

Legislative (1899) Department.

ORDINARY MS.

G.O., No. 130

DATED 13-12-88

[Despatch Abstract.]

Recording letter from the Govt
of India forwarding copies of
the despatches relative to the
working of the Regulations made
under Sec-1. Subsec 6, of the Indian
Councils Act, 1892 for ^{the} nomination
of ~~the~~ ^{to} ~~AFSC~~ ^{made} members of the Leg Council.

These Proceedings

These Proceedings
have been subsequently printed.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Government {1899} of Madras. LEGISLATIVE.

MISCELLANEOUS.

Recd.

Regd.

} 1899.

Enclosures

Spare copies

G.O., No. 130, 13th December 1899.

DECEMBER.

Recording letter from the Government of India forwarding copy of the despatches relative to the working of the regulations made under section 1, sub-section (4) of the Indian Councils Act, 1892, for the nomination of members to the Madras Legislative Council.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

Read—the following paper :—

From R. NATHAN, Esq., Under Secretary to the Government of India, Home department (Public), to the Chief Secretary to the Government of Madras, dated Calcutta, 29th November 1899, No. 2782.

Referring to the correspondence ending with your letter No. 7, dated the 31st January 1899, I am directed to forward, for the information of the Governor in Council, a copy of the despatches noted in the margin, relative to the working of the regulations made under section 1, sub-section (4), of the Indian Councils Act, 1892, for the nomination of Members to the Legislative Council of His Excellency the Governor of Madras.

From the Government of India, to the Secretary of State, No. 42, dated the 6th July 1899.
From the Secretary of State, to the Government of India, No. 111, dated the 7th September 1899.

ENCLOSURES.

DESPATCH from the Government of India, Home department (Public), to Her Majesty's Secretary of State for India, dated Simla, 6th July 1899, No. 42.

We have the honour to refer to Your Lordship's Public despatch No. 137, dated the 15th September 1898, in which an inquiry was made whether, in our opinion and in that of the local Governments, the working of the regulations made under the Indian Councils Act, 1892, section 1, sub-section 4, for the nomination of additional members to the Imperial and local Legislative Councils had been satisfactory, or whether they called for any amendment in order to carry out fully the intentions of the legislation of 1892. In particular Your Lordship desired to know whether the representation of all important classes had been adequately secured, and whether, as alleged by the British Indian Association of Bengal, the tendency of the regulations was to give undue preponderance in the councils to the professional classes, and especially to the legal profession, and, if so, in what manner a more even balance of representation, whereby the influential landholding class might receive a proportion of nominations corresponding more closely to their importance in the community, might be attained.

2. We have consulted the local Governments concerned on the subject and forward copy of their replies for Your Lordship's information.

3. The Government of Madras are of opinion that in that presidency all important classes are, as far as possible, represented in the Legislative Council, that undue preponderance has not been given to the professional classes, including the legal profession, and that a more even balance of representation whereby the landholding classes should be given further nominations is unnecessary. The Governor in Council believes that no better representatives of the rural classes than vakils (who spring from and have intimate relations with them) can be found; and he considers that the existing regulations have worked well, and that they call for no material amendment.

4. The Government of Bombay admit that in that presidency the mufassal municipalities and district local boards have been invariably represented by various High Court pleaders, but they do not consider that any attempt to obtain a more extended representation of the rural classes would be likely to achieve the object in view or lead to more intelligent discussion of any measures brought before the Council. The Governor in Council is of opinion that the existing regulations have worked as well as could have been anticipated; and he has no alterations to suggest in them, or in the rules connected with them.

5. So far as Bengal is concerned, we received, about the same time as Your Lordship's despatch of the 15th September, a communication from the local Government, dated the 8th October 1898, forwarding a representation from the British Indian Association. In that letter His Honour the Lieutenant-Governor pointed out that, in his opinion, the existing provision in

*Vide Home department notification No. 359, dated the 17th March 1893, communicated to the Secretary of State with Public despatch No. 9, dated 22nd idem.

paragraph III of the Bengal Council regulations* to give one of the three seats at his disposal ordinarily to a representative of the zamindars of Bengal was insufficient. To give the landholders of Bengal definitely the right to a seat, Sir John Woodburn proposed to take one of the two seats from the mufassal municipalities, and, to effect this, he suggested certain alterations in paragraphs II and III of the regulations of the Bengal Legislative Council, which will be found detailed in paragraph 9 of the letter from the local Government above referred to. After considering Your Lordship's despatch of the 15th September last, Sir John Woodburn has no further remarks to offer on the subject.

6. The Government of the North-Western Provinces and Oudh states that the intention that all important classes should be represented on the Council has in those provinces been given effect to in as satisfactory manner as could be expected, and His Honour the Lieutenant-Governor does not consider that any modification of the existing system is called for.

7. After carefully considering the replies of the local Governments we have arrived at the conclusion that the existing system need not be modified at present, except as regards Bengal in the manner proposed by His Honour the Lieutenant-Governor. If Your Lordship in Council will approve, we shall issue the necessary orders for the modification of the rules of the Bengal Legislative Council.

8. In regard to the nomination of persons to the Imperial Legislative Council none of the local Governments consulted have made any remarks. We find, however, that all important classes are duly represented on this Council, and we do not therefore consider that any change in the existing system is necessary.

DESPATCH from Her Majesty's Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated London, 7th September 1899, No. 111 (Public).

I have considered in Council the letter from Your Excellency's Government, No. 42 (Public), dated the 6th July 1899, in which you report your opinion that, except in Bengal, it is unnecessary at present to modify the existing system for securing the representation of all important classes of the population in the Legislative Councils. The proposals made for Bengal involve the transfer of one seat, now allotted to mufassal municipalities, to be filled on the recommendation of "such association or associations of landholders as the Lieutenant-Governor may from time to time prescribe," and are stated in detail in paragraph 9 of the Bengal Government's letter No. 1469-A. D., dated the 8th October 1898.

2. I approve this modification of the regulations for Bengal.

ORDER—No. 130, Legislative, dated 13th December 1899.

Recorded.

(True Extract.)

H. TREMENHEERE,

Secretary to Government.

Legislative (1899) Department.

CURRENT No. 460

Order 130
From The Govt of India
Home Dept
Public

Recorded.

No. 2782

Dated 29-11-99.

Received } 6-12-99

Registered }

Enclosures 2

Spare copies 7.

SUBJECT.

Forwarding a copy of the
dispatches relative to the
working of the Regulations
made under Sec. 1, subsec
(4) of the Indian Councils
Act, 1892 for nomination
of the additional members
of the Ly. Council.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

S.C. are not available

No. 42 OF 1899.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

28/7

TO THE RIGHT HONOURABLE LORD GEORGE FRANCIS HAMILTON,
Her Majesty's Secretary of State for India.

Simla, the 6th July 1899.

MY LORD,

WE have the honour to refer to Your Lordship's Public Despatch No. 137, dated the 15th September 1898, in which an inquiry was made whether, in our opinion and in that of the Local Governments, the working of the Regulations made under the Indian Councils Act, 1892, section 1, sub-section 4, for the nomination of Additional Members to the Imperial and Local Legislative Councils had been satisfactory, or whether they called for any amendment in order to carry out fully the intentions of the legislation of 1892. In particular Your Lordship desired to know whether the representation of all important classes had been adequately secured, and whether, as alleged by the British Indian Association of Bengal, the tendency of the Regulations was to give undue preponderance in the Councils to the professional classes, and especially to the legal profession, and, if so, in what manner a more even balance of representation, whereby the influential landholding class might receive a proportion of nominations corresponding more closely to their importance in the community, might be attained.

2. We have consulted the Local Governments concerned on the subject and forward copy of their replies for Your Lordship's information.

3. The Government of Madras are of opinion that in that Presidency all important classes are, as far as possible, represented in the Legislative Council, that undue preponderance has not been given to the professional classes, including the legal profession, and that a more even balance of representation whereby the landholding classes should be given further nominations is unnecessary. The Governor in Council believes that no better representatives of the rural classes than Vakils (who spring from and have intimate relations with them) can be found; and he considers that the existing Regulations have worked well, and that they call for no material amendment.

4. The Government of Bombay admit that in that Presidency the Mufassal Municipalities and District Local Boards have been invariably represented by various High Court Pleaders, but they do not consider that any attempt to obtain a more extended representation of the rural classes would be likely to achieve the object in view or lead to more intelligent discussion of any measures brought before the Council. The Governor in Council is of opinion that the existing regulations have worked as well as could have been anticipated; and he has no alterations to suggest in them, or in the rules connected with them.

5. So far as Bengal is concerned, we received, about the same time as Your Lordship's Despatch of the 15th September, a communication from the Local Government, dated the 8th October 1898, forwarding a representation from the British Indian Association. In that letter His Honour the Lieutenant-Governor pointed out that, in his opinion, the existing provision in paragraph III of the Bengal

*Vide Home Department Notification No. 359, dated the 17th March 1893, communicated to the Secretary of State with Public Despatch No. 9, dated 22nd idem.

Council Regulations* to give one of the three seats at his disposal ordinarily to a representative of the zamindars of Bengal was insufficient. To give the landholders of Bengal definitely the right to a seat, Sir John Woodburn proposed to take one of the two seats from the Mufassal Municipalities, and, to effect this, he suggested certain alterations in paragraphs II and III of the Regulations of the Bengal Legislative Council, which will be found detailed in paragraph 9 of the letter from the Local Government above referred to. After considering Your Lordship's Despatch of the 15th September last, Sir John Woodburn has no further remarks to offer on the subject.

6. The Government of the North-Western Provinces and Oudh states that the intention that all important classes should be represented on the Council has in those Provinces been given effect to in as satisfactory manner as could be expected, and His Honour the Lieutenant-Governor does not consider that any modification of the existing system is called for.

7. After carefully considering the replies of the Local Governments we have arrived at the conclusion that the existing system need not be modified at present, except as regards Bengal in the manner proposed by His Honour the Lieutenant-Governor. If Your Lordship in Council will approve, we shall issue the necessary orders for the modification of the rules of the Bengal Legislative Council.

8. In regard to the nomination of persons to the Imperial Legislative Council none of the Local Governments consulted have made any remarks. We find, however, that all important classes are duly represented on this Council, and we do not therefore consider that any change in the existing system is necessary.

We have the honour to be,

MY LORD,

Your Lordship's most obedient, humble Servants,

CURZON OF KEDLESTON.

W. S. A. LOCKHART.

E. H. H. COLLEN.

C. M. RIVAZ.

C. E. DAWKINS.

T. RALEIGH.

R. GARDINER.

LIST OF ENCLOSURES.

1. Letter from the Government of Bengal, No. 1469-A. D., dated the 8th October 1898, and enclosure.
2. Letter from the Government of Bengal, No. 1825-A.D., dated the 26th October 1898, and enclosure.
3. Letter to the Governments of Madras, Bombay and the North-Western Provinces and Oudh, Nos. 2208—2210, dated the 8th November 1898.
4. Letter to the Government of Bengal, No. 2211, dated the 8th November 1898.
5. Letter from the Government of the North-Western Provinces and Oudh, No. 16, dated the 7th January 1899.
6. Letter from the Government of Madras, No. 7, dated the 31st January 1899, and enclosure.
7. Letter from the Government of Bengal, No. 1662-A., dated the 11th March 1899.
8. Letter from the Government of Bombay, No. 113, dated the 12th April 1899.

Vide Home Department Public Proceedings for November 1898, pages 2323 to 2339.

No.

1899.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

PUBLIC.

No. 42, DATED SIMLA, THE 6TH JULY 1899

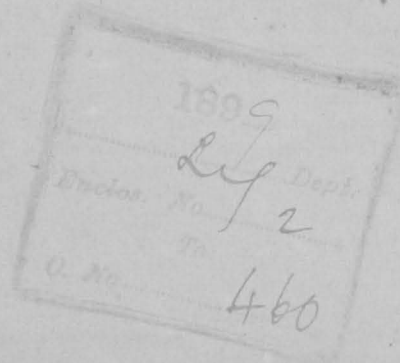
(Copy.)

LETTER TO HER MAJESTY'S SECRETARY OF
STATE FOR INDIA.

SUBJECT.

Replies to His Lordship's Public Despatch
No. 137, dated the 15th September 1898, re-
garding the working of the Regulations for the
nomination of Additional Members of the Legis-
lative Councils.

G. C. Press, Simla—No. 1024 H. D.—1-7-99.—16.



Bgn

INDIA OFFICE;

London, the 7th September 1899.

Public,
No. 111.

To His Excellency the Right Honourable the GOVERNOR
GENERAL of India in Council.

MY LORD,

I HAVE considered in Council the letter from Your Excellency's
Government, No. 42 (Public), dated the 6th July 1899, in which you report
your opinion that, except in Bengal, it is unnecessary at present to modify the
existing system for securing the representation of all important classes of the
population in the Legislative Councils. The proposals made for Bengal involve
the transfer of one seat, now allotted to Mufassal Municipalities, to be filled on
the recommendation of "such Association or Associations of landholders as the
Lieutenant-Governor may from time to time prescribe," and are stated in detail
in paragraph 9 of the Bengal Government's letter No. 1469-A. D., dated the
8th October 1898.

2. I approve this modification of the Regulations for Bengal.

I have the honour to be,

MY LORD,

Your Lordship's most obedient, humble Servant,

GEORGE HAMILTON.

G. I. C. P. O.—No. 856 H. D.—29-11-99.—130.—P. M. M.

Leg CURRENT NO. 460

Leg

No. 2782.

170

FROM

R. NATHAN, Esq.,
Under Secretary to the Government of India,

CHIEF SECRETARY
-4 DEC. 1899
GOVERNMENT OF MADRAS

TO

The Chief Secy to the Govt. of Madras.

Home Department.
Public.

Calcutta, the 29th November 1899.

SIR,

REFERRING to the correspondence ending with your letter No. 7, dated the 31st January 1899, I am directed to forward, for the information of the Governor in Council, a copy of the

From the Government of India to the Secretary of State, No. 42, dated the 6th July 1899.

From the Secretary of State to the Government of India, No. 111, dated the 7th September 1899.

Despatches noted in the margin, relative to the working of the Regulations made under section 1, sub-section (4), of the Indian Councils Act, 1892, for the nomination of Members to the Legislative Council of His

Excellency the Governor of Madras

I have the honour to be,

SIR,

Your most obedient Servant,

Nathan

Under Secy. to the Govt. of India.

1899
Leg 9
460

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189 .

READ AGAIN G.O., No. _____
 189 ,

DATED

CURRENT No.

460 - A

ENCLOSURES TO G. No.

1+2 - A

[Do not print the list

ORDER OF GOVERNMENT

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LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BRING MBANT FOR DESPATCH
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N.B.—

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