best men available, and that the best way of attaining this object is to select them through the medium of an open competitive examination open to all persons of the requisite education, age, character and other qualifications. At least a majority of the posts should be filled up in this manner.

9291 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—So far as my experience goes the officers selected as a result of an open competitive examination have proved the most efficient, next the officers selected by nomination, and lastly those selected from the lower services. For direct recruitment I recommend open competition for at least two-thirds of the total number of vacancies in the service. The competitive examination should be modelled on the open competitive examination for the Indian Civil Service, and the candidates thus selected should undergo a probation of two years. The competition should be confined to the age limits 21 to 23 years and to graduates of a university.

Mr. V. Pandrang Row, called and examined.

9292. (*Chairman.*) You are a member of the Indian Civil Service, and you occupy the position of Sub-Collector and Joint Magistrate (third grade), Tellicherry?—I attained it on the 16th July last.

9293. In reply to question (1), you recommend that three-fifths of the total number of vacancies in the Indian Civil Service should be filled by open competition and that two-fifths should be filled by selection, and that of the two-fifths not less than half should be recruited in India?—Yes.

9294. That is a correct summary of your proposal, is it not?—Yes.

9295. As regards candidates recruited by selection in India you recommend that the selection should be made by the Viceroy on the recommendation of the Local Government?—Yes.

9296. What system of selection would you recommend for the one-fifth that are to be selected in England?—I leave it entirely to the discretion of the Secretary of State as knowing more about English youths than I do.

9297. Who would you suggest should advise him in coming to a decision?—The heads of colleges and schools with regard to the college and school period of the candidates.

9298. Can you give us the main reason that has prompted you to put this proposal forward?—I believe that one of the objects we have to attain is a slight increase in the number of Indians in the Civil Service and at the same time to see

that not too large a number get in, and I think the only way to do that is to know what we are going to have, that is, a definite number.

9299. I take it it is because you hold that view that you are opposed to the proposal of a simultaneous examination?—Yes, it is only on that distinct understanding.

9300. In default of the scheme just mentioned you would fill a fixed proportion of vacancies in the Indian Civil Service by means of a separate examination?—Yes.

9301. Would you suggest that that examination should be a single examination for the whole of India or examinations held in the various Provinces?—I would suggest only one examination in India, but I am afraid I know very little of the other Provinces and I give that opinion with diffidence.

9302. Under this scheme you would recruit two-fifths of the total number of vacancies in India, would you not?—As I have said, I leave the selection entirely to His Excellency the Viceroy, who will be at liberty to choose candidates from one Province if he thinks fit for the whole of India in any particular year.

9303. Would that be in addition to the Indians appointed to the listed-posts?—Yes; the two serve two different objects.

9304. You are opposed to separate recruitment for the Judicial and Executive branch?—Yes.

9305. What do you consider the most suitable moment to bifurcate between the two branches? After eight years' service.

9306. You propose different terms of service for the different classes of candidates?—Yes.

9307. How would you arrange the seniority?—I would put the selected candidates, first of all, as a batch, after the candidates who came in by open competition, and amongst those selected I would give the preference to those selected in England and then those selected in India, and amongst themselves the seniority would be decided by the number of marks they obtained in the final examination.

9308. In answer to question (64) you say that officers selected for the Judicial branch should have a special examination in Civil Law. At what period would you ask them to undergo that examination?—The examination would probably take only a week.

9309. But at what period of their career?—I should say any time between the eighth and twelfth years, whenever they choose, provided they have undergone the previous training prescribed for those selected for the Judicial line.

9310. Do not you think that would be rather old to go in for an examination?—The examination, in my opinion, should be a test mainly of the actual experience of the daily work a District Judge would have to do. He will not be expected to show any deep knowledge of legal principles or rulings of the various High Courts.

9311. A qualifying examination?—Yes; in fact it is to see whether he has spent his years' training properly or not.

9312. Is it the rule or the exception for officers to be provided with official residences?—The statistics in the Government office will give a better answer than I can.

9313. You pointed out rather emphatically the hardship which some Indian officers are suffering under by being compelled to occupy Government houses?—Yes and I believe the Government have in a recent order admitted that there was such a grievance and that steps should be taken to rectify it.

9314. Could those officials you mention secure houses at a much lower rent than they have imposed on them by the Government?—I would restore the old rule which gave them the preference to live in Government houses or not. You can let them have the Government residences as a lesser evil.

9315. You think making it compulsory is too arbitrary, and may be a heavy expense on them?—It is not the expense we mind so much as the want of everyday conveniences which we feel every day.

9316. In question (119) you were asked whether a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement would be preferable either in the interests of the Government or of the members of the Indian Civil Service, and you say that it would be preferable in the interests of both if the pension was fixed at a maximum of £1,200 and a minimum of £1,000. I can see that it would be preferable from the pensioner's point of view, but how would it be preferable from the Government point of view?—It is preferable from the Government point of view, because they would have officers who were satisfied with the conditions of the service. I do not look at it only from the pecuniary point of view.

9317. You think the additional amount granted would be repaid in indirect interest?—That is my opinion.

9318. (*Lord Ronaldshay.*) You are a Brahman, are you not?—I was born a Brahman, but I am now not in caste, owing to having gone to England. Evidently I am a Brahman for statistical purposes but I do not enjoy any of the social advantages attached to the status of a Brahman.

9319. You have been to England?—Yes.

9320. Did you undergo a University course in England?—Yes, at Cambridge.

9321. Did you find when you were at Cambridge that you were well treated there by the other students, that they took you as they found you?—I perceived no difference being made in my case.

9322. No difference at all?—None at all, and I did not look for it.

9323. With regard to your objections to a separate examination in India, you say you object to it on the ground that it would create two divisions in the Civil Service?—Yes.

9324. But is not your scheme open to the same objection? If you are going to have a part of the Indian Civil Service recruited by means of an open competition and another part recruited by pure selection, will not that have the same effect and create two divisions in the Service?—It will, but I think the effect will be less than if there were separate examinations, because the mode of recruitment is the same in one case whereas it is different in the other. I believe the fact that there will be selection in England as well as in India would make the difference less felt.

9325. In answer to question (16) you say that the recruits to the Indian Civil service prior to the year 1891 were more liked and better respected by the people than the recruits since that year. What are your reasons for saying that?—I was born in 1881 so I know very little about it personally, but that is the general repute in which the older officers are held by all classes. Their names are remembered to this day, many of them. I cannot give any reason at all because I did not know them personally.

9326. Do you think people give any particular reason for this greater popularity of the officers who were recruited before 1891?—The people who told me this are not likely to give reasons for their opinions; they only felt it. I should think it was because those officers had more sympathy and more scope to give practical effect to it. Nowadays the administration has become more like machinery than a human agency.

9327. Do I understand that where there is an official residence the Government compel the officer residing in that district to pay rent for the house whether he lives in it or not?—Yes.

9328. And that they charge him rent not in accordance with the value of the house but in accordance with the amount of the officer's salary?—No. There is a particular rent fixed for each house based on certain figures, 3½ per cent. of the capital cost of the house *plus* so much for municipal tax and so much for annual repairs, and so on, and if that should exceed 10 per cent. of the officer's salary, the 10 per cent. of the officer's salary is fixed as the rental. In other words 10 per cent. of the salary is the maximum, but very often that is the usual rent paid by junior officers.

9329. But the rent of the house may vary in accordance with the position of the officer who occupies it?—No. The rent of the house is subject to a maximum of 10 per cent. of the salary. For instance, if the rent is Rs. 100 and the officer only gets Rs. 760 he has only to pay Rs. 76.

9330. Then the rent does vary in accordance with the salary of the officer who occupies it?—No. One may have to pay Rs. 100.

9331. And another man may not have to pay so much as Rs. 100?—Yes.

9332. Then it does vary?—No, because there is a maximum of Rs. 100.

9333. (*Sir Theodore Morison*). Would you mind letting me know your educational history. Where were you at school?—In Coondapore, and then I was in the Government College of Mangalore and then in the Madras Presidency College.

9334. Did you take your degree here?—Yes.

9335. At what age?—I took my degree when I was under nineteen years of age.

9336. That was under the old regulations?—Yes, I was in my 19th year.

9337. And you went from there straight to Cambridge?—I remained here one year afterwards studying for the M.A., but I did not complete the course.

9338. Did you attend any lectures for that M.A.?—No.

9339. You read by yourself?—No, I attended the college and worked in the laboratory under the guidance of the Professor.

9340. You are a science man?—Yes.

9341. You went to Cambridge when you were nearly twenty?—Yes.

9342. And you took your degree there?—Yes.

9343. In the Natural Science Tripos?—Yes, after I had passed in the I.C.S. I passed in the open competition two years after I went to England and the next year after that I passed my Tripos.

9344. When you were twenty-two?—Yes, at my first chance. It was 21 to 23 in those days.

9345. You were successful at your first shot?—Yes.

9346. What reading had you at Cambridge in addition to the knowledge you had gained in the Presidency College?—I attended the usual lectures provided by the Board of Civil Service Studies in Cambridge in those subjects in which I thought I required some special guidance.

9347. I am afraid I do not know in detail anything about the Board of Civil Service Studies?—It fixes certain lectures to be given by certain lecturers on subjects on which there is no lecturing by the ordinary staff of the colleges. For instance, political science is a subject which is not taught and English composition and certain other subjects. With regard to the other subjects, of course we used to attend the lectures which we thought were the best, and as lectures in all the colleges are open to any member of the college we could do so.

9348. At the same time you were reading for the Tripos?—I did not look upon it as anything very serious; in my first two years I worked more for the Indian Civil Service.

9349. As far as the natural science subjects were concerned, those you took up for the Indian Civil Service, you contented yourself more or less with the Tripos lectures, did you?—Yes, except chemistry, of which I thought I knew enough by my Indian education.

9350. You did not attend lectures on that?—Except I believe in physical chemistry.

9351. You attended the laboratory?—Yes.

9352. You did not read extra for it?—No.

9353. You took your Tripos subjects and supplemented them with others which the Board of Civil Service Studies recommended to you?—No. They institute a course of lectures and we have to attend such lectures as we think fit.

9354. In chemistry you say you were about up to the standard good enough for the Indian Civil Service?—I will not say that. I thought I could learn it myself without any special guidance, because when you attain a certain standard in a subject I believe a man can do better by working by himself.

9355. How nearly qualified were you by your Indian training to get into the Indian Civil Service?—Very little practically. The only thing I was ready for was English and English composition. Although I underwent a certain course of lectures in the latter I do not think it was necessary.

9356. Did you pass very high in English composition?—I passed second in the list as a whole. I do not remember my position in English composition, but I believe I was somewhere among the first five.

9357. Did you take up English literature?—Yes.

9358. I suppose you were high there too?—I cannot say.

9359. What other subjects in addition to your science subjects had you read in India?—Practically none except a mere smattering of mathematics. I took up mathematics also, but only the elementary portion.

9360. You took mathematics in your Indian Civil Service?—I took a lot of subjects.

9361. It would be extremely interesting to know them?—English composition, English literature, elementary mathematics, physics, chemistry, geology, Roman history, English history, general modern history, political economy, political science, English law and Roman law.

9362. Does not that total up to more than 6,000?—That maximum did not apply in those days.

9363. There was very little of those subjects that you could have learned in India?—Yes, I had to learn Latin and that is why I took up subjects like Roman law and Roman history.

9364. Why did you have to take up Latin?—I happened to take a vernacular here for the B.A. and they would not let me go up for the Tripos unless I passed the "Little-go" examination, and Latin was compulsory. Greek I was excused.

9365. You took English instead?—Yes.

9366. Do you think that these supplementary subjects, Roman law, political science, and things which we consider rather cram subjects, are taken up by English youths?—I really do not know.

9367. Did you find your contemporaries took these lightly or not?—I worked alone; I knew no one who was appearing for the examination.

9368. You knew your friends in the college, but they were not Indian Civil Service candidates?—They might have been, but I never talked about such matters to them. We used to call it "talking shop" and it was not allowed amongst us.

9369. (*Mr. Chaubal*). You said you were born a Brahman: do not you call yourself a Brahman now?—I can call myself by whatever name I like but I do not know whether other people are prepared to call me so.

9370. Did they excommunicate you?—No.

9371. Do you find latterly a modification of the rigour in any way?—Yes, as respects my own relations.

9372. I mean in respect of your general caste?—I have not mixed with my caste since I returned from England except with my own relations.

9373. I want to know your opinion with regard to the social relation of gentlemen who return from England and live here. Is the social rigour in any way relaxing?—I think it is.

9374. I suppose the different sects of the Brahmans in the Madras Presidency do not dine together?—I do not think the Aiyangars do, but I think the Aiyars do.

9375. Does one sect of the Brahman community dine with another sect?—I do not think the Aiyangars dine even in the presence of another of their caste.

9376. You said you would select one-fifth in India of the whole Civil Service cadre: am I to understand from that that you consider four-fifths of the European element is necessary in the service.—No. As regards the European minimum I have given my answer in another place where I have fixed it at three-eighths. I have said that the maximum number of Indians who could be admitted into the service at present is five-eighths of the whole.

9377. When you speak of selection have you any experience yourself of how a system of selection works in India?—I have heard a lot about it but I have no personal experience.

9378. It was your answer to question (28) that suggested it to me. That is a question to which I think the majority of the witnesses who have appeared before us gave a very emphatic reply which is quite consistent with the conclusions at which the last Public Service Commission came after taking evidence throughout the whole of India. I suppose you are aware that that was entirely worked by selection by local Governments?—Yes.

9379. One reason why they considered that system of appointment to be unsatisfactory was that the selection or nomination, or whatever you call it, did as a matter of fact prove unsuccessful or unsatisfactory in every province in India?—I do not know whether it is the public opinion that all the Statutory Civilians have been failures. Some of them, I believe, have been very efficient officers.

9380. There may be exceptions to a rule?—I do not know any Statutory Civilians outside the Presidency of Madras, so that I really cannot offer any opinion as regards their capacity or how they have proved themselves.

9381. You have no Statutory Civilians now except one?—When I joined the service, I think there was another.

9382. You seem to have great faith in the principle of selection?—I have very little faith in it. I suggested it as an escape from a greater evil of having a separate examination. As a matter of principle I am against it.

9383. With regard to your answer to question (39), I want to ask you whether the gentlemen you refer to there came in by competitive examination or by selection. You say there: "I do not think so as regards the officers selected for executive work; as Judicial and Secretariat officers they are, I think, at least as efficient as members of the Indian Civil Service on the average."—I am not aware of any Provincial Civil Service officer recruited by open competition who has been appointed to a listed post in this Presidency. The listed posts are those of Collectors and Judges, etc., and I am not aware that any of them have been recruited by open competition.

9384. I mean that the Provincial Civil Service was for some time recruited by competition, and the competition system was subsequently given up and a system of selection and nomination came in. So that there are some Provincial men who have come into the Provincial Civil Service by selection and some who have come in by nomination. I want you to tell me whether the officers to whom you refer were persons who came in by selection?—By nomination.

9385. They came in by nomination?—Yes. In another answer I have said that in my opinion the Provincial Civil Service officers recruited by open competition have proved the most efficient.

9386. (*Mr. Gokhale*). Will you tell us how high you stood in the B. A. examination here?—In the English branch I believe I was second.

9387. Did you take a first class in all the three subjects?—I took a first class in English and in Science but not in the vernacular.

9388. After getting into the Indian Civil Service you went up for your Science Tripos?—Yes.

9389. That does not look as if there was ver much work done during the period of probatic there?—That is my opinion. I took up the B examinations and others too.

9390. During that year?—Yes.

9391. And you did them all?—Yes.

9392. You have just stated in reply to a question by Mr. Chaubal that you are really not in favour of the principle of selection, but that you recommend it because it offers an escape from a greater difficulty?—Yes.

9393. At the same time, in speaking of the results of the Provincial Civil Service, you say the officers selected as the result of an open competitive examination have proved the most efficient, the officers selected by nomination next, and so on; so that the officers selected by open competition have in your opinion proved the most efficient?—Yes, in the Provincial Civil Service.

9394. Why not have the one-fifth you propose for Indians by selection recruited by open competition here?—I have no objection whatever except that, if you have the same examination, the giving of one-fifth the number of appointments to Indians would be a farce.

9395. I will put it to you in this way: suppose the Civil Service Examination was held twice during the year, once in England and six months later in India, and that the three-fifths of the appointments you want to offer to candidates in England were competed for there, and one-fifth of the appointments were competed for here, the Indian examination being held under the authority of the Civil Service Commissioners?—I think the idea would be that those people would be lower in status.

9396. An examination of the same difficulty, mind you?—But that will not be the real Simon Pure; they will be something different.

9397. How will they be worse than the men selected by the Government of India under your scheme? Under your scheme your alternative is that they should be selected by the Government of India; how would the men selected by an examination equally stiff with the Indian Civil Service examination be any worse than the men selected by the Government of India?—I do not say officers themselves would be worse, but I think their status will be worse.

9398. Worse than that of men merely selected by nomination by the Government of India?—Yes.

9399. On what grounds do you say that?—The only ground I can give is what I said in answer to a question put by Lord Ronaldshay. When the method of recruitment is the same it is necessary that the examinations should be absolutely the same.

9400. I suggested that the test should be absolutely the same, the same examination, the two examinations only differing from one another as the Indian Civil Service examinations of two years differ from one another?—If we admit the premises I suppose the conclusion will follow.

9401. If that is done you have no objection?—No, but I do not know whether it would be accepted as equally stiff.

9402. If the Civil Service Commissioners say that the examination is equal, surely their opinion should be accepted? I see you have summed up your objections to simultaneous examinations in a somewhat long paragraph, and you begin by saying that you are not much of a politician; I take it therefore that you are not much acquainted with the views of politicians and public men in this country who have been agitating for a long time for simultaneous examinations?—I know very little about it.

9403. You say that the object of simultaneous examinations is to secure a larger number of Indians in the Indian Civil Service?—Yes.

9404. It may appear like that, but do you know that many public men in the country who are keen about simultaneous examinations do not care really so much whether more Indians get in or not, because after all they feel that Indians become bureaucratic quite as much as English members when in the service, but they do feel that this is a matter of fairplay to their race. They want simultaneous examinations because they feel that it means fairplay to their best young men?—That I came to know in reading the reports of the evidence given before this Commission during the last few days, that they laid special stress on it.

9405. If that be so, you would still say the object of simultaneous examinations was merely to get in more Indians?—If the people who agitate for it put forward also the other as an object, I should accept their word. The question of fairplay is not, however, involved in the matter.

9406. It is part of their whole claim to equal citizenship in the whole Empire. Have not you followed that? There is evidently considerable isolation here?—If I may be permitted to say so, it is not so much isolation as that we have enough other work to do.

9407. You say that very few would get in if there were simultaneous examinations held here because the educational facilities are so unsatisfactory, and that a cry would be set up that the examination was not fair?—Yes.

9408. On what grounds do you base this apprehension of yours?—My apprehension that there will be very few passes for want of facilities is based on my own knowledge of the examination.

9409. I accept that, but you conclude that therefore a cry would be set up here that the examination was not impartial, and that that would lead to a deterioration of the standard by a demand being raised for lowering it, and there would be discontent and so forth. What grounds have you for saying that the people of this country will set up a cry that the examination is not impartial?—First because it is natural. When they find that an Indian of less ability who prepares for the examination in England and sits for it there passes it successfully while his classmate of more ability who prepared for it in India fails.

9410. Would not the people see that because that man had better facilities therefore he got in, whereas the other man did not get in because he had not got equal facilities here?—If I am in order in referring to the evidence of previous witnesses I might mention that one witness has said that a man who failed in the Provincial Civil Service got into the Indian Civil Service. Did it mean anything? He did not remain stationary after he went to England.

9411. That witness meant to say that the educational facilities there were so good that a man who failed to get into the Provincial Civil Service here got into the Indian Civil Service. Have you any instance in view where because the number of successes was not large people have impugned the impartiality of examinations?—I have been asked myself several times by people whether the examinations in England are fair to Indians, and I have said, yes.

9412. You have no other definite ground?—No other definite ground except that is what people who do not know much about England would think.

9413. They will not much bother themselves about an Indian examination either. With regard to this *esprit de corps*, in answer to question (9) you object to a separate examination because you say it will create two divisions and undermine the traditions of the Service and considerably damage the *esprit de corps* of the Service. Do you mean to say that members of the Indian Civil Service will have a more brotherly feeling for men nominated by the Government of India than for men who pass such an examination?—The men selected will be two-fifths, and the men selected in India will be practically the same as the men selected in England and will have the same status.

9414. The men selected in England may have a brotherly feeling for the men selected in India, but I am talking of the men who get in by the competitive examination door. The three-fifths recruited by open competition in England will have a more brotherly feeling for Indians selected by the Government of India than for Indians who pass a stiff examination and get in; do you mean that?—It is likely; I do not see much difference however.

9415. Would not the *esprit de corps* be undermined just as much in the one case as in the other?—Yes. That is not the only reason.

9416. True, but you have mentioned it as one reason against a separate examination, and I want to find out if I understand you correctly. In question (27) you were asked whether Indian Civilians have on the average made as efficient members of the Service as European Civilians, and your answer is: "This is not for me to answer, though it concerns me, because it is personal." Leave yourself out and do not mention any names and tell us what your opinion is. Do you think, leaving yourself out or, if you like, including yourself in the average, that on the average Indian members of the Indian Civil Service have proved less satisfactory than European members?—I should say I have not had much experience of other Indian Civilians in the Presidency, but I should say there is no reason why they should not be as efficient.

9417. You are not aware of any reasons why the average should not be so efficient?—On the other hand I say a good Indian ought to be better.

9418. That is theoretical; do you know anything personally?—No.

9419. In reply to question (39) you say that you do not think the Provincial Civil Service officers selected for executive work have been as good as Indian Civilian officers. Do you speak of these from personal experience?—From hearsay and repute and partly from personal experience.

9420. Do not you see that you express a definite opinion in one case from hearsay and in the other case you decline to express an opinion from hearsay?—As regards the Natives of India in the Civil Service I hear much less hearsay. I have heard very little about them.

9421. About your own brother members?—Yes.

9422. You express an opinion that you do not think members of the Provincial Civil Service selected for executive work have proved equally satisfactory. Mr. Cardew thinks that they are equal to the average European members?—His opinion may be preferred.

9423. He is in a position to know?—Certainly.

9424. Have you any practical experience of the work of the Provincial Civil Service men?—None. I may add that in my opinion the cause of it was that the best men were probably not selected for these listed executive posts.

9425. But you have no experience?—No.

9426. Mr. Cardew has experience and you are prepared to take his opinion?—I am quite prepared to defer to his opinion.

9427. Turning to question (63), dealing with the encouragement of Oriental languages, you want higher prizes offered for a greater proficiency?—Yes.

9428. In the earlier years of British rule probably it was necessary to offer high monetary rewards to induce men to learn languages; but do you not know that some members go in for one language after another in the mere pursuit of these prizes and for certain reputation that they acquire, and that their study of any language is often not deep enough?—I do not know really why people go in for this high proficiency examination; I have not inquired into their motives.

9429. Would it not be better that a man should study one language well and should spend his life as far as possible in the districts where that language is spoken, so that he could speak with the people well rather than that he should only win prizes?—Of course the difficulty is chiefly in Madras, but I think a man should be posted to a Tamil district as well as to a Telugu district.

9430. With regard to Government houses, you look at it from your own standpoint, but has not the public to be considered in this? The Government build a house for the Collector of a district; then an Indian goes there and wants to take another house and this house is to remain vacant without any rent being paid to the State. Is that fair?—That was what was being done until two years ago.

9431. The Government certainly have a right to rectify an error?—If they provide the same facilities for those who follow the Indian methods of living, such as myself, as they do for those who follow European methods, I have no objection.

9432. The bulk of the officers are European officers in the Service, and the few Indians who go in must suit themselves to the conditions?—It may be fairly expected that an Indian officer should suit himself, but it is too much to expect his family or relations or visitors to do so.

9433. You prefer that the house should remain vacant and the public revenues should suffer rather than that you should put up with some slight inconvenience?—It is not slight; the wearer knows best where the shoe pinches.

9434. (*Mr. Sly.*) In your reply to question (102) you have given a time-scale of pay which you recommend for the Service, a time-scale which is a substantial improvement on the present grading?—Yes.

9435. What is the reason you consider it necessary to have any improvement on the present grading?—There is always a complaint as regards the salary and I think the time has come to give some increase. Most of the other departments have had an increase.

9436. You consider that the present rates of pay and grading in the Indian Civil Service are inadequate?—It is very difficult to say what is inadequate. I do not admit that the Indian civilian should be paid on the principle of a fair day's pay for a fair day's work, because it is very difficult to calculate the exact wages that should be paid to him, and I daresay you can get people for much less, but I think you must see that the prospects and conditions of the Service do not deteriorate. That is what the Government owes to the Service.

9437. Do you think the prospects have deteriorated?—I think so.

9438. How?—On account of the rise in the scale of living, the prices of foodstuffs and various other things.

9439. Have you calculated out what would be the cost of this time-scale scheme of yours?—No; I could not even if I wanted to do so.

9440. (*Mr. Madge.*) You have had eight years' service on the executive side, and as an Indian gentleman you have a better knowledge of things generally in the country than an English civilian coming out would have: do you think that from your official experience alone you have gathered some knowledge that would be useful to all civilians? Have you official knowledge that you think would be very valuable to any civilian, an Englishman particularly?—Yes.

9441. Do you think that knowledge would also be useful if he chose the judicial career?—I think it would be as useful in the judicial as in the executive.

9442. Supposing bifurcation took place at an early period of the civilian's service, then a man choosing the judicial career would have to go without that experience and knowledge?—Yes.

9443. Do you think it might lessen his usefulness generally as a Judicial officer?—I think it may lessen it a little if the bifurcation took place almost immediately after his being appointed, or in a couple of years, but I think there is very little difference if it is after six or eight years. In my opinion an elementary knowledge of the Revenue system of the country and some knowledge of the agricultural methods are absolutely necessary even to a Judge, because 90 per cent. of the population are agriculturalists and they have a lot to do with Revenue officers. But after the fifth or sixth year that knowledge will be less useful to a Judicial officer. I have fixed the eighth year as a rough figure.

9444. I think you said that administration in the mufassal has become very much of the nature of machinery: does that mean that there is less opening for personal influence?—I do not say that, I say our powers are less really.

9445. Does not that mean that personal influence is less? I thought you contrasted present conditions with those that existed previously on the ground that administration had become more mechanical. I should have thought that you meant partly that there was less opening for personal influence?—I should say there is less opening for a man to carry out his own ideas; he has more or less to take them from head-quarters nowadays and carry them out.

9446. There is less room for initiative?—Yes.

9447. And to that extent it does really lower his usefulness?—It depends. Naturally the administration becomes more and more mechanical; we may be travelling on the right path or the wrong path, but that I cannot say. It is the same in most countries.

9448. Do you think that that change in the character of the administration has come about from a man being overpowered with office work and having less time to move about?—That may be one of the reasons, but I think it is a minor reason.

9449. Do not you think that when a man is not able to move about as he did formerly it reacts on the quality of his service altogether?—The difficulty of having initiative nowadays is not so much due to want of ideas or to poverty of thought as to the want of power to overcome all the obstacles put in the way.

9450. Naturally any faculty dies out from want of use and a man who is endowed with initiative if he is not able to use it may have it die out from want of exercise?—That may happen.

9451. My sole object is to find out whether the mechanical character of the work is not one of the influences that reacts on the civilian?—Yes, it does, but I said it was a minor effect.

9452. (*Sir Valentine Chirol.*) Your record and your answers have shown that undoubtedly from the point of view of learning your time in England was extremely well spent. Will you help us with your experience to understand better the view of an Indian who goes to England with regard to a matter that has occupied us a good deal here, and that is, the importance for the Indian of going to England to acquire what has been called by some witnesses "a British tone"? From that point of view do you regard your stay in England as having been useful to you? Were there certain qualities that have helped you in your later career which you could acquire there or develop there more easily than you could develop them in India?—Certainly; I found it most useful.

9453. From that point of view do you think your time was as well spent as from the other point of view?—Yes.

9454. What deficiencies did you feel when you first came into contact with the men of the same class as yourself, going up for the same examinations, and following the same class of studies? You found yourself amongst a number of young Englishmen and I should like to know what you felt you were gaining from contact with them?—In my own case I attribute it less to contact with people of my own age than to other influences.

9455. Personal influences?—Personal; probably climatic influences too. Somehow or other I felt a great change in myself after my stay there, and I think it was not due to contact with young men of my own age.

9456. Was it contact with people older than yourself?—Some.

9457. Did you contract many friendships? Did you find people older than yourself prepared to take an interest in you?—Not very many, but I found more people to admire. I did not look for friendship.

9458. It was more from observation?—Yes.

9459. I see you propose to improve the position of Sanskrit and Arabic in the allotment of marks, partly I understand in order that the European candidates may be encouraged to take them up and to get some larger insight into oriental modes

of thought, and partly in order to remove the unfairness to the Indian in India?—It is chiefly with the latter object. It is to make an Englishman take an interest in Sanskrit and Arabic that I have proposed it for the final examination.

9460. From my point of view it is very important that the Indian student should devote most of his time to subjects which are likely to increase his European knowledge; from your point of view you want it as a question of fairness. Would it not be possible to achieve both those objects by giving to the Indian student who took up Latin and Greek a larger number of marks than the European receives for those subjects, and to give the European student who takes up Sanskrit or Arabic a larger number of marks than the Indian student?—It is the first time that I have heard of a differentiation in giving marks for an examination, and I am not prepared to give my opinion of such a proposal.

9461. With regard to the growth of official work, I suppose it partly arises out of the very large increase in the rules and regulations issued from head-quarters?—It is very difficult to say what the cause is; it may be partly due to the growth of population and the growth of activities of the people.

9462. There is a far wider range of activities of Government?—Yes. It may be also that they expect a better standard of work nowadays.

9463-4. (*Mr. Subrahmanyam Pantulu.*) In the last answer of your memorandum you say "so far as my experience goes the officers selected as a result of an open competition have proved the most efficient, next the officers selected by nomination, and lastly those selected from the lower services." Do you apply those remarks only to the executive service or to the judicial service also?—Amongst those who are appointed as District Judges from the Provincial Civil Service I really do not know who are selected by nomination and who are selected by open competition. I have answered that question on the understanding that all of them were originally nominated.

9465. But you do not know how the Indian District Judges have been appointed or how many of them have been appointed by nomination and how many by competitive examination?—I cannot say how they were appointed to the service originally. Of course they were all appointed to be District Judges by nomination.

9466. They are all selected from the lower service?—Yes.

9467. So that all the District Judges you know are men selected from lower services. You are not aware of any Indian Judge who has been appointed by competitive examination or nomination?—I thought that question did not relate to Provincial officers selected to fill listed-posts; I thought it only related to the rank and file of the service. I did not mean it to apply to those who are picked out for listed-posts.

9468. If you were asked about the competency of the persons who have filled the listed-posts you are not prepared to give that answer?—I have given an answer to that in reply to question (39).

9469. (*Mr. Macdonald.*) There is one question arising out of what you said to Sir Valentine Chirol which I should like to ask. When you went to England you say you underwent a certain mental change?—After I had been there.

9470. Did that change happen because you mixed in the life of the University of Cambridge?—Less on account of that in my own personal case than on account of the interest I used to take in the political and public institutions of Great Britain.

9471. It was generally owing to your being in Great Britain surrounded by a certain culture and atmosphere and a certain political point of view, which came in upon you not merely through the gates of the University but from above and below and on every side?—Yes, I lived in an atmosphere of that kind.

9472. You would have got that, would you not, if you had been studying at the London University?—Yes, that portion I should have got.

9473. You would have got it if you had been studying at Edinburgh?—That I cannot say as I have not been to Edinburgh.

9474. The great literary influences of Edinburgh and the names associated with it, to a man of your imagination would have become real?—I do not think the names that are only names have so much effect as the names of people who are alive. One living celebrity is worth half-a-dozen dead celebrities in my opinion.

9475. The effect that all this had upon you was just of the same character as the effect on a proper minded Englishman when he comes to India and is surrounded by oriental culture ought to be?—I really do not know what changes pass in a European's mind when he comes out to India.

(The witness withdrew.)

M.R.Ry. K. Chidambaranatha Mudaliyar Avargal, Shiyali, Tanjore district.

Written answers relating to the Indian Civil Service.

9476 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Generally satisfactory, in principle and in working.

9477 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I believe it is the least unsatisfactory of any system that can be devised.

9478 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is, certainly, not equally suitable for the admission of "Natives of India," and other natural-born subjects of His Majesty. Hence, I recommend a system of simultaneous examinations in India and in England.

9479 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination is, in my opinion, decidedly to the advantage of Indian interests. I believe this feature, more than any other, gives the high and the true Imperial character to the Superior Public Service of the Empire. The field of selection is as wide as it can, and ought to, be, and the result, consequently, at its best.

9480 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am heartily in favour of it.

9481 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of it.

9482 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—Please refer to my reply to question (6). I do not think it desirable, in the permanent interests of the country, that classes and communities should be represented, as such, in appointments to public service.

9483 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I recommend no separate method of recruitment for the Judicial branch.

9484 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am.

9485 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The competitive examination should be held simultaneously in England and in India. The age limits for candidates should be between 22 and 25 years. A candidate is at least twenty before he finishes his Honours Course of the Bachelor of Arts Examination and hence the limits above said seem to be reasonable and necessary.

9486 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Please refer to my reply to question (13). I consider that they must have had one year's training in India before they commence their regular official duties.

9487 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I recommend no differentiation in age limits between "Natives of India" and other natural-born subjects of His Majesty.

9488 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—The marks assigned to Greek and Latin should be reduced to 800 each, as for Sanskrit and Arabic, and all the chief Indian vernaculars which have a place in the curricula of the Universities of India should be included and marks allotted to them as for French, German and Italian.

9489 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—It is not desirable.

9490 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I consider the following posts should be reserved by statute for officers recruited to the Indian Civil Service in the interests of efficiency of administration: All District Collectors, all District Judges, all officers in charge of Revenue divisions and all Subordinate Judges. The responsibility involved in the proper discharge of duties appertaining to these places appear to me to fully justify their being reserved to the highest grade of Public Service in the country.

9491 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I consider no such proportion is necessary.

9492 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I do not.

9493 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not.

9494 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I will not.

9495 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—I do not recommend any.

9496 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be

posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—The system is not satisfactory as it cannot conduce to the maintenance of a high and healthy tone among the service as a whole.

9497 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed-posts?—I am not.

9498 (26). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—I am not.

9499 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

9500 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation should be one year. The service should be made to consist of two distinct branches—the Judicial and the Executive—the bifurcation beginning at the very outset. Any subsequent interchange should be allowed only on going through the probation due to the particular branch and under exceptional circumstances. The Judicial branch should be under the sole control of the High Court. The course of study during the period of probation should be of two kinds as outlined below:—

EXECUTIVE.

Compulsory.—(i). Two of the principal vernacular languages of the province to which the candidate is assigned. (ii). Indian History (Social, Political and Economic). (iii.) Economic History of the foremost countries of the world, *e.g.*, Britain, France, Germany, Japan and the United States of America.

Optional.—Not more than one of the following subjects:—Sanskrit: Arabic: Persian.

JUDICIAL.

Compulsory.—(i). One of the principal vernaculars of the province to which the candidate is assigned.* (ii). Indian History (Social and Political). (iii). Indian Penal Code. (iv). Code of Civil and Criminal Procedure. (v). The Indian Evidence Act. (vi). Hindu and Muhammadan Law.

Optional.—Not more than one of the following subjects:—Sanskrit: Arabic: Persian.

* No language offered at the open competition should be offered in the probation course.

9501 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I consider no differentiation is necessary.

9502 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The Indian as well as the other natural-born subjects of His Majesty may spend the probationers' course each in his own country or otherwise.

9503 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I do not think a college is necessary. But I consider a year's training suited to the requirements of the service with special reference to the branch, Judicial or Executive, to which one belongs, in England for the Indian to be eligible for places of the grade of District Collectors, District Judges and above, and in India for the other natural-born subjects of His Majesty for all appointments, without exception, should be compulsory.

9504 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I do not.

9505 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Please refer to my reply to question (33). I do not believe any further training is needed.

9506 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I am not able to say whether there has been deterioration or otherwise. I believe, however, that a higher standard of proficiency is desirable, in the class as a whole, and hence my recommendation for the provision of the compulsory study of vernaculars during the course of probation.

9507 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—Please refer to my reply to questions (30) and (33). I do not believe anything further is necessary.

9508 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—I do not.

9509 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—Please refer to my replies to questions (33) and (35). I do not believe anything further is necessary.

9510 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Please refer to my replies to question (33).

9511 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—The percentage of officers in the higher grades in the Province of Madras is disproportionately high compared with the percentages of all other provinces.

9512 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I believe the exchange compensation allowance should be unconditionally abolished both in the case of officers already employed, which the Government have every right to do, as well as to all future entrants.

9513 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I am of opinion that the salary of officers of Indian nationality in the service may uniformly be two-thirds of the salary of officers of European nationality, in all grades.

9514 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave and pension in the Indian Civil Service?—I believe the present rules may continue to the whole service with regard to the conditions of service, salary, leave and pension except to the extent to which it will be necessary to modify them in the light of my reply to question (47). I am of opinion that the changes in the organization of the service above set forth should be given effect to during an interval of not less than twenty years, gradually working up to it, by lessening the number of nominations and increasing the number that enter through competition, year by year, as vacancies occur.

Written answers relating to the Provincial Civil Service.

9515 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I believe the conditions require modification. Please refer to my reply to question (64).

9516 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—I believe it need not be.

9517 (54). Are all classes and communities duly represented in your Provincial Civil Service?—Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I do not think it desirable in the permanent interests of the country that classes and communities should be represented as such in appointments to Public Service.

9518 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—They are satisfactory.

9519 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I consider they are satisfactory.

9520 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The differentiation in the functions of officers of Executive and Judicial branches is not satisfactory. There should be a complete separation of Judicial and Executive functions.

9521 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I think even as they stand the designation "Provincial Civil Service" may appropriately be changed into "Indian Civil Service" and the "Indian Civil Service" into "Imperial Civil Service".

9522 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-1887, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

9523 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I consider they are adequate.

9524 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

9525 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not quite satisfied with the existing organization of the "Provincial Civil Service." I am of opinion that there should be a Civil Service for the whole of India, next below the present "Indian Civil Service," or, as I prefer to call it, "Imperial Civil Service," which will comprise within its scope all judicial and executive appointments below the rank of subordinate judges and divisional officers. They must be recruited by one open competitive examination held simultaneously in all the presidency centres and selected in order of merit. There may, then, be a separate cadre for each province and the salaries may grade from Rupees 150 to Rs. 600, each grade rising uniformly by Rs. 50 and with an equal number of appointments in the different grades. The cadre will include all the treasury and the special deputy collectors. Under this scheme as well, there will be two distinct branches, judicial and executive, each branch having its own appropriate course of probation and training extending over two years. The judicial branch will be entrusted with all the civil and criminal judicial work and will be under the sole control of the judicial

branch of the Imperial Service and the High Court.

9526 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I am of opinion that the proposals for the organization of the service as above set forth should be given effect to during an interval of not less than twenty years, gradually working up to it by lessening the number of nominations and increasing the number that enter through competition, year by year, as vacancies occur.

Mr. K. CHIDAMBARANATHA MUDALIYAR, called and examined.

9527. (*Chairman.*) You are a landholder?—Yes.

9528. Do you occupy any public position?—Yes, I am an additional Member of the Madras Legislative Council.

9529. How long have you been a Member?—Just from the beginning of this year.

9530. Have you held any other public position?—I was a member of the Tanjore District Board for nine years.

9531. What is your caste?—I am a Mudaliyar.

9532. You are in favour of open competition both for the Indian Civil Service and the Provincial Civil Service?—Yes.

9533. And you also advocate simultaneous examination in India and England?—Yes.

9534. If your scheme were carried out it would involve the abolition of the listed post system?—Yes, gradually as I have put it.

9535. Would you leave any proportion open to the Provincial Civil Service for promotion?—I want both to be recruited by competition.

9536. You want to adhere absolutely to that principle without any reservations?—With absolutely no reservation except that it is to be done not earlier than within a period of twenty years.

9537. So that the two services would be quite separate and distinct?—Yes.

9538. You say that recruitment for the Provincial Civil Service should be from India and not confined to the separate provinces?—Yes.

9539. You have no apprehension of any administrative difficulty arising from that proposal?—I cannot think of any.

9540. You do not agree with those witnesses who have been before us and who have advocated recruitment within the same provinces?—I do not advocate it.

9541. You think there should be one general service?—Yes.

9542. And that those who belong to it may be appointed to any part of India?—To any province.

9543. Do you know India other than Madras?—Practically I have not been outside my Presidency, but I have read and I have known of it from friends.

9544. You think it would be quite simple for a resident of Madras to be appointed to a northern province?—I think he may be.

9545. In answer to question (24), in regard to the Provincial Civil Service listed posts, you say the system is not satisfactory as it cannot conduce to the maintenance of a high and healthy tone?—I believe it does not.

9546. You believe that has been the case in the past?—I think so.

9547. (*Sir Murray Hammick.*) You are in favour of a simultaneous examination to be held at the same time as the examination in England and under exactly the same conditions?—Yes.

9548. And at the same time you are not in favour of separating the judicial service from the executive?—Yes, I am entirely in favour of it.

9549. But you are not in favour of a separate recruitment for the Judicial branch?—No, I am not in favour of a separate recruitment.

9550. You would continue to recruit the Judges, as now, from the Indian Civil Service?—Yes.

9551. But you are in favour of establishing a set of Magistrates in the country separate from the executive officers?—Yes. So far as the Indian Civil Service is concerned I want it to be divided into two distinct branches, the judicial and the executive, and I want a service next below it for Indians, and there also I want a separation of the judicial and the executive.

9552. But when would you begin to put the Indian Civil Servant into the judicial service: immediately after he arrives in the country?—I have provided a course of probation and training and a separate examination. After that they will be put into the judicial service.

9553. That would mean two or three years: what appointments would you give him; only two years?—I would make him a Sub-Judge and Munsif. The Sub-Judge I have given to the Imperial Civil Service and the Magistrates to the Indian Service.

9554. He would be a Magistrate?—Yes.

9555. But not a Revenue officer?—Not a Revenue officer.

9556. You would have an Indian Civil Servant as a Magistrate in charge of a division with no Revenue authority at all?—Yes, a Civil and a Criminal Magistrate.

9557. He would be doing criminal work without revenue work?—Yes.

9558. Would you continue that up to the district and have a District Magistrate and Collector separate officers?—The present District Judge will be a criminal and civil Judge.

9559. There is a Collector in your district of Tanjore who is also a District Magistrate; he does revenue and magisterial work. You wish to separate those two into a Magistrate and Collector?—Yes.

9560. Would you put the Magistrates under the Judge entirely?—Under my scheme the Sessions Judge will be the Magistrate himself.

9561. You would give him District Magistrate's powers?—Yes.

9562. He would be a District Magistrate and Sessions Judge; how would he commit cases to his own court?—The powers may have to be revised.

9563. What you mean is that you would give the District Judge supervising powers over all the Magistrates in the districts which are now exercised by the District Magistrates?—Yes.

9564. And then you would still want a District Magistrate?—I do not see why the District Judge himself cannot do that.

9565. You have never been an official or vakil; you have been a cultivator all your life?—I have been a landholder.

9566. You are a very large landlord in Tanjore?—Yes.

9567. And you live in the Shiyali taluk?—Yes.

9568. Have you been living there as a landlord ever since you were born?—Yes.

9569. In Tanjore have you ever heard of any difficulties arising from the District Magistrate and the Collector being the same officer?—I cannot remember any particular instance.

9570. There is a general impression?—I am under the impression that it is better to separate it.

9571. Have you ever had any difficulties with the Divisional Magistrate in Shiyali, the Deputy Magistrate? Can you remember any difficulties arising out of his being both Revenue and Executive officer?—I cannot speak of any.

9572. But there is this impression that it is a very bad thing?—Yes.

9573. Underneath him you have at present Stationary Magistrates and Tahsildars who do not exercise magisterial powers, so that below the Deputy Collector you have a complete division between the Magistrate and Revenue authorities, and that system works very well?—I think it does.

9574. Do you think it works better than the old system in which the Tahsildar tried cases and did Revenue work?—I think it does.

9575. You think it is a distinct improvement?—Yes

9576. Are you a member of any municipality?—No; Shiyali is only a Union.

9577. Have you been a member of a Taluk Board?—Yes, I am a member.

9578. Who is the Chairman of your Taluk Board?—Just now there is a non-official President Mr. S. A. Subramania Aiyar.

9579. That is an experiment that has not been long enough in operation for you to be able to say anything about it?—It has only been very lately introduced.

9580. (*Sir Valentine Chirol.*) Have you had any experience yourself of competitive examinations?—No.

9581. I thought perhaps you were speaking from personal experience?—I have had experience at examinations.

9582. (*Mr. Madge.*) In the division that you recommend you practically arrange for the duplication of officers: would you deprive the Collector of purely judicial functions?—Yes.

9583. You could not have the Sessions Judge taking up all those functions for the reason already pointed out that a Judge could not commit to himself; who would have to perform those services?—The powers would have to be revised.

9584. You would revise the powers when appointing additional officers?—Yes.

9585. As I understand you, there will be no increased cost to the administration?—I do not think so.

9586. (*Mr. Macdonald.*) You say in reply to question (8) that you do not think it desirable in the permanent interests of the country that classes and communities should be represented?—Yes.

9587. You do not object to taking your chance under an open competitive examination, and would accept whatever the result is, whether it is a Brahman or non-Brahman who is successful?—Yes.

9588. Have you had experience of Indian officers your district?—Yes.

9589. Were they quite satisfactory?—They are fairly satisfactory.

9590. I mean the men who were put in by competition?—I think they are.

9591. Do you answer with some hesitation?—No, I do not. I mean people who have come in by competition.

9592. You have had experience of European officers?—Yes.

9593. Were they also satisfactory?—Yes, I think so.

9594. Taking the two together have you a choice so far as your experience goes?—I think on the whole both are satisfactory if they come in by competition.

9595. Particularly those who have come in by competition?—Yes.

9596. You have had experience of officers who have not come in by competition, but by nomination or selection?—Yes.

9597. Are they equally satisfactory?—I cannot say that as much of the system as the men.

9598. When you say you are so heartily in favour of competitive examination have you come to that conclusion by comparing men who have come in in that way with men who have not come in in that way?—Yes.

9599. That is why?—Yes.

9600. Not because you yourself have had experience of examinations but because you have had experience of the results of examinations?—Yes.

9601. (*Mr. Gokhale.*) You represent a special constituency of landlords in the Madras Council?—Yes.

9602. And you are not a Brahman?—No.

9603. Have you any fear that under a system of open competition Brahmans or other castes of that kind will swamp the service?—In the beginning they may, and that is why I have provided a limitation of twenty years. It must be gradually worked up to within a limit of twenty years. I think if that is done there is not very much fear.

9604. And you would accept that temporarily as leading eventually to a result that you desire?—Yes. That is a result which I desire.

9605. (*Mr. Subrahmanyam Pantulu.*) You are familiar with the work of Judicial officers belonging to the Provincial Civil Service, Munsifs and Sub-Judges?—Yes.

9605 (*a*). Have you any reason to think that justice has suffered in their hands on account of caste prejudice? Have they been swayed by class prejudices as Munsifs and Sub-Judges in discharging their duties?—I do not think so.

(The witness withdrew.)

(Adjourned to Calcutta.)

LIST OF APPENDICES.

I. Officials, Non-Officials and Associations in the Madras Presidency who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xxxvii of this volume, but who were not orally examined.

II. Officials, Non-Officials and Associations in the Madras Presidency who furnished written answers to the interrogatories, printed on pages v—xxxvii of this volume, in response to a notification published in the *Fort St. George Gazette*, but who were not orally examined.

III. Statement showing (*a*) the area, population and land revenue of each Presidency and Province, (*b*) the average area, population and land revenue of a district in the various Presidencies and Provinces, and (*c*) the area and population of each Indian Civil Service Division in the Madras Presidency.

APPENDIX I.

OFFICIALS, Non-Officials and Associations in the Madras Presidency who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xxxvii of this volume, but who were not orally examined.

(*a*) OFFICIALS.

1. E. H. Wallace, Esq., Puisne Judge, Chief Court, Mysore.
2. M.R.Ry. K. Nageswara Rao Pantulu, Personal Assistant to the Collector, Ganjām.
3. J. C. Molony, Esq., I.C.S., Acting Collector, Tinnevelly.
4. M.R.Ry. Diwan Bahadur C. V. Kumaraswami Sastri Avargal, District and Sessions Judge, Ganjām.
5. M.R.Ry. Kothanda Ramanjulu Nayudu, Temporary Sub-Judge, Masulipatam.
6. C. A. Innes, Esq., I.C.S., Collector, Malabar.
7. David Nadar, Esq., Deputy Collector, Madura.
8. W. H. H. Chatterton, Esq., Deputy Collector, Salem.
9. M.R.Ry. C. S. Anantarama Aiyar Avargal, Under Secretary to Government, Public, etc., Departments, Madras.
10. G. T. Boag, Esq., I.C.S., Special Assistant Settlement Officer, Tinnevelly.
11. M.R.Ry. V. Dandapani Pillai, District Munsif, Villupuram.
12. L. Davidson, Esq., I.C.S., Officiating Secretary to Government, Local, Municipal, Educational and Legislative Departments, Madras.
13. K. B. Muhammad Habibulla Sahib Bahadur, Chairman, Municipal Council, Vellore.
14. M.R.Ry. Rao Bahadur J. Dharmaranga Raju, Diwan Peishkar, Pudukkōttai State.
15. M.R.Ry. Rao Bahadur C. Gopalan Nayar, Treasury Deputy Collector, South Canara.
16. A. G. Leach, Esq., I.C.S., Special Assistant Settlement Officer, Chittoor.
17. H. Moberly, Esq., I.C.S., District and Sessions Judge, Coimbatore.
18. L. S. Moore, Esq., I.C.S., District and Sessions Judge, Chittoor.
19. M.R.Ry. Rao Bahadur S. Ramaswami Aiyangar, Judge, Court of Small Causes, Madras.
20. S. H. Slater, Esq., I.C.S., Under Secretary to Government, Madras.
21. D. N. Strathie, Esq., I.C.S., Assistant Collector, Tinnevelly.
22. Khan Bahadur S. M. V. Oosman Sahib, Presidency Magistrate, Georgetown, Madras.
23. M.R.Ry. V. V. Chetti, District and Sessions Judge, South Canara.
24. M.R.Ry. T. Vijayaraghava Chariyar, Revenue Officer, Corporation of Madras.

(*b*) NON-OFFICIALS.

25. Raja Jagavira Rama Venkateswara Ettappa Naicker of Ettayapuram.
26. Sir F. J. E. Spring, K.C.I.E., Chairman and Chief Engineer, Madras Port Trust.
27. M.R.Ry. Raja Sahib Sri R. V. R. M. Surya Rao Bahadur Garu, Raja of Pithāpuram.
28. M.R.Ry. C. Vijayaraghavachariyar, Pleader, Salem.
29. C. B. Simpson, Esq., Messrs. Binny & Co., Madras.
30. Rev. G. Pittendrigh, Professor, Madras Christian College.
31. W. B. Hunter, Esq., Secretary, Bank of Madras.
32. Rev. Father F. Bertram, S.J., Principal, St. Joseph's College, Trichinopoly.
33. A. R. Anderson, Esq., Agent, Madras & Southern Mahratta Railway.
34. Rev. E. S. Carr, Church Missionary Society.
35. Rev. L. B. Chamberlain, M.A., American Missionary, Rānipēttai.
36. Khan Bahadur Hajee Ismail Sait, Banker and Merchant, Madras.
37. M.R.Ry. Rao Bahadur C. Hanumantha Gowd, President, Taluk Board, Hospet.
38. M.R.Ry. K. C. Manavedan Raja, retired District Judge, Malabar.
39. M.R.Ry. Rao Sahib T. N. Chetty, Director of Saw Mills, Cochin State.
40. M.R.Ry. Rao Bahadur A. L. A. R. Somasundaram Chetti, Municipal Councillor, Calicut.
41. Maharaja Sri Rao V. Ranga Rao Bahadur, G.C.I.E., Maharaja of Bobbili.
42. Hon'ble Nawab Saiyid Muhammad Sahib Bahadur.

(*c*) ASSOCIATIONS.

43. Ganjām Landholders' Association (M.R.Ry. Sri Srinivasa Deo).
44. Anglo-Indian Association of Southern India.
45. Madras Landholders' Association.
46. United Planters' Association of South India (E. F. Barber, Esq.).
47. Madras Trades Association (Hon'ble Mr. R. M. Savage).
48. Madras Bar Association (Dr. S. Swaminadhan).

APPENDIX II.

OFFICIALS, Non-Officials and Associations in the Madras Presidency who furnished written answers to the interrogatories, printed on pages v—xxxvii of this volume, in response to a notification published in the *Fort St. George Gazette*, but who were not orally examined.

(*a*) OFFICIALS.

1. M.R.Ry. Sadasiva Aiyar, Assistant Engineer, Madura.
2. M.R.Ry. A. Venkata Ramiah, District Munsif, Chingleput.
3. M.R.Ry. C. Ranganaikulu Nayudu, District Munsif, Ongole.
4. M.R.Ry. C. V. Visvanatha Sastri, Sub-Judge, Madura.

(*b*) NON-OFFICIALS.

5. M.R.Ry. P. K. Nayudu, Sua Manggis Estate Hospital, Rantau, Malay States.
6. M.R.Ry. V. S. Mudaliyar, Dubash, South Indian Export Company, Madras.
7. M.R.Ry. K. M. Subramania Pillai, Manager, Edward VII Coronation School, Keelakad.
8. M.R.Ry. G. K. Har-Kare, Guntakal.
9. M.R.Ry. G. S. G. S. Narsimha Rao, Ellore.
10. M.R.Ry. V. Rangachari, Madras.
11. M.R.Ry. S. A. Subrahmanya Aiyar, A.M.I.C.E., retired Executive Engineer, Madras P.W.D., Māyavaram.
12. M.R.Ry. T. Srinivasa Mudaliyar Avargal, Chairman, Municipal Council, Erode.
13. M.R.Ry. Rao Bahadur G. Narayanaswami Chetti, Municipal Commissioner, Madras.
14. H. H. Panda, Esq., Secretary, Uriya Samaj, Ganjām.
15. M.R.Ry. K. Venkata Reddi Nayudu Garu, High Court Vakil, Ellore.
16. M.R.Ry. C. Manikkar Raju, Secretary, Non-caste Dravidian Society.
17. M.R.Ry. P. S. Ganapati Aiyar, retired Deputy Collector.
18. K. Ramuni Menon, Esq., Professor, Presidency College, Madras.
19. V. V. Jogiah, President, Ganjām Congress Committee.
20. M.R.Ry. S. Somasundaram Pillai, High Court Vakil.
21. M.R.Ry. Rao Bahadur S. Venkatanarasimha Rao Garu, Chairman, Kurnool Municipality.

(*c*) ASSOCIATIONS.

22. The Peoples' Association, Bellary.

APPENDIX III.

(*Handed in by Mr. A. R. Knapp, I.C.S.*—vide *question 2681.*)

STATEMENT showing (*a*) the area, population and land revenue of each Presidency and Province, (*b*) the average area, population and land revenue of a district in the various Presidencies and Provinces, and (*c*) the area and population of each Indian Civil Service Division in the Madras Presidency.

Province.	Total.			Average for a district.				Area in square miles.	Population.
	Area in square miles.	Population.	Land revenue in lakhs of rupees.	Area in square miles.	Population.	Land revenue in lakhs of rupees.			
Madras (25 districts).	142,331	41,399,832	666·58	5,693¼	1,655,993	26·42	Maximum ..	17,223	3,199,702
							Minimum ..	3,080	893,998
Bombay (25 districts).	123,262	19,625,477	542·17	4,930½	785,059	21·69	Maximum ..	13,389	1,203,638
							Minimum ..	1,469	263,007
Burma (37 districts).	174,124	10,610,256	425·13	4,706	286,764	11·49	Maximum ..	20,236	539,109
							Minimum ..	1,274	85,557
Central Provinces and Berar (22 districts).	99,868	13,916,308	182·69	4,539½	632,559	8·30	Maximum ..	9,831	1,324,856
							Minimum ..	1,976	325,677
Assam (11 districts).	49,819	6,554,699	72·16	4,529	595,882	6·56	Maximum ..	7,227	2,472,671
							Minimum ..	3,070	149,623
Bihar and Orissa (21 districts).	83,205	34,490,084	190·41	3,962	1,642,385	9·07	Maximum ..	7,128	2,929,682
							Minimum ..	1,681	687,267
Punjab (30 districts).	97,394	19,974,956	301·51	3,246½	665,832	10·05	Maximum ..	9,978	1,036,158
							Minimum ..	1,290	511,575
Bengal (29 districts).	81,552	45,642,013	302·08	2,812	1,573,862	10·41	Maximum ..	7,642	4,526,422
							Minimum ..	1,188	902,660
United Provinces of Agra and Oudh (48 districts).	106,337	47,182,044	697·27	2,215⅓	982,959	14·53	Maximum ..	5,637	3,261,180
							Minimum ..	977	205,075

I.C.S. Division.	Area in square miles.	Population.
1. Berhampur, Ganjām district	1,275	593,281
2. Chicacole ,, ...	1,672	741,829
3. Balliguda ,, ...	3,126	279,777
4. Narsapatam, Vizagapatam district	2,122	580,437
5. Vizianagram ,, ...	1,913	858,833
6. Pārvatīpuram ,, ...	1,447	693,811
7. Koraput ,, ...	10,822	624,547
8. Rajahmundry, Gōdāvari district	1,034	622,889
9. Bhadrāchalam ,, ...	1,504	75,910
10. Narsapur, Kistna district	981	607,515
11. Bezwada ,, ...	2,112	546,850
12. Ongole, Guntūr district	1,480	488,272
13. Nandyal, Kurnool district	1,987	191,818
14. Hospet, Bellary district	1,735	283,178
15. Penukonda ,, ...	1,549	273,295
16. Sidhout, Cuddapah district	2,341	305,459
17. Chingleput, Chingleput district	1,431	646,956
18. Gūdūr, Nellore district	2,043	299,301
19. Tindivanam, South Arcot district	1,324	755,402
20. Chandragiri, Chittoor district	2,127	584,151
21. Madanapalle ,, ...	2,316	371,122
22. Tiruppattūr, North Arcot district	1,331	482,307
23. Tiruvannāmalai ,, ...	1,595	455,198
24. Hosur, Salem district	1,873	376,422
25. Pollachi, Coimbatore district	1,851	626,404
26. Karūr, Trichinopoly district	1,513	526,458
27. Kumbakōnam, Tanjore district	440	465,502
28. Negapatam ,, ...	531	450,477
29. Dindigul, Madura district	2,314	820,558
30. Sāttūr, Rāmnād district	1,043	450,252
31. Devakottai ,, ...	1,733	581,601
32. Shermadevi, Tinnevelly district	1,211	403,120
33. Tinnevelly ,, ...	702	406,543
34. Tuticorin ,, ...	684	415,455
35. Tellicherry, Malabar district	1,675	929,844
36. Mallappuram ,, ...	1,848	766,561
37. Palghat ,, ...	1,069	943,392
38. Coondapoor, South Canara district	1,344	412,355
Total ...	69,008	19,937,082
Average for each division ...	1,816	524,660

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INDEX.

MADRAS.

The Numbers refer to Questions.

A.

Accountants-General:
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Control of judicial branch by, *see under* Judicial Branch.
Judges (*see that title*).
REGISTRAR:
Deputy officers might be made to serve as, *Krishnaswami Rao* - - - - 995
Post should be filled on merit either by Indian or European I.C.S. man, *Aziz-ud-din* - - 5218
One, transfer to P.C.S. advocated, *Natesan* 7646
Post should be listed, *Govindaraghava Aiyar*, 2894; *Ramachandra Rao Pantulu*, 7331.

Hindus:
Marwaris not Enter Government service as a rule, *Hasan* - - - - - - - 5130–1

Hindus—*continued.*
Good feeling between Muhammadans and, except for temporary religious outbreaks, *Sundara Aiyar* 3365–8, 3715–7
small Retail traders, mostly Hindus, *Yakub Hasan* 5127

Home Civil Service:
Appointments from, to higher posts in India, declining popularity of I.C.S. partly due to, *Paddison* - - - 6338, 6458–60, 6518–29
(*see also* Indian Civil Service Examination.)

Horne, W. O., evidence of - - - 5419–5870

Housing Accommodation:
Growing necessity for provision of suitable houses at reasonable rent, *Cardew* - - - - 1289
(*see also* Residences.)

I.

Income Tax Department, corruption in, question as to extent, *Narasimheswara Sarma* - 6939–40, 6979, 7022–7

Indian Civil Service:
less Attractive than formerly, and reasons, *Benson*, 476–7; *Knapp*, 2815–24; *Paddison*, 6338, 6458–60, 6518–29; *White*, 6622; *Jackson*, 9091; *Pandrang Row*, 9437–8.
Better men formerly, *Aziz-ud-din* - - - 5388
Change of name to Imperial Civil Service advocated, *Mudaliyar* - - - - - - - 9521
Change of name to Indian Revenue Service suggested, *Rajagopala Chariyar* - - - - - 4263
certain Classes should be excluded from; *Sankaran Nayar* - - 8065, 8074–6, 8078–9, 8150–6
a Close service practically for Europeans, *Natesan* 7636
Conditions of service (*see that title*).
Difficulty in obtaining best Indians without establishing a race bar, *Paddison* - - - 6406
Europeans in (*see* Europeans).
English civilians considered by people to be less accessible than P.C. servants, *Govindaraghava Aiyar* - - - - - - - 2956
Exclusion of Indians except through listed posts desired, *Cardew* - - - - 1574–7
Executive Branch (*see that heading*).
Indians, castes of, *Tampoe* - - - - 6283–92
Indians might be admitted to one-third of posts. *Raghaviah* - - - 1936, 2052, 2054–5
Indians should have resided in England sufficiently long to acquire knowledge of Great Britain and its institutions and people, *Kasturi Ranga Aiyangar* 4097
Indians, efficiency of, not sufficiently supported by Government in crises, *Raghaviah*, 2075; *Govindaraghava Aiyar*, 2973–8.
List, in Appendix VII., corrections. *Cardew* - 1239
Listed posts (*see that title*).
Members mix less than formerly with the people. *Govindaraghava Aiyar* - - 2900, 2945–6
Merging of P.C.S. into, *see under* P.C.S.
Nature of work done by young civilians, *Benson* 512–9
Numbers authorised for various grades satisfactory, *Tiagaraiya Chetti* - - - - - 7944
Number of posts and rates of pay in each main grade, 1860, 1870, 1880, 1890, 1900, and 1912, *Cardew* - - - - - - - 1254
Organisation satisfactory, *Raghaviah* - - 1961
Percentage of officers in higher grades disproportionately high compared with other provinces, *Mudaliyar* - - - - - - - 9512
Persons with undesirable record of heredity should not enter, *Venkataramiah* - - - 8944–64
Service improving during last 10 or 15 years, *Rajagopala Chariyar* - - - - - 4257
Young civilians, helplessness in understanding what people say in vernaculars and disregard of details of business, *Krishnaswami Rao* - - - 8413
(*see also* Conditions of Service, Leave, Pensions, Pay, Recruitment.)

India Civil Service Act, 1861:
no Appointments made under, from 1861–1879, *Knapp* - - - - - - - 2789–90
no Infringement of principle in Act of 1833 by. *Wallis* - - - - - - - 8638–41
no Natives of India appointed permanently under, for last five years, *Cardew* - - - - 1211
Power to appoint Indians under, must be retained, *Raghaviah* - - - - - - - 1957
Schedule to, alteration not needed, *Raghaviah* 1935

Indian Civil Service Examination:
AGE LIMITS:
17–19:
Candidates appointed compare not unfavourably with those 21–23 or 22–24, *Cardew* - 1911
Present candidates possess better merits than those selected at, *Aziz-ud-din* - - 5227
when 17–21, many men were immature, *Benson* 12, 118, 177–9
18–20:
Advocated, *Cardew* - - - 1190, 1409–10
Prospects of Indians would be diminished, but listed posts might be extended, *Cardew* 1194
20–22 or 21–23 advocated, *Benson* 12, 113, 148–9
21, reduction to, advocated, to give Indians two chances, *Ramanujachari* - - 3775, 3777
21–23 advocated, *Ramanujachari*, 3835; *Karunakara Menon*, 8737.
22–24:
Advantages and disadvantages. *Cardew* 1190
Approved, *Krishna Yachendrulavaru*, 604; *Adinarayana Aiya*, 670; *Ramanuchariar*, 1774; *Raghaviah*, 1932; *Govindaraghava Aiyar*, 2884; *Sundara Aiyar*, 3379; *Kasturi Ranga Aiyangar*, 4076; *Rajagopala Chariyar*, 4255; *Subba Rao Pantulu*, 4740; *Hasan*, 5021; *Paddison*, 6448–53; *Swamikannu Pillai*, 6726; *Narasimheswara Sarma*, 6858; *Seshagiri Aiyar*, 7083; *Ramachandra Rao Pantulu*, 7318; *Natesan*, 7642; *Tiagaraiya Chetti*, 7914; *Venkataramiah*, 8836; *Pandrang Row*, 9209.
Preferred on the whole if selection rules for higher appointments and initial pay increased, *Paddison* - - - - - - - 6347
Satisfactory if initial pay is increased. *Paddison* 6347
23–25 advocated, *Krishnaswami Rao* 914–5, 1011–5, 1114
24 advocated, *Aziz-ud-din* - - - - - 5226
25 years for Indians advocated. *Krishnaswami Rao* 8397, 8399
Differentiation between natives of India and other natural-born subjects, not advocated, *Benson*, 15; *Krishna Yachendrulavaru*, 605; *Adinarayana Aiya*, 681; *Krishnaswami Rao*, 905, 915; *Raghaviah*, 1932; *Govindaraghava Aiyar*, 2885; *Sundara Aiyar*, 3381; *Srinivasa Sastri*, 3389; *Kasturi Ranga Aiyangar*, 4078; *Rajagopala Chariyar*, 4259; *Subba Rao Pandulu*, 4742; *Aziz-ud-din*, 5230; *Paddison*, 6337, 6359; *Swamikannu Pillai*, 6728; *Seshagiri Aiyar*, 7084; *Ramachandra Rao Pantulu*, 7319; *Natesan*, 7643; *Tiagaraiya Chetti*, 7916; *Karunakara Menon*, 8738; *Venkataramiah*, 8838; *Jackson*, 9033; *Chidambaranatha Mudaliyar*, 9487.
Differentiation between natives of India and Europeans, difficulty, *Benson* - - 223–8
should be Fixed to enable men to have benefit of university life before or after or before and after competition, *Benson* - - - - - 12
should be Fixed so as to attract if possible those having completed university course. *Sundara Aiyar* - - - - - - - 3379
too High, *Cardew*, 1180, 1337; *Horne*, 5429–30, 5560–3, 5809–13.
1878–1891, and since 1891, little to choose between merits of different candidates, *Paddison* - 6348
since 1891, as compared with those of earlier date, *Pandrang Row*, 9210, 9325–6; *Rajagopala Chariyar*, 4256.
Later, better for India, *Cardew* - - - 1194

Indian Civil Service Examination—*continued.*

AGE LIMITS—*continued.*

Reduction, would reduce chances of Indians getting into service, and increase in listed posts consequently recommended, *Cardew* 1415-20, 1522-7

Younger, advantages, *Cardew*, 1180-3, 1392; *Horne*, 5430; *Paddison*, 6347; *Sankaran Nayar*, 8067, 8086-7, 8097.

Arguments for, and against. *White* - - 6622

Best men not secured, and Indians put at disadvantage, *Hasan* - - - - - 5009

Candidates should be required to possess university degree, or have passed equivalent examination, or no candidate obtaining less than prescribed minimum should be selected, *Sundara Aiyar* - 3368

Caste and religious difficulties decreasing, *White*, 6622, 6631-2; *Natesan*, 7866-8.

Class obtained by, superior to that obtained by other services, and system should be retained as the best working method, *Cardew* - - - 1179, 1337

COMBINATION WITH HOME AND COLONIAL CIVIL SERVICE EXAMINATIONS:

Advantages of, and not opposed to Indians' interest, *Benson*, 4; *Adinarayana Aiya*, 670; *Krishnaswami Rao*, 906; *Ramanujachariyar*, 1763; *Raghaviah*, 1925; *Govindaraghava Aiyar*, 2875; *Ramanujachari*, 3766; *Srinivasa Sastri*, 3881; *Aziz-ud-din*, 5216; *Paddison*, 6338; *Seshagiri Aiyar*, 7075; *Ramachandra Rao Pantulu*, 7309, 7363-6; *Nair*, 7370; *Natesan*, 7637; *Venkataramiah*, 8829; *Mudaliyar*, 9497.

not to Advantage of Indian interests, *Hasan*, 5012; *Karunakara Menon*, 8729; *Pandrang Row*, 9199.

possibly not to Advantage of Indian interests, but no change advocated. *Tiagaraiya Chetti* - 7905, 8056

not Approved, and best men elect for Home Service, *Jackson* - - - 9024, 9084-6

Better class of candidates obtained, but a disadvantage to Indian interests if present late age for competition necessitated by, *Cardew* - 1183

Candidates belonging to colonies showing tendency to exclude Indians, should be excluded from selection for India, *Govindaraghava Aiyar*, 2874; *Sundara Aiyar*, 3370; *Kasturi Ranga Aiyangar*, 4070; *Subba Rao Pantulu*, 4922-6, 4964-9, 4999-5001; *Narasimheswara Sarma*, 6850; *Krishnaswami Rao*, 8388; *Pandrang Row*, 9196.

no Cases of Indian entering Home Civil known of, *Natesan* - - - - - - 7819-21

Indians get fewer appointments in I.C.S. owing to, *Pandrang Row* - - - - - 9199

Prospects in Home service improving, but in Indian service declining, *Benson*, 4; *Cardew*, 1683-6; *Paddison*, 6338.

Comparison of Europeans and Indians obtained by, *Cardew*, 1197; *Raghavia*, 1938; *Sundara Aiyar*, 3388; *Rajagopala Chariyar*, 4266; *Aziz-ud-din*, 5237; *Horne*, 5438, 5636-42; *Paddison*, 6358, 6437-44, 6514-7, 6559-75; *Swamikannu Pillai*, 6731, 6819-20; *Mudaliyar*, 9588-97.

Confining of, to graduates of British or Indian university suggested, *Krishnaswami Rao*, 914; *Kasturi Ranga Aiyangar*, 4068; *Narasimheswara Sarma*, 6849, 6858; *Karunakara Menon*, 8736.

DEFECTS:

Designed and defended to exclude Indians, *Sankaran Nayar* - - - - - - 8068

English examiners not understanding Indian mind, *Sundara Aiyar* - - - - p. 213, 3601

Indian competition for same prizes does not tend to create harmony, *Sankaran Nayar* - 8068

Leaves room for too large proportion of failures, *Jackson* - - - - - - - 9022

Open to men regardless of personal character and breeding, *Aziz-ud-din* - - - - - 5213

many important Qualifications not tested, *Knapp*, 2373, 2406, 2538-40, 2826-32; *Horne*, 5420, 5490-2, 5542-5, 5649-51, 5723-9, 5792; *White*, 6645-6; *Nair*, 7367, 7527, 7549-72, 7582-9, 7594-7; *Wallis*, 8462, 8476

Indian Civil Service Examination—*continued.*

DEFECTS—*continued.*

Stay in England not necessarily an advantage in way of enlarging mental and moral outlook, *Sundara Aiyar* - - - - - p. 213

Summary of, *Narasimheswara Sarma* - - 6849, 6956-78, 6993-4, 7060-4

right Type of men not obtained, *Aziz-ud-din*, 5212, 5378-30, 5383-8; *Sankaran Nayar*, 8067, 8089-91, 8171-81, 8193-201, 8234-9.

Differentiation between natural born subjects, not desirable, *Benson*, 3; *Krishnaswami Rao*, 904, 918, 1022; *Cardew*, 1182, 1611; *Hasan*, 5023, 5172-80; *Aziz-ud-din*, 5215.

no Differentiation between candidates of schools and university leaving age advocated, *Sundara Aiyar* - - - - - - - - 3380

system Disapproved, *Hasan*, 5010; *Horne*, 5433; *Nair*, 7367, 7428-9.

Door must be kept open for men of acknowledged merit already in service to enter C.S. otherwise than by, *Ramanujachari* - - - - - - 3767

Handicaps to Indians, *Benson*, 243-7; *Krishna Yachendrulavaru*, 644-50; *Adinarayana Aiya*, 669, 731, 743-5, 807-10, 901-2; *Krishnaswami Rao*, 904, 1057-9; *Sundara Aiyar*, p. 213; *Cardew*, 1578-83; *Ramanujachariyar*, 1765, 1778, 1879-81; *Knapp*, 2671; *Ramanujachari*, 3765; *Kasturi Ranga Aiyangar*, 4069; *Rajagopala Chariyar*, 4246; *Subba Rao Pantulu*, 4733; *Natesan*, 7634-6, 7667-8; *Ramachandra Aiyar*, 8292.

no Hardship to Indians to go to England, *Pandrang Rao* - - - - - - - - - 9201

Holding of, in vernacular, would not be possible, *Macphail* - - - - - - - - 3360

Improvement on system, consideration of, would be approved, *Wallis* - - - - - - 8611

Inclusion of subjects of Protected Native States advocated, *Pandrang Row* - - - - - 9196

Indians approximately the same classes as those rising to listed posts, *Cardew* - - - 1687

INCREASE IN INDIAN ELEMENT:

Natives entering by, complaints heard of social treatment, *Sundara Aiyar* - - - - 3537

Number of, remaining about the same, *Knapp* 2705

Number going to England increasing, *Knapp* 2704

Prospect of, *Knapp*, 2497-9; *Srinivasa Sastri*, 4003.

INDIANS FAILING IN:

Discontent among Indians returning after failure in, *Krishnaswami Rao*, 1099-101; *Srinivasa Sastri*, 3984-8, 3994-5.

Most, get called to the Bar, *Krishnaswama Rao*, 1911-21; *Srinivasa Sastri*, 3987.

Proportion of failures larger among Indians, *Cardew* - - - - - 1200, 1599-603

Serious position of, *Ramanujachari*, 3765; *Sundara Aiyar*, p. 213.

Intellectual efficient men obtained, *Kasturi Ranga Aiyangar* - - - - - - - - - 4067

List of Indians appointed by, *Cardew* - - 1199

main Merit of, that racial considerations and distinctions ignored, *White* - - - - - - 6630

Maintenance of present system advised, *Paddison*, 6334, 6431-2, 6436, 6544, 6553; *Venkataramiah*, 8866, 8902; *Pandrang Row*, 9195.

Men should come straight from universities, and non-university men have year's training at home, *Paddison* - - - - - 6350, 6455, 6466-9

Men should have had university training before leaving England, *Paddison* - - 6454-5

Merit should be considered for first few candidates only, rest being selected on other considerations, *Hasan* - - 5010, 5013, 5016, 5092-8, 5148-53, 5164-6, 5195-7

Principle sound except that natives of India practically excluded from benefits, *Ramanujachari* 3763

Public school and university training necessary, and facilities less easy for Indians to obtain, *Paddison* 6490-7

Indian Civil Service Examination—*continued.*

Qualification for candidates of spending a certain number of years in the West, might be considered, *Macphail* - - - - - - - - p. 198

capacity of men Recruited by, compared with those appointed to judicial service from the Bar, *Seshagiri Aiyar* - - - - - 7229-304

Reservation of highest appointments for, question whether purpose of recruitments of British tendency and tone would be answered by, *Knapp* 2775-6

Results, and working satisfactory, *Benson*, 1, 5, 106, 343-9; *Ramanujachari*, 3763.

Results better than might be expected, but not so good as they ought to be, *Horne* 5419, 5669-71

Satisfactory in principle, *Krishna Yachendrulavaru*, 597,622; *Adinarayana Aiya*, 667, 671, 725, 859-60; *Krishnaswami Rao*, 973, 1001; *Ramanujachariyar*, 1761, 1812; *Raghaviak*, 1923; *Govindaraghava Aiyar*, 2873, 2876; *Sundara Aiyar*, 3367; *Ramanujachari*, 3763-7; *Srinivasa Sastri*, 3879; *Kasturi Ranga Aiyangar*, 4067; *Rajagopala Chariyar*, 4244; *Subba Rao Pantulu*, 4732; *Andrew*, 5871; *Tampoe*, 6161-2, 6171, 6181-5, 6213; *Swamikannu Pillai*, 6717; *Narasimheswara Sarma*, 6849; *Seshagiri Aiyar*, 7072; *Ramachandra Rao Pantulu*, 7307; *Natesan*, 7634; *Tiagaraiya Chetti*, 7902; *Ramachandra Aiyar*, 8260, 8263; *Krishnaswami Rao*, 8385; *Karunakara Menon*, 8727; *Venkataramiah*, 8826; *Mudaliyar*, 9476.

Selected schools or colleges in India should have special classes, and should have powers of nomination, *Jackson* - - - - - - - 9040

more careful Selection before, advocated, and more thorough training after, scheme, *Nair*, 7368-9, 7371, 7374, 7428-31, 7487-90, 7528-39, 7549-51, 7582-9

Separate examinations (*see that title*).

Simultaneous examinations (*see that title*).

Success of service largely due to qualities not tested by, *Wallis* - - - 8462, 8477-9

equally Suitable to Indians and other natural born subjects of His Majesty, *Benson*, 2, 242; *Krishna Yachendrulavaru*, 598; *Cardew*, 1181; *Ramanujachariyar*, 1762; *Raghaviah*, 1924; *Govindaraghava Aiyar*, 2874; *Sundara Aiyar*, 3369; *Srinavasa Sastri*, 3880; *Kasturi Ranga Aiyangar*, 4069; *Andrew*, 5372; *Horne*, 5438, 5636-42; *Ramachandra Rao Pantulu*, 7305; *Tiagaraiya Chetti*, 7904; *Ramachandra Aiyar*, 8262; *Krishnaswami Rao*, 8387; *Venkataramiah*, 8828; *Pandrang Row*, 9197.

not equally Suitable to "Natives of India," and reasons, *Krishnaswami Row*, 904, 1057-9; *Yakub Hasan*, 5011; *Horne*, 5421, 5425, 5571-80, 5609-22, 5723-9, 5796, 5340-56; *Seshagiri Aiyar*, 7074; *Karunakara Menon*, 8728; *Mudaliyar*, 9478.

not Suitable for natives of India who are not of pure or mixed European descent, especially for Hindus, *Ramanujachari* - - - - - - - 3765

equally Suitable for Indians able to go to England, but other provision should be made for those unable. *Krishna Yachendrulavaru* - - - 898

Suitability of recent recruits, *Benson* - - - 13

SYLLABUS:

Acquisition of classical and spoken Indian languages should be encouraged, *Rajagopala Chariyar* 4260

for Revenue branch, inclusion of Agriculture suggested, *Rajagopala Chariyar* - 4260, 4261

Alterations advocated to give Indians equal opportunities, *Rajagopala Chariyar*, 4374-400; *Natesan* 7851-5

suggested Alterations, *Subba Rao Pantulu* 4961-3

no Alterations necessary, *Tiagaraiya Chetti* 7917

should be Arranged to get public school or university man and circumvent crammer, *Paddison* 6339, 6353

apparently Conceived only to admit English boys and consequent feeling of soreness in India, *Natesan* - - - - 7776-86, 7857-65

Indian Civil Service Examination—*continued.*

SYLLABUS—*continued.*

Differentiation between Indians and Europeans not necessary, *Benson*, 18; *Adinarayani Aiya*, 683; *Ramanujachariyar*, 1775; *Raghaviah*, 1934; *Govindaraghava Aiyar*, 2887; *Sundara Aiyar*, 3384; *Srinivasa Sastri*, 3891; *Rajagopala Chariyar*, 4262; *Hasan*, 5025; *Aziz-ud-din*, 5233; *Paddison*, 6354; *Ramachandra Rao Pantulu*, 7321; *Nair*, 7383; *Natesan*, 7645; *Krishnaswami Rao*, 8400; *Venkataramiah*, 8840; *Pandrang Row*, 9215; *Mudaliyar*, 9489.

English composition, language, literature, history, law, general knowledge and political science should be compulsory, and suggestion *re* marking, *Pandrang Row* - - - - - 9213-4

French, German, and Italian to be removed to give equality between European and Indian candidates, *Ramanujachari* - - 3764, 3779

Greek and Roman history and Roman law should not require knowledge of Greek and Latin, *Krishnaswami Rao*, 917, 1136-7; *Raghaviah*, 1934; *Govindaraghava Aiyar*, 2886, 2952-3; *Sundara Aiyar*, 3383; *Subba Rao Pantulu*, 4743; *Narasimheswara Sarma*, 6861; *Ramachandra Rao Pantulu*, 7320; *Pandrang Row*, 9214.

Hindu law should be added. *Natesan* 7644, 7715

Inclusion of quotations in Latin and Greek in history papers, not exceptional in I.C.S. examination, but handicap to Indians, *Macphail* 3355-8

Indian geography should be included and put on same level as English history, *Hasan* - 5024

Indian history and constitution should be added, *Govindaraghava Aiyar*, 2886, 2950-1; *Natesan*, 7644, 7715, 7737-8, 7786; *Pandrang Row*, 9214.

Indian history should be included, and suggestion *re* marking, *Subba Rao Pantulu*, 4743; *Hasan*, 5024; *Ramachandra Rao Pantulu*, 7320; *Ramachandra Aiyar*, 8270; *Venkataramiah*, 8839.

Indian philosophy should be added. *Subba Rao Pantulu*, 4743; *Pandrang Row*, 9214.

Indians not taking Latin, Greek, or modern European language should learn one or more during probation, *Narasimheswara Sarma* 6861, 6873, 6882

Law, question of. *Wallis* - - - 8669-76

Legal training should be improved and value given to legal subjects increased, *Benson* - 17, 111

Mathematics and natural science, increase in marks for, undesirable, *Paddison* - - 6353

Maximum should be raised, to 7,000 marks, 4,500 for optional and 2,500 for compulsory subjects, *Pandrang Row* - - - - - - 9214

Muhammadan history should be added, *Pandrang Row* - - - - - - - - 9214

Muhammadan law should be added, *Natesan* 7644, 7715

Persian should be introduced, and suggestion *re* marking, *Adinarayana Aiya*, 682, 746-9, 765-9; *Rajagopala Chariyar*, 4261-2; *Hasan*, 5024.

Political economy and economic history should be assigned higher marks and higher proficiency required, *Narasimheswara Sarma* - - 6861

Principles laid down by Lord Macaulay's Committee, 1854, &c., approved, *Benson*, 16; *Krishnaswami Rao*, 916; *Cardew*, 1195; *Sundara Aiyar*, 3382; *Aziz-ud-din*, 5231; *Horne*, 5435, 5742; *Paddison*, 6352; *Pandrang Row*, 9213.

Restriction of subjects, question of, *Tampoe* 6259-62

Revision so as not to give undue preference to European classical languages over Indian classics, advocated, *Raghaviah* - - 1934

Sanskrit and Arabic should be marked equally with Greek and Latin, *Krishnaswami Rao*, 917; *Ramanujachariyar*, 1775; *Govindaraghava Aiyar*, 2886; *Sundara Aiyar*, 3383; *Ramanujachari*, 3778; *Srinivasa Sastri*, 3890; *Kasturi Ranga Aiyangar*, 4068, 4071; *Rajagopala Chariyar*, 4261-2, 4374-9; *Subba Rao Pantulu*, 4743.

Indian Civil Service Examination—*continued.*
SYLLABUS—*continued.*
4962; *Narasimheswara Pillai*, 6849, 6861, 6945–53, 6990–7, 7018–21, 7038–41, 7047–59; *Seshagiri Aiyar*, 7085; *Ramachandra Rao Pantulu*, 7320; *Nair*, 7382; *Natesan*, 7644; *Tiagaraiya Chetti*, 7918; *Ramachandra Aiyar*. 8270; *Venkataramiah*. 8839; *Pandrang Row*, 9214, 9459; *Mudaliyar*, 9488.
present Standard should be maintained, *Horne* 5758–66
Student taking and passing in certain four subjects only would possess required culture, *Macphail* 3250–5
Subjects should cover wide and accurate range of knowledge, *Nair* - - - - - 7370
Vernaculars:
Difficulties, *Macphail* - - 3344–6, 3353–4
Inclusion of, suggestions *re*, *Ramanujachariyar*, 1775, 1843–4, 1847–54, 1872–6, 1896–901; *Govindaraghava Aiyar*, 2954; *Kasturi Ranga Aiyangar*, 4080; *Rajagopala Chariyar*, 4261–2, 4380–93, 4598–602; *Aziz-ud-din*, 5232; *Andrew*, 5940–5, 5969–74; *Seshagiri Aiyar*, 7085, 7152–6, 7209; *Natesan*, 7644, 7715, 7751–2; *Mudaliyar*, 9488.
Introduction not advocated, *Adinarayana Aiya*, 770–1, 792–5; *Sundara Aiyar*, 3526–7.

India Council (*see* Council).

Indian Family Pension Fund:
Admission should be compulsory, *Aziz-ud-din* 5284
ADMISSION OF NATIVES OF INDIA:
Advocated, *Aziz-ud-din*, 5282, 5285; *Horne*, 5476.
would be Appreciated, *Tampoe* - - - 6167
Compulsory, advocated, *Sundara Aiyar*, 3446; *Pandrang Row*, 9285–6.
Compulsory, of Indians whose personal law enforced monogamy, advocated, or on condition that only first wife was eligible, *Cardew* 1285–6, 1429–31
FOR INDIANS:
Advocated, *Aziz-ud-din*, 5322; *Swamikannu Pillai*, 6744, 6762, 6787–92, 6840–1; *Pandrang Row*, 9285, 9287.
not Advocated, *Cardew* - - - - - 1287
no Knowledge as to whether desired by Indians, *Cardew* - - - - - - 1389–91
Scheme, *Pandrang Row* - - - - - 9285
Contributions should cease after retirement and during furlough, *Cardew*, 1284, 1381–5; *Knapp*, 2397, 2492; *Horne*, 5476, 5668.
Numbers of subscribers in P.C.S., *Cardew* - 1332
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Maximum, increase to 1,200*l.* a year advocated, *Cardew* - - - - - - - - 1267
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Average, has varied little in last 20 years, and shows no tendency to increase, *Cardew* - - 1262
ON FULL PAY (PRIVILEGE LEAVE):
Accumulation for three months only, excessive transfers caused by, *Cardew* - 1269, 1427–8
Accumulation, welcomed by all officers at present and many desire extension of period, *Knapp* 2691–4
Accumulation up to maximum of six months and combination with vacation advocated, *Raghaviah* 1980
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too Low, *Horne* - - - 5469, 5520–4
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Commutation into leave on full pay, suggestion, *Pandrang Row* - - - - - - 9267
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Europeans naturally require different furlough arrangements, *Rajagopala Chariyar* 4687–8
Full amount not always taken, but amount allowed for not excessive, *Paddison* - - - 6395
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Taken more freely than formerly, especially by men of, and over, 23 years' service, *Cardew* 1262
Intervals, suggestion *re*, *Pandrang Row* - - 9273
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Average amounts taken, *Cardew* - - 1264
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Distinctions between, should be abolished, except as between leave on medical certificate and without it, *Raghaviah* - - - - 1982
of Indians, should be raised to one-fifth of active service as against one-fourth in case of Europeans, *Raghaviah* - - - - - 1982

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Suggested rule that unless long leave exceeding 6 months taken, officer should not be transferred, *Aziz-ud-din* - - - - - - - 5315
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Notification that post shall be filled by member of Civil Service if qualified Indian not available, question as to application or not to all listed posts, *Knapp* - - - - - - - 2740–7, 2855
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Advocated, *Rajachar* - - - - 2113
not Advocated, *Balaji Rao Nayudu* - 2239

Pensions, I.C.S.:
suggested Actuarial examination to determine proportion paid by Government and proportion covered by annuities, *Knapp* - - - 2696
Continuance of present system or smaller pensions on ordinary superannuation lines, *Knapp* - 2697
4 PER CENT. DEDUCTION FROM PAY:
Abolition of, advocated, or, if retained, should form a supplement to pension, *Horne* - 5474
should Cease after 25 years' completed service, *Cardew* - - - - - - - 1275
no Knowledge as to how much of pension is supposed to be paid by, *Horne* - 5474, 5788–91
Diminished value of, *Horne* - - 5464, 5567–70
in event of Dismissal or death before retirement 4 per cent. deduction should be refunded, *Pandrang Row* - - - - - - - 9277
EQUAL ANNUITIES TO ALL MEMBERS OF I.C.S.:
Puts a premium on perfunctory work and early retirement, *Cardew* - - 1273, 1583–4
System generally accepted as satisfactory, *Benson*, 61; *Horne*, 5472; *Paddison*, 6401, 6473–7.
Special additional pensions should be attached to certain posts, *Cardew* - - - - 1277
System not accepted as satisfactory by members of I.C.S., *Pandrang Row* - - - 9275
Existing rules generally suitable, *Benson* - 64
Extra 100*l.* a year at 30 years' service to men attaining selected rank advocated, *Knapp* 2394, 2447–8
Increase to 1,200*l.* a year advocated, *Pandrang Row* 9277
Increase would not be recommended if increased contributions were necessary, *Knapp* - - 2695
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NON-CONTRIBUTORY SYSTEM, VARYING WITH AMOUNT OF SALARY DRAWN AT RETIREMENT:
Advocated, *Cardew*, 1274; *Horne*, 5473.
not Advocated, *Paddison* - - - - 6402
Objection to, *Knapp* - - - - - 2395
Preferable only if pension fixed at present rates, *Pandrang Row* - - - 9276, 9316–7
Scheme, *Cardew*, 1278, 1380; *Pandrang Row*, 9280
1,000*l.* a year clear advocated, *Paddison* - 6403
1,000*l.* provided by the State, and present 4 per cent. deduction to be placed in a provident fund, and reckoned in lump sum, advocated, *Knapp* - 2396, 2449–58, 2491
of Orphan sons, stoppage at 21 a serious defect in, regulations, and continuance till 24 advocated, *Knapp* - - - - - 2397, 2859–63
according to Pay on retirement, would be resented by the service unless minimum fixed, *Knapp* 2852–4
REDUCED FOR INEFFICIENT OFFICERS:
Advocated, *Benson*, 54, 63; *Cardew*, 1279; *Horne*, 5476; *Paddison*, 6405.
Advocated, at three-fourths rates of invalid pensions, *Pandrang Row* - - - - 9281
Regular scale objected to, and gratuity preferred, *Rajagopala Chariyar* - - - - 4306
Scale might be subject to maximum of three quarters of amount for compulsory retirement on medical grounds, with power to reduce under certain conditions, *Cardew* - - - - - 1279
System approved, *Sundara Aiyar* - - 3420
System should be retained with certain alterations, *Knapp* - - - - - - - - 2394
System satisfactory, *Benson* - - - - 100
Wound and extraordinary, on liberal scale, advocated, and suggestions, *Pandrang Row* - - 9289

Pensions, P.C.S.:
Age may be retained, *Krishnaswami Rao* - 989
Bonus to officers on retirement or to families on death of officers, scheme, *Rajachar* - 2123, 2142–7, 2162–6, 2170–7
not Contributory, *Rajachar* - - - 2195–6
Families of officers not provided for, and hardship, *Rajachar* - - - - - - - - 2122
Family, system should be introduced, *Raghaviah* 1986, 2014–7
Increase advocated, *Adinarayana Aiya* - - 721
all Leave with allowances should count towards, *Raghaviah*, 1983; *Aziz-ud-din*, 5318.
Maximum of Rs. 6,000 a year for officers having served as district judges for three years or more advocated, *Ramanujachariyar* - 1807, 1919–21
Payment of, to wife and children in case of officers dying advocated, *Aziz-ud-din* - - - - 5318
REDUCED FOR INEFFICIENT OFFICERS:
Approved, *Cardew*, 1329; *Rajachar*, 2124; *Balaji Rao Nayudu*, 2253; *Sundara Aiyar*, 3443.
Approved, and should be limited to three-fourths of invalid pension, *Swamikannu Pillai* - 6759
Approved, but pension may be fixed according to scale for invalid pension, *Krishnaswami Rao* 991, 1089–91
should be Regulated by rules in regulations applicable to uncovenanted service, *Ramanujachariyar* 1807
System satisfactory, *Cardew*, 1328; *Aziz-ud-din*, 5317; *Tiagaraiya Chetti*, 7961; *Krishnaswami Rao*, 8436.
System satisfactory to individual officers, but interests of Government will suffer if conditions of continuing officers over 55 are not made stricter, *Balaji Rao Nayudu* - - - - - 2251
present System not quite satisfactory, *Fernandez* 5998
Two years' long leave with allowance in case of officers with total service of not less than 15 years, should count towards, *Krishnaswami Rao* - 990
Wound and extraordinary, advocated on liberal scale, *Swamikannu Pillai* - - - - 6763

Police:
Deputy Superintendent, Board for selection of, *Swamikannu Pillai* - 6795, 6826–32, 6838, 6846–8
Inspectors-General, post should be filled on merit either by Indian or European I.C.S. man, *Aziz-ud-din* - - - - - - - 5218
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Population and average population in each district, according to Census of 1901 and 1911, *Andrew* p. 345

Postal Life Insurance Fund, subscribers in P.C.S., *Cardew*, 1332; *Raghaviah*, 2015.

Private Secretary, post should be filled on merit either by Indian or European I.C.S. man, *Aziz-ud-din* 5218

Probation, I.C.S.:
ALLOWANCES:
Advocated and scale should be fixed according to pecuniary requirements, *Krishnaswami Rao* 934
50*l.* after each of first three examinations and 150*l.* after final, suggestion, *Benson* - - - 39
150*l.* a year, advocated, *Raghaviah*, 1943; *Horne* 5445
200*l.* advocated, *Cardew*, 1217; *Knapp*, 2378; *Paddison* - - - - - - - 6367
200*l.* a year at Cambridge and Oxford and 150*l.* elsewhere, or Rs. 300 a month in India, advocated, *Pandrang Row* - - - - - - 9228
Rs. 300 minimum advocated, *Aziz-ud-din* - 5251
principle of, Approved, *Krishna Yachendrulawaru*, 608; *Adinarayana Aiya*, 693; *Ramanujachariyar*, 1785; *Govindaraghava Aiyar*, 2896; *Ramanujachari*, 3791; *Srinivasa Sastri*, 3899; *Kasturi Ranga Aiyangar*, 4089; *Subba Rao Pantulu*, 4754; *Yakub Hasan*, 5034; *Narasimheswara Sarma*, 6872; *Seshagiri Aiyar*, 7092; *Ramachandra Rao Pantulu*, 7333; *Natesan*, 7653; *Tiagaraiya Chetti*, 7930; *Krishnaswami Rao*, 8408; *Karunakara Menon*, 8748; *Venkataramiah*, 8846; *Jackson*, 9037; *Chidambaranatha Mudaliyar*, 9499.

Probation, I.C.S.—*continued.*
Approved except for candidates from P.C.S., *Nair* 7393
Continuance of present system advocated, *Paddison* 6363
COURSE OF STUDY:
Accounts:
Desirable, *Raghaviah*, 1946; *Sundara Aiyar*, 3401; *Horne*, 5448.
not Desirable, *Pandrang Row* - - 9232
Use doubted, *Benson* - - - - 41
Approved, *Ramanujachariyar* - - - 1786
Differentiation between Indians and other natural born subjects:
Necessary, *Rajagopala Chariyar* - 4282–3
not Necessary, *Benson*, 46; *Krishna Yachendrulavaru*, 610; *Krishnaswami Rao*, 946; *Cardew*, 1227; *Ramanujachariyar*, 1787; *Govindaraghava Aiyar*, 2897; *Sundara Aiyar*, 3406; *Srinivasa Sastri*, 3901; *Subba Rao Pantulu*, 4755; *Aziz-ud-din*, 5263; *Paddison*, 6378; *Seshagiri Aiyar*, 7094; *Ramachandra Rao Pantulu*, 7334; *Nair*, 7395; *Natesan*, 7655; *Tiagaraiya Chetti*, 7932; *Venkataramiah*, 8848; *Mudaliyar*, 9501.
no Differentiation necessary as regards men recruited by open competition, *Pandrang Row* 9239
General jurisprudence and political economy should be made compulsory, *Cardew* - 1220
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Desirable, *Benson*, 41; *Krishnaswami Rao*, 939; *Raghaviah*, 1946; *Sundara Aiyar*, 3401; *Yakub Hasan*, 5035; *Horne*, 5448; *Pandrang Row*, 9232.
Unnecessary, *Paddison* - - - - 6371
Indian history advocated, *Krishnaswami Rao* 939
Indian history, languages of province, customs, manners, &c., advocated, *Nair* - 7394, 7399
Languages:
Desirable, *Pandrang Row* - - - 9232
Hindustani should be optional, *Aziz-ud-din* 5255
Instruction in grammar and text books of Indian language, advocated, *Benson*, 41, 152; *Raghaviah*, 1946; *Horne*, 5448.
Tamil and Telugu, with colloquial instruction, advocated, *Paddison* - - - - 6371
Telugu should be allowed as an optional subject, *Paddison* - - - - - 6370
Vernacular and classical languages and Indian history better studied in India, *Rajagopala Chariyar* - - - - 4277, 4281, 4431
Vernaculars:
Advocated, *Narasimdeswara Sarma* - 6884
Inadequate, and should be improved, *Aziz-ud-din* - - - - - - - 5266
One only, should be learnt, Government to regulate, *Aziz-ud-din* - - - 5266
during Third year suggested, *Cardew* - 1220
Legal:
Civil, criminal, and revenue laws advocated, *Tiagaraiya Chetti* - - - - 7931
Code of Civil Procedure:
should be Compulsory, *Aziz-ud-din* - 5255
should be Postponed to India, *Cardew* - 1220
Compulsory attendance at Law Courts:
Approved, *Benson*, 41, 49, 128; *Krishnaswami Rao*, 939; *Cardew*, 1220; *Raghaviah*, 1946; *Horne*, 5448; *Wallis*, 8470, 8590–1; *Pandrang Row*, 9232.
Unnecessary, *Paddison* - - - 6371
Hindu and Muhammadan law should be made compulsory, *Raghaviah*, 1945; *Seshagiri Aiyar*, 7093, 7098.
Indian constitution and sociology, and revenue regulations advocated, *Yakub Hasan* - 5035
Indian land tenures should be added as compulsory subject, *Rajagopala Chariyar* - 4277
Indian law:
Advocated, *Benson*, 41; *Krishnaswami Rao*, 939; *Raghaviah*, 1946; *Sundara Aiyar*, 3400; *Horne*, 5448, *Pandrang Row*, 9232.
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Probation, I.C.S.—*continued.*
COURSE OF STUDY—*continued.*
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Judicial training becoming necessary even for higher executive posts, *Krishnaswami Rao* 939
Law subjects prescribed in 1891 course should be included in compulsory subjects, *Narasimheswara Sarma* - - - 6873, 6879
Legal training, suggestions, *Benson*, 40–1, 128; *Ramanujachari*, 3793, 3798, 3799, 3842–50; *Wallis*, 8470.
Reading in barrister's chambers and attending at civil and criminal trials advocated, *Venkataramiah* - - - - - - - 8847, 8929
Reading for honours in law or political science or special course in which subjects compulsory advocated, *Cardew* - - - 1190, 1355
Routine business, laws and rules applicable to department and investigation of decisions of cases advocated, *Krishnaswami Rao* - 8408
(*see also under* Law.)
on Lines of syllabus in force in 1891 advocated, *Benson*, 41; *Krishnaswami Rao*, 935, 938, 939.
Local and municipal finance, advocated, *Paddison* 6370, 6371
Men selected for judicial branch should pass in vernacular language of Presidency in which they elect to serve, *Adinarayana Aiya* - 694
Political economy:
Advocated, *Benson*, 41; *Raghaviah*, 1946; *Sundara Aiyar*, 3401; *Horne*, 5448; *Paddison*, 6371; *Pandrang Row*, 9232.
might be Excluded from final examination, *Krishnaswami Rao* - - - 938, 939
Portion might be spent at Pusa Agricultural Institute, *Rajagopala Chariyar* - - 4277
as at Present approved, *Srinivasa Sastri* - 3900
Principle laid down by Lord Macaulay's Committee, 1854; approved, *Cardew*, 1219; *Raghaviah*, 1944; *Sundara Aiyar*, 3398; *Horne*, 5447; *Paddison*, 6369; *Pandrang Row*, 9230.
Revision necessary, *Cardew* - - - 1180
Rules of statutory construction, work on advocated, *Wallis* - - - - - - 8470
Scheme and suggestions, *Cardew*, 1355; *Ramanujachari*, 3793, 3842–50; *Pandrang Row*, 9231; *Chidambaranatha Mudaliyar*, 9500.
should be Special, *Benson* - - - 40
all Special subjects best studied in Europe except vernacular, and possibly classical language, *Cardew* - - - - - - - 1224
Studies should have special tendency to fit probationers for calling, *Aziz-ud-din* - - 5254
Three years, suggestions, *Cardew* - - 1220
Training should be of more useful character than at present, *Ramanujachari* - - - 3792
Differentiation as regards Natives of India as between persons of unmixed Indian descent, of mixed Europeans and Indians, and of unmixed European descent, not necessary, *Benson*, 53; *Adinarayana Aiya*, 706; *Krishnaswami Rao*, 956; *Ramanujachariyar*, 1794; *Govindaraghava Aiyar*, 2905; *Sundara Aiyar*, 3416; *Srinivasa Sastri*, 3906; *Hasan*, 5046; *Aziz-ud-din*, 5273; *Ramachanara Rao Pantulu*, 7347; *Nair*, 7406; *Tiagaraiya Chetti*, 7943; *Krishnaswami Rao*, 8420; *Karunakara Menon*, 8759; *Venkataramiah*, 8855; *Pandrang Row*, 9250.
IN ENGLAND:
Abolition advocated, *Aziz-ud-din* - 5247, 5248
Advocated, *Benson*, 35, 42; *Adinarayana Aiya*, 696, 698; *Krishnaswami Rao*, 931, 940; *Cardew*, 1221; *Raghaviah*, 1947, 1951, 1997; *Govindaraghava Aiyar*, 2898; *Srinivasa Sastri*, 3902; *Horne*, 5449, 5452; *Swamikannu Pillai*, 6735, 6738; *Seshagiri Aiyar*, 7095; *Ramachandra Rao Pantulu*, 7335; *Natesan*, 7656; *Venkataramiah*, 8849; *Jackson*, 9170–1.
Advocated:
for Candidates for examinations in England, *Krishna Yachendrulavaru* - - - 611
when Candidates under 20, otherwise unnecessary, *Horne* - - - 5441, 5538–41

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IN ENGLAND—*continued.*
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for Candidates passing in India not already graduates of British University, one year, *Kasturi Ranga Aiyangar* - 4071, 4090, 4095, 4130–3
Candidates recruited in India, *Krishnaswami Rao*, 944; *Srinivasa Sastri*, 3898, 4004–7.
if Examination only in England, *Sundara Aiyar* 3401
for Indians, and importance of, *Govindaraghava Aiyar*, 2983; *Ramanujachari*, 3793, 3803, 3838–40; *Subba Rao Pantulu*, 4756, 4958–60; *Hasan*, 5036, 5037, 5044–5, 5088–90; *Horne*, 5453, 5459, 5506–7; *Paddison*, 6376–7.
for Indians succeeding in simultaneous examination in India, *Rajagopala Chariyar* 4282, 4431–7
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Advantages, *Tampoe* - 6161–2, 6165, 6171–82, 6213
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present "Approved" universities suitable, *Cardew* - - - - - 1216, 1393
at Approved *residential* universities only, *Benson*, 37–8, 115, 306–19, 482–3; *Cardew*, 1394–5.
Indians should be distributed through the colleges, *Tampoe* - - - 6179–80
Indians should join some college in Oxford and Cambridge and take some Tripos or Honour examinations, preferably law, historical or economics, *Pandrang Row* 9237
at Oxford and Cambridge only advocated, *Pandrang Row* - - - - 9227
Oxford, Cambridge, and Dublin advocated, *Paddison* - - - - - 6366
for Candidates passing in India should not be insisted on, *Sundara Aiyar* - - 3508–12
Essential whatever the system of recruitment, *Pandrang Row* - - 9201, 9224, 9233, 9238
Natives of India passing in India should proceed to England and pass final examination, taking one modern European language, *Adinarayana Aiya* - - - - - - 694, 769
Scheme, *Yakub Hasan* - - 5045, 5046, 5091
Separate institution not advocated, *Krishnaswami Rao*, 936; *Cardew*, 1218; *Sundara Aiyar*, 3397; *Horne*, 5446; *Paddison*, 6368; *Pandrang Row*, 9229.
should be Utilised to give necessary training for duties, special provision for post—university training not necessary, *Krishnaswami Rao* 933, 937
in England for Indians and in India for Europeans advocated, *Tiagaraiya Chetti*, 7933; *Karunakara Menon*, 8750–1, 8778.
in England or India, option should be given, *Ramanujachariyar*, 1788; *Mudaliyar*, 9502.
IN INDIA:
Advocated, *Aziz-ud-din*, 5247, 5248, 5257, 5335–7; *Nair*, 7396, 7462–4; *Krishnaswami Rao*, 8410, 8454.
Arrangement of courses by Provincial Governments:
not Advocated, *Adinarayana Aiya*, 698; *Krishnaswami Rao*, 942; *Cardew*, 1223; *Ramanujachariyar*, 1790; *Raghaviah*, 1949; *Sundara Aiyar*, 3403; *Kasturi Ranga Aiyangar*, 4092; *Paddison*, 6374; *Seshagiri Aiyar*, 7307; *Mudaliyar*, 9504.
Desirable, *Krishna Yachendrulavaru*, 612; *Ramanujachari*, 3795, 3847–8, 3875–6; *Yakub Hasan*, 5039; *Narasimheswara Sarma*, 6877; *Nair*, 7398; *Natesan*, 7658; *Tiagaraiya Chetti*, 7935; *Krishnaswami Rao*, 8412.
Desirable, but practicability doubted, *Karunakara Menon* - - - - - 8753
not Feasible, and number to be dealt with too small to justify employment of adequate staff, *Benson* - - - - - 44

Probation, I.C.S.—*continued.*
IN INDIA—*continued.*
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would probably be Possible, *Cardew* - 1558
Proposal objected to, as relating to course for candidates before appointment to I.C.S., *Pandrang Row* - - - - - 9235
special College:
Desirable, *Aziz-ud-din*, 5258; *Narasimheswara Sarma*, 6876; *Karunakara Menon*, 8752.
not Desirable, *Benson*, 43; *Adinarayana Aiya*, 697; *Krishnaswami Rao*, 941; *Raghaviah*, 1948; *Govindaraghava Aiyar*, 2899; *Sundara Aiyar*, 3402; *Srinivasa Sastri*, 3903; *Kasturi Ranga Aiyangar*, 4091; *Rajagopala Chariyar*, 4279; *Hasan*, 5038; *Horne*, 5450, 5452; *Paddison*, 6373; *Seshagiri Aiyar*, 7096; *Ramachandra Rao Pantulu*, 7336; *Nair*, 7397; *Natesan*, 7657; *Tiagaraiya Chetti*, 7934; *Krishnaswami Rao*, 8411; *Pandrang Row*, 9235; *Mudaliyar*, 9503.
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College under Government control might be opened for probationers of I.C.S. and other Indian services, *Ramanujachariyar* - - 1789
Details of course should be arranged by Local Government according to local requirements, *Aziz-ud-din* - - - - - - - 5256
for Europeans and other natural-born subjects, advocated, *Ramanujachari*, 3793, 3803, 3838–40; *Hasan*, 5036, 5037, 5044.
in Exercise of duties advocated, *Jackson* - 9039, 9094–8, 9168–9
Facilities should be provided for, for men recruited in India, *Krishna Yachendrulavaru* - - 611
One year in college and then attachment to districts for training by collectors, advocated, *Aziz-ud-din* - - - - - - - 5259
in India for English candidates and in England in case of Indian candidates not trained in England, advocated, *Narasimheswara Sarma* - - 6875
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Period and course of study approved, *Natesan* 7654
PERIOD:
One year advocated and approved, *Raghaviah*, 1942; *Srinivasa Sastri*, 3898, 3900, 4004–7; *Paddison*, 6364; *Nair*, 7394; *Tiagaraiya Chetti*, 7931; *Narasimheswara Sarma*, 6873; *Mudaliyar*, 9500.
One year, spent in India under supervision of provincial government suggested for University men, *Rajagopala Chariyar* 4276, 4278, 4279–80
One or two years, *Krishna Yachendrulavaru* 609
One year in England for those selected in England by Secretary of State, and one year in India, *Pandrang Row* - - - - 9225, 9233
One year for those recruited in England, two years for those selected in India who are not graduates of English university, if so, one year, advocated, *Pandrang Row* - - - 9225
18 months with extension to two years in special cases, advocated, *Krishnaswami Rao* - 8408
18 months for Indians knowing vernacular, two years for others with special arrangements for conversation, advocated, *Krishnaswami Rao* 8409, 8451–3
Two years advocated, *Benson*, 35–6, 41, 114; *Krishnaswami Rao*, 932; *Cardew*, 1214; *Ramanujachariyar*, 1786; *Govindaraghava Aiyar*, 2984–6; *Ramanujachari*, 3792; *Yakub Hasan*, 5035; *Horne*, 5453, 5459, 5506–7; *Wallis*, 8470, 8477, 8494–6; *Seshagiri Aiyar*, 7093; *Karunakara Menon*, 8749, 8779–80; *Venkataramiah*, 8846.
Two years, must be supplemented by further study to prevent men getting rusty, *Wallis* 8505–6
Two years, for Indians, necessary, *Horne* - 5453, 5459, 5506–7
Two years, for candidates selected in India advocated, *Swamikannu Pillai* 6739–40, 6775–8, 6839

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PERIOD—*continued.*
Three years advocated, if 18–20 adopted as age limits, *Cardew* - 1190, 1214, 1354, 1359–60
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Depends on age of selection, *Horne* - - 5442
Lengthening necessary, *Cardew*, 1180, 1337; *Jackson*, 9037.
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Probation, P.C.S.:
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Arrangements fairly satisfactory, but more acquaintance with conditions and wants of village life desirable, *Nair* - - - - - - 7418

PERIOD:
2 years, for persons recruited from outside, *Rajachar* 2099
3 years' minimum, advocated, *Cardew* - 1291
Similar to that in I.C.S. in many respects, advocated, *Ramanujachari* - - - - - - - 3811
present System, *Cardew* - - - - - 1298

Promotion, I.C.S.:
Assurance of, desirable, but inefficient men should be invalided or stop where they are, *Subba Rao Pantulu* - - - - - - - 4870–5
Assurance of, necessary for obtaining Englishmen for service in India, question as to need for, for Indians, *Govindaraghava Aiyar* - 3001–15
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no Change in rules necessary, *Paddison* - 6385
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Examination in law should be passed for, *Venkataramiah* - - - - - - - 8852
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Interests of individuals fully considered, *Rajagopala Chariyar* - - - - - - - - 4294
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List of I.C.S. officers of two to eight years' service failing to obtain appointments above lowest grade, 1908–12, *Cardew* - - - - - - 1238
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METHOD:
Power of selection for higher appointments, more stringent exercise desirable, *Cardew* - 1251
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System satisfactory, but should be abandoned in favour of time-scale, *Knapp* - - - 2386
Rule VII. should be strictly enforced, *Rajachar* 2103–4
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System satisfactory in theory, but too great tenderness shown to inefficient officers, *Benson* - 54
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Condition VII. of Resolution of Government of India, 1910, not strictly adhered to in practice, and stricter adherence to advocated, *Raghaviah* 1970
should Depend solely on merit and character beyond certain rank, *Sundara Aiyar* - p. 215, 3376
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