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தமிழ்நாடு ஆவணக் காப்பகம்.

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மு.கோப்புத் தாள்-எண்.

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நாள் : 22. 3. 1882

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மடிக்கவோ கண்டபடி கையாளவோ கூடாது

Conditions of Muhammadans in India

To

His Excellency the Most Honourable
G.M.S.I., Viceroy and Governor-General of India.

the MARQUIS OF RIPON, K.C., P.C.,
General of India.

Memorial of the National Muhammadan Association.

RESPECTFULLY SHEWETH,—1. That since the time Your Excellency has assumed the reins of Government in this country, Your Excellency has evinced the greatest interest in the well-being of the people of India, and has always been animated with an earnest desire to deal equitably with all classes of the Indian community.

2. That with this knowledge of Your Lordship's solicitude for the well-being of the people confided to your care, your memorialists think it improbable that the present impoverished condition of the Muhammadans of India, as compared with their past prosperity, can have escaped Your Excellency's observation.

3. The causes which have led to the decadence and ruin of so many Muhammadan families in India are, your memorialists regret to say, still at work among their co-religionists, and it is for this reason and in the hope that Government, when it is fully in possession of the facts connected with the impoverishment of the Muhammadans, may be induced to adopt some effectual measures for their amelioration and the improvement of their present condition, that your memorialists submit this memorial for Your Excellency's kind consideration.

4. Your memorialists are convinced that no measure of reform adopted *within* the community would have any appreciable effect in arresting the progress of decay to which they have referred, and it is therefore that your memorialists look to Government for those steps which the necessities of the case require.

5. The depressed and desperate condition of the Muhammadans at the present moment deserves every commiseration. Whilst every community has thrived and flourished under British rule, the Muhammadans alone have declined and decayed. Every day their position is becoming worse, and the call for urgent measures on their behalf more pressing.

6. Your memorialists feel they would be failing in their duty to their Sovereign, if they did not call the attention of Your Excellency's Government to the fact, that there is at this moment a widespread feeling of dissatisfaction among all classes of Muhammadans in India with the present state of things. Your memorialists do not wish to be understood that this dissatisfaction amounts to discontent or disaffection, for, as a matter of fact, the Indian Muhammadans have, since the assumption of the Government of India by the Crown, cherished a sincere attachment to Her Britannic Majesty, upon whom they look not only as the lawful Sovereign of India, but as the Protector of all that is most valued by Islam.

7. No Government, however, your memorialists venture to think, would be justified in allowing the growth or continuance of a feeling of dissatisfaction among any class of its subjects; and your memorialists, relying on Your Excellency's desire to acquire information from all quarters, which may enable Your Excellency to discharge the duties of your high office, in accordance with the dictates of your conscience, have thought it right to call prominent attention to the existence of such a feeling among the Muhammadans of India.

8. It has been sometimes said that the present impoverished condition of the Indian Mussulmans and their general decadence are due to their own apathy and neglect to avail themselves of the educational advantages offered to them by Government. In order to enable Your Lordship to apprehend Muhammadan ideas on the subject, Your memorialists beg to represent the following circumstances for Your Excellency's consideration.

9. When the British first assumed the sovereignty of the Eastern Provinces of the Mogul Emperors of Delhi, in spite of many vicissitudes of fortune, the Muhammadans still maintained the monopoly of power and wealth in their hands. The Treaty of the 12th August 1765, by which Shah Alam, the last of the Moguls, entrusted the collection of the revenue of Bengal, Behar, and Orissa to the East India Company, made no alteration in the political condition of the Muhammadans. For a series of years the Mussulmans were scrupulously maintained in their position. Until the time of Lord Cornwallis, the administration of the country proceeded on the lines of the Muhammadan sovereigns. In 1793, Lord Cornwallis, who was especially deputed to India to correct the abuses which had crept into the Company's Government, owing to the malpractices of its servants, introduced various changes into the administrative and judicial systems, all of which ultimately affected Mussulman prosperity to a material extent.

10. The measures introduced immediately or decided alteration in the status which they the permanent settlement, and the continued to occupy the front rank of those days show a proportionate service of the State. It was not until Muhammadan decadence really common

11. Your memorialists do not dwell too long on the past, but they dwell too long on the present. They dwell too long on the past, but they dwell too long on the present. They dwell too long on the past, but they dwell too long on the present.

From the first establishment of the Muhammadan power in India up to the year 1837, Persian was the official language of those Governments, including the British, which had inherited their power from the last Muhammadan sovereigns of Delhi. The conquest of India by the Muhammadans had been achieved by men gathered from different races, speaking a variety of tongues, but the Persian language was considered sufficient for the government of India, not only by its Muhammadan masters, but also by their successors in power up to the year 1837.

The contact of the Mussulmans with the Hindus gave birth to the composite language which is now called Urdu, and which is spoken by the Muhammadans all over India, with the exception of the Deltaic Districts of Eastern Bengal. From the Punjab as far down as Bagdad in the Lieutenant-Governorship of Bengal, Urdu, more or less pure, is not only the vernacular of the Muhammadans but also of the majority of Hindus. In 1837, an order was promulgated that office business should henceforward be conducted either in English or in the provincial dialects. The language of the people of each province and the character in which it was originally designed to be written, were fixed upon as the most convenient and practicable substitute for the Persian. The plan succeeded in those provinces where the language was not Urdu or Hindustani. Hence the Tamil, the Telugu, the Marathi, the Guzerati, and the Bengali languages superseded without much difficulty the Persian language and character in Madras, Bombay, Guzerat, and Bengal. In Behar, the North-Western Provinces, and the Punjab, where the language of the people had, for several centuries been Urdu, and which had been written in the Persian character, the attempt, whilst causing great discontent both among the Hindus and the Muhammadans, ended in absolute failure. The British Government wished to introduce the Hindi-Kaithi, written in the stiff, archaic Nagri character, as the official language of these parts. But the change proposed was founded upon a misapprehension, and the attempt consequently failed signally. The Urdu written in the Persian character was substituted for Persian in Behar, the North-Western Provinces, and the Punjab. The substitution of the vernacular dialects and the vernacular character for Persian in the other provinces resulted in throwing out of employment a considerable body of Muhammadan subordinate officers, who were totally dependent for their subsistence upon the pay of Government.

The actual impoverishment of the whole class of Muhammadans dates from this epoch. English-educated Hindu youths, trained for the most part in Missionary institutions, from which the Mussulmans naturally stood aloof, now poured into every Government office and completely shut out the Muhammadans. A few unimportant offices remained in the hands of the Muhammadans, but year by year and day by day their number has decreased, until there has come to pass what Dr. Hunter described ten years ago in his "Indian Mussulmans,"—"there is now scarcely a Government office in which a Muhammadan can hope for any post above the rank of porter, messenger, filler of ink-pots, and mender of pens."

12. Whilst this radical change was introduced in the administrative policy of the country, rendering it necessary on all occasions for office under Government to know the language of the rulers, no order was passed making English education compulsory. On the contrary, up to the year 1861, the Muhammadans were fed with the hope that their own children were the *sine qua non* for Government employment, or for entering the profession of law. The order of Government, declaring that candidates for munsifships and pleaderhips may pass their examinations either in Urdu or English, remained in force so late as 1861. A year or two since upsetting the previous orders and declaring that English alone should be the language in which the examination for higher grade pleaderhips and for munsifships should be held. The measures since introduced from time to time

and Cornwallis did not, however, make any radical condition of the Muhammadans, collectors of revenue had acquired under the system of judicature, the Muhammadans by the Indian communities. The Civil Service of Muhammadans in the time of William Bentinck's administration that

happy Your Lordship's attention by the fact that the Muhammadans under the early English rule; but as the question of their assimilation is intimately connected with the causes which have led to their decline and impoverishment, it is necessary to describe as briefly as possible the results of Lord William Bentinck's policy.

disadvantage. Before they had quite awakened to the necessity of learning English, they were shut out from Government employment.

13. In proof of what has been stated above, your memorialists desire to mention the following facts: In 1871, the proportion of Muhammadans to Hindus in the gazetted appointments was less than one-seventh; in 1880, the proportion fell below one-tenth! But it is in other and less conspicuous departments where the distribution of State patronage is less closely watched, that the fate of the Mussulmans may be more accurately observed. In the Foreign Office staff, consisting, as far as your memorialists have been able to ascertain, of 54 officers, only two are Muhammadans. In the Home Department staff, composed of 63 officers, only one employé is a Muhammadan. In the Departments of Finance and Revenue, formed of 75 officers, not one is a Muhammadan. In the Controller General's Office with a staff of 63 officers, not one is a Muhammadan. In the Office of the Secretary to the Government of Bengal (General and Revenue Department) with a staff of 90 officers of a superior grade, there is not a single Mussulman employed. The Judicial, Political, and Appointment Departments, composed of 82 officers, contain not a single Muhammadan. In the Office of the Accountant General of Bengal, out of 181 officers, there is not one Muhammadan employé. In the Board of Revenue, out of 113 assistants, only one belongs to the Muhammadan faith. In the Office of the Inspector General of Registration in Bengal, one Muhammadan only is employed. In the Customs Department, with a staff of 130 principal officers and assistants, the Muhammadan race is conspicuous by its absence from the muster-roll. In the Preventive Department, in the Calcutta Collectorate, in the Office of the Director General of Post Offices in India, there is, according to your memorialists' information, not a single Muhammadan employed. It is the same again in the Public Works Department. In the Postal Department, out of 2,035 officers, only 110 are Muhammadans. In the Department of Public Instruction, out of 573 officers, only 38 are Muhammadans. In the High Court, out of 359 officers only 92 are Muhammadans. In the Calcutta Court of Small Causes, out of 21 ministers, officers only one is a Muhammadan. In considering the value of this calculation in Bengal, your memorialists would draw Your Lordship's attention to the fact that one-third of the population in the Lower Provinces is Muhammadan. In the Eastern Districts, viz., Ferozepore, Pubna, Mymensingh, Rajshahye, Chittagong, Midnapore, Rangpore, &c., the Mussulmans outnumber the Hindus, in some places forming at least two-thirds of the whole population. The annexed table will give Your Excellency some idea of the disproportion existing at the present moment between the official preferment bestowed upon Hindus and Muhammadans, though your memorialists are afraid it is only approximately correct and not sufficiently exhaustive.

Comparative table of Muhammadan and Non-Muhammadan employes in the Town of Calcutta.

Designation of Offices.	No. of Muhammadan employes.	No. of Hindu employes.	Total No. of employes.
Foreign Department	20	14	54
Home, Revenue, and Agricultural Department	20	23	63
Department of Finance and Commerce	17	58	75
Comptroller General's Office	18	45	63
Bengal Secretariat (General, Revenue, Financial, and Statistical Departments)	15	75	90
Judicial, Political, and Appointment Departments	16	64	82
Accountant General's Office	12	169	181
Board of Revenue	24	88	113
Department of Issue of Paper Currency	14	7	18
Director General's Office in Calcutta (Postal)	11	29	40
Comptroller General's Office (Postal)	14	226	265
Post Master General's Office (In the Mofussil) in Western Bengal Circle (Postal Department)	65	264	368
In Eastern Bengal Circle (ditto)	7	783	792
In Behar and Orissa (ditto)	3	161	163
Office of the Inspector General of Registration	19	363	400
Customs Department	5	6	11
Department of Public Instruction	114	421	573
Office of the Director of Public Instruction	1	21	22
High Court (Original Jurisdiction)	25	91	116
High Court (Appellate Side)	29	131	160
Legal Remembrancer's Office	1	11	12
Presidency Court of Small Causes	8	18	27
Surveyor General's Office	55	18	83

List of Employes in the Mofussil.

Districts.	No. of Hindu employes.	No. of Muhammadan employes.	Total No. of employes.
Bhawalpur	113	22	135
Bogra	91	33	124
Burhwan	117	14	131
Furzedpore	366	33	399
Howrah	208	8	216
Moorshedabad	513	23	536
Mymensingh	324	23	347
Midnapore	400	30	430
Patna	179	26	205
Purneah	129	59	188
Rajshahye	287	57	344
Barisal	389	34	423

List of Gratted Officers.

	Christians.	Hindus.	Muham- madians.	Total.
Judges of the High Court of Judicature	12	2	...	13
Covenanted Civil Servants appointed in England	218	7	...	225
Judicial Officers in the Non-Regulation Districts	1	...	...	1
Deputy Magistrates and Deputy Collectors	41	153	22	216
Judges of Small Cause Courts and Subordinate Judges	9	44	3	56
Magistrates and Sessions Judges	29	1	...	30
Munsiffs	...	217	14	231
Police Department Gratted Officers	118	38	9	165
Public Works Department	167	217	17	401
Medical Department	98	24	3	125
Public Instruction Department	53	98	6	157
Registration Department	4	18	3	25
Forest, Excise, Assessed Tax, Custom, Salt, Oium, Stamp, Stationery, Mails, and Survey.	300	2	...	302
Total	1080	850	77	2,007

In the North-Western Provinces the disproportion between the two races is probably not so great, and yet the Hindus outnumber the Muhammadans in the Government offices. In Madras, your memorialists are informed, the proportion of the Muhammadan to the Hindu employes of Government is as 1 to 10; in the interior of the Presidency it is as 1 to 20.

14. The introduction of the English language as the official language of India—the language at least which opened the door to preferment and honour—carried with it the obligation on the part of Government, that measures should be adopted and means afforded to facilitate the study of English by the Muhammadans. Under the Treaty of 1765 they were entitled to some special consideration, and a more generous policy, your memorialists are inclined to believe, would have saved them from the condition into which they have now fallen.

15. Under the Muhammadan domination besides the Omrahs and Mansabdars—the great feudal lords and office-holders—the Aymadars and Lakhirajdars, who held revenue-free grants from the chiefs and sovereigns, contributed in no small degree to the prosperity and well-being of the community. These grants were generally made to men of learning for charitable and pious uses. The majority of the scholastic institutions were thus supported by revenue-free grants made by the sovereigns, or by endowments created by private individuals.

During the reign of turmoil and disturbance which followed the death of Aurungzebe in 1707, when the Emperor lost their hold on the outlying provinces, *sanads* creating *aymadari* rights and *lakiraj* tenures were frequently granted by the local chiefs on their own authority.

From the time when the East India Company first acquired dominion over these provinces, up to the year 1828 when the Resumption Proceedings were inaugurated, the British authorities, while repeatedly asserting the right of the Suzerain power to all grants which had received the sanction of the Mogul

sovereign, advisedly abstained from taking any action to cool people from lands which had been handed down from generation to generation for about three quarters of a century. The Resumption Proceedings, which lasted for eighteen years, were conducted with a degree of harshness which has left behind a legacy of bitterness. Hundreds of ancient families were ruined, and the educational system of the Mussulmans, which was almost entirely maintained by rent-free grants, received its deathblow. "The scholastic classes of the Muhammadans emerged from the eighteen years of harrying absolutely ruined." The Resumption Proceedings terminated in 1846, and since then the decline of the Muhammadans has gone on with accelerated pace.

16. Your memorialists feel assured that the circumstances to which they have adverted in the foregoing paragraphs will shew to Your Excellency that Muhammadan impoverishment and Muhammadan dereliction are not the results of Muhammadan apathy, or of any unwillingness on their part to study the language of an alien race. At any rate, what can have been the feeling in former times, there is not the smallest doubt that at the last quarter of a century, a strong desire has grown up among the Mussulmans for the study of the English language and literature. Their backwardness is due to their general poverty. As a matter of fact the well-to-do middle class—the section which forms the backbone of a nation—has become totally extinct among the Muhammadans. Few Muhammadan parents are in a position to give their sons the education necessary for competing successfully with European and Hindu youths in the various walks of life. In the majority of cases Muhammadan students are compelled, from sheer want and the indigency of their parents, to abandon their studies at the very threshold of their scholastic career. His Honour the present Lieutenant-Governor of Bengal, who has always taken a lively interest in the welfare of the Muhammadans, and to whom the Mussulman race owes a large debt of gratitude for all his endeavours in the cause of Muhammadan education and improvement, has rendered them some assistance by the establishment of a few scholarships, and by providing for the payment by Government, in certain cases, of the schooling fees of Muhammadan students. But your memorialists regret to say this help is a mere drop in the ocean.

17. Your memorialists are fully conscious that this appeal for State assistance may possibly be regarded by hostile critics as betraying a weakness in the national character, and it may be said that it is a mistake to rely upon State employment as the key-stone to national prosperity. Your memorialists would, however, respectfully submit that the absence of capital is a great stumbling-block in the path of Muhammadan enterprise, which prevents their engaging in industrial pursuits and destroys all commercial activity.

18. Under the circumstances described in the preceding paragraphs Your Excellency cannot be surprised to learn that the Mussulmans consider themselves grievously handicapped in the race for material progress and prosperity. For the last twenty years the Mussulmans have made strenuous exertions to qualify themselves to enter the lists successfully with the Hindus, but, unfortunately, with every avenue to public employment, already jealously blocked by members of a different race, it is almost impossible for a Muhammadan candidate to obtain a footing in any Government office. Your memorialists do not mean by these remarks to reflect upon the Hindu community, but desire simply to call attention to a fact which, to a large extent, paralyzes the action of Government. In the subordinate walks of life, the briskness of competition naturally creates jealousy, which often degenerates into intrigue; and, where vested interests are concerned, it must be expected that those who are already in the enjoyment of influence or power should try to keep out others by legitimate, and sometimes illegitimate, means. When any subordinate office in a Department happens to fall vacant, the claims of the Muhammadan candidates are either not brought to the notice of the Head of the Department, or are treated with contempt or indifference. Sometimes when a Muhammadan has been fortunate enough to obtain an appointment, intrigues are set on foot, often not unsuccessfully, to get him out.

19. Your memorialists feel it their duty to call Your Excellency's attention to another serious grievance of the Muhammadans which relates to judicial administration. The frequent miscarriage of justice, occasioned by the insufficient acquaintance generally possessed by English and Hindu Judges with the principles of Muhammadan law, has given rise to a certain feeling of dissatisfaction and distrust among all classes of the Mussulman population in India. They allege, and not without reason, that since the abolition of the offices of *Mufti* and *Kazi-ul-kuzd*—officers especially authorized to interpret and expound the Muhammadan

law to European Judges—the Muhammadan law has practically ceased to be administered. Even where it is attempted to be applied or enforced, the attempt is always uncertain in its result. The major portion of the Muhammadan law regulating the domestic relations is not recognized by the courts of justice in India.

20. Your memorialists have thus far endeavoured to bring to Your Excellency's notice the present condition of the Muhammadans and their chief grievances. They have stated frankly and honestly the views of the Mussulman community regarding the difficulties under which they labour. Your memorialists deem it their duty also to represent to Government their views as to the necessary remedial measures.

21. Your memorialists would humbly suggest, in the first place, that the balance of State patronage should be restored between the Hindus and the Muhammadans. Your memorialists are aware of the orders which have, from time to time, been passed by the Government of India, as well as by the Local Governments, directing the Heads of Departments and other State officials to pay due regard to the claims of the Muhammadans, but your memorialists regret to mention that no practical gain has been derived by the Mussulmans from these orders. The reason of this appears to be two-fold, *firstly*, the same desire to deal equitably with the Muhammadans which animates Your Excellency and the higher officials of Government does not seem to be shared by all the officers who have the actual distribution and dispensation of State patronage; and, *secondly*, an undue importance is attached to University education. It happens frequently that when there are two candidates, one a Hindu, the other a Muhammadan, preference is given to the Hindu candidate on the sole ground that he possesses a University certificate, although, as regards general education, the Muhammadan may possess superior qualifications. As a matter of fact, owing to some extent to the declared policy of Government, University education did not take root among the Muhammadans until very recently, the consequence of which is that, proportionately, there are fewer graduates and under-graduates among the Muhammadans than among the Hindus. At the same time there are many Muhammadans who, without having graduated at the Calcutta University, possess as thorough an acquaintance with the English language as any ordinary B.A. Your memorialists would therefore humbly suggest that in the dispensation of State patronage no regard should be paid to mere University degrees, but the qualifications of the candidates should be judged by an independent standard. It will not be considered presumptuous on your memorialists' part if they venture to submit that stamina and force of character are as necessary in the lower as in the higher walks of life, and these qualities can scarcely be tested by University examinations.

22. Your memorialists feel sure that the numerical inferiority of the Muhammadans in the Subordinate Judicial Service, appearing on the statements which your memorialists have already submitted, will not escape Your Excellency's observation. This numerical inferiority is due to the conditions which were laid down in the year 1865 or 1866, and which since then have become more stringent, regarding the qualifications necessary for passing the higher grade pleaders' examination, or obtaining a Munsiffship. The condition that no one should be appointed a Munsiff except a B.L. of the Calcutta University has proved seriously detrimental to Muhammadan interests. Many men thoroughly qualified to hold any judicial appointment are prevented from entering the service of the State, simply from the fact that they have not obtained an University degree. Your memorialists submit that the principle adopted by His Honour the Lieutenant-Governor of Bengal in making selections for the Subordinate Executive Service, should be followed in appointments to the Judicial Service, that is, there should be no hard-and-fast rule regarding the qualifications necessary for entering the Judicial Service, but that if a candidate is in other respects properly qualified, the fact of his not being a B.L. should not stand in the way of his nomination. As such a principle would apply to both Muhammadans and Hindus, no outcry can possibly be raised that Government is making undue concessions to the Mussulman race. As, however, it may be urged that this suggestion of your memorialists would lay open the door to much favoritism, your memorialists would submit that separate examinations may be instituted for appointments to the Subordinate Judicial Service without the candidate being required to submit to the preliminary condition of passing the Bachelor of Arts Examination of the Calcutta University.

23. Your memorialists would humbly suggest that some comprehensive scheme, similar to the one recently devised for the Eurasian community, be

framed for the education of the Muhammadans. Owing to the general impoverishment of the Mussulman community the confiscation of their scholastic foundations, the neglect, ruin and waste of their charitable endowments, Muhammadan education has fallen entirely into the background. Muhammadan parents are not in a position to give more than a merely nominal education to their sons; family necessities and the urgency of providing for the daily wants of life forces many a student to abandon his studies early in life. It is therefore that your memorialists are compelled to urge upon Government the absolute need of making especial provisions for Muhammadan education. Your memorialists submit that similar facilities should be accorded to the Muhammadans as are being offered to the Eurasian community. They are fairly entitled to ask that the large funds appertaining to the various endowments, which still exist under the control and direction of the Government, should be scrupulously and religiously applied to promote Muhammadan education. At the present moment there are numerous *wakf* properties scattered over the country, most of which, besides a religious object, had originally the promotion of learning in view. Your memorialists submit that the income of these endowments should not be allowed to be wasted, but should be applied with due regard to the instructions of the donors.

24. Your memorialists fully recognize the hopelessness of re-introducing at this stage the Persian language as the official language of India. They consider it would be a decidedly retrogressive policy to attempt to do so, or even to hold University examinations in the vernacular. The step taken in 1857 renders it necessary that Government should continue in its progressive policy. Every hope for the regeneration of India depends at present upon the spread of English education and the diffusion of Western ideas through the medium of the English language. A thorough knowledge of the English language and literature forms now the only avenue to preferment and honour. It having been admitted in principle that the natives of India should have a share in the Government of their country, it is incumbent, both on the Hindus and the Muhammadans, to study diligently the language of the dominant race, their mode of thought, their science and their literature. It is for this reason, and in order that the Mussulmans may be enabled to emerge from the desperate condition into which they have fallen and take their proper place among the Indian nationalities, that your memorialists urge upon Government the adoption of the measures they have ventured to suggest.

Your memorialists would humbly suggest the appointment of a Commission consisting of the Director of Public Instruction in these provinces, one or two European officials and some leaders of thought and advocates of reform from the Muhammadan community to examine the whole question of Mussulman education, and to devise a practical scheme for that purpose. Your memorialists urge the appointment of a separate Commission to enquire into the subject of Muhammadan education, especially as they find the Muhammadan element is most inadequately represented on the Education Commission just appointed.

In connection with this branch of their appeal to Your Excellency, your memorialists would urge upon Your Lordship's Government the necessity of preserving and utilizing the existing Mussulman endowments for educational purposes. The vast accumulations of the *Madrassa* Foundation are, to a large extent, lying unapplied. Your memorialists would suggest that a Commission be appointed to examine into the nature of these endowments and accretions, whether they should or should not be applied to promote Muhammadan education, and that Act XX of 1863 be amended in accordance with the suggestions of such Commission.

25. A memorial has been submitted by the people of Behar to the Bengal Government praying for the withdrawal of the order substituting the Nagri character for the Persian in the Behar courts. Your memorialists have no doubt that when all the facts connected with this subject are considered by the Lieutenant-Governor, His Honour will be pleased to withdraw the order in question, which appears to have been made on insufficient data. The largest numbers of Hindus in the Province of Behar are, in their manners, their customs, and their modes of amusement, Muhammadans. Their polish and their culture are derived from the Mussulmans. They pride themselves upon speaking pure Urdu. The change in question has proved vexatious to all the educated classes in Behar. Urdu has been the language of the province for several centuries. It is not only intelligible to the masses, but it is, in a more or less modified form, spoken by everybody. It is a matter of every day occurrence in Behar that persons, who belong strictly to the masses, are brought before the courts of justice either as

witnesses or as parties. An illiterate cultivator, from a village remote from town, stands in the witness-box before a European officer who knows no other Native language than the Urdu or Hindustani. An educated pleader stands up to examine or cross-examine him. The question put and the answers received are literally in Urdu or Hindustani, and neither the Urdu-knowing officer, nor the so-called Hindi-knowing villager, feels the least difficulty in communicating his ideas to the other without the assistance of an interpreter. The unnecessary introduction of the Nagri character into the law courts of the Province of Behar has tended to irritate the Muhammadans without satisfying the advocates of Hindi, who are now clamouring for a change of language. The difficulty of rapidly writing Nagri and expressing accurately legal expression and ideas in that character makes it objectionable to all classes of people.

26. Your memorialists would respectfully urge upon Government the necessity of improving the administration of the Mussulman law. Your memorialists would accordingly suggest the appointment in the mofussil of a number of Muhammadan Judges qualified to expound the Muhammadan law; in fact, to sit as Assessor-Judges in the trial of Muhammadan cases. In the High Courts of Calcutta, the North-Western Provinces, Madras, and Bombay, as well as in the Chief Court of Lahore, a Muhammadan Judge should be appointed to assist the European and Hindu Judges in administering properly the Mussulman law. As regards the appointment of Muhammadan Judges in the High Courts of India, it is a matter respecting which the Mussulmans may fairly consider themselves aggrieved—for whilst several Hindu Judges have been appointed in Madras, in Bombay, and in Calcutta, no Mussulman has been fortunate enough to obtain a seat on the Bench of the superior tribunals.

27. Your memorialists have ventured to offer these remarks in the hope that by honestly and faithfully representing Muhammadan ideas with regard to their alleged grievances and the remedial measures which seem necessary from their point of view, your memorialists may render some assistance to Your Lordship in achieving the object which Your Lordship has in view, namely, the welfare of the people of India at large. Your memorialists feel assured that Your Excellency would not willingly allow the Mussulman race to continue in its present condition of decadence and depression—a condition which, your memorialists believe, is alike injurious to the community as to the interests of the Empire.

And your memorialists, as in duty bound, shall ever pray.

CURRENT No. 826.

No. 181.

FROM

A. MACKENZIE, Esq.,

Offg. Secretary to the Government of India.

TO

The Secretary to the Govt. of Madras.

Home Department,
Calcutta.

Fort William, the 8th March 1883.

SIR,

I am directed to forward the accompanying copy of a memorial from the National Mahomedan Association at Calcutta, and to request that *His Excellency the Governor in Council may be moved* to favour the Government of India with a full and careful report on the allegations and prayers of the memorial so far as these are applicable to the position and claims of the Mahomedan community in *the Madras Presidency*.

2. I am further to request that *the Honourable the Chief Justice and Judges of the High Court* may be specially invited to furnish the Government of India with an expression of *their* views on paragraphs 19, 22, and 23 of the memorial so far as these paragraphs apply to the system in force in *the Madras Presidency*.

I have the honour to be,

SIR,

Your most obedient Servant,

A. Mackenzie

Offg. Secretary to the Government of India.

Full Report

R. D.

15 MAR 82

From
Govt of India
Home Dept.

17th 4/82

Y.S.C. Dept.

17th 4/82

CURRENT NO. 836

Memorial from
the National Muham-
madan Association

with

87-

MS

FURTHER PAPER, No.

OF 188

Order 22nd March 1902 (h.i.s.)

Copy of the foregoing letter
and of its back will be
forwarded to the Hon. the
Judges of the H. Court with
request that the Court
may be pleased to return
views on paragraphs 22 & 23

of the Memorial.
As far as these paragraphs
apply to the subject in question
as paragraphs 23 & 24

will be referred to the Dir.
of Pub. Instr. for his re-
marks.

By Order of the Council
Secretary to the Council
Dir. of Pub. Instr.

17/3/02

[Despatch.]

FOR PAPER, No.

OF 168

MS

87

FURTHER PAPER, No.

OF 168

READ AGAIN ORDER OF GOVERNMENT, dated

185 , No. Miscellaneous.

ENCLOSURE

CURRENT No.

826

APPENDIX TO DITTO.

ORDER OF GOVERNMENT

APPENDIX TO DITTO.

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7-12-1966/102-50-2578/248
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Just DEPARTMENT.
G. O.
DATED 22nd March 1912
No. 207
MISCELLANEOUS.

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[Despatch Abstract].

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