

*Wednesday,
8th June, 1887*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XXVI

Jan.-Dec., 1887

ABSTRACT OF THE PROCEEDINGS

OF

THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA,

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS

VOLUME XXVI



Published by the Authority of the Governor General.

CALCUTTA :

PRINTED BY THE SUPERINTENDENT OF GOVERNMENT PRINTING, INDIA.

1888.

*Abstract of the Proceedings of the Council of the Governor General of India,
assembled for the purpose of making Laws and Regulations under the
provisions of the Act of Parliament 24 & 25 Vic., cap. 67.*

The Council met at Viceregal Lodge, Simla, on Wednesday, the 8th June,
1887.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.P., G.C.B.,
G.C.M.G., G.M.S.I., G.M.I.E., P.C., *presiding*.

His Honour the Lieutenant-Governor of the Punjab.

His Excellency the Commander-in-Chief, Bart., R.A., V.C., G.C.B., K.C.I.E.

The Hon'ble Sir T. C. Hope, K.C.S.I., C.I.E.

The Hon'ble Sir A. Colvin, K.C.M.G., C.I.E.

The Hon'ble Lieutenant-General G. T. Chesney, R.E., C.S.I., C.I.E.

The Hon'ble A. R. Scoble, Q.C.

The Hon'ble J. B. Peile, M.A., C.S.I.

The Hon'ble J. W. Quinton, C.S.I.

The Hon'ble Lieutenant-Colonel E. G. Wace.

INDIAN STAMP ACT, 1879, AMENDMENT BILL.

The Hon'ble SIR AUCKLAND COLVIN moved that the Bill to amend the Indian Stamp Act, 1879, be referred to a Select Committee consisting of the Hon'ble Messrs. Scoble and Peile and the Mover.

The Motion was put and agreed to.

GAME PROTECTION BILL.

The Hon'ble MR. PEILE moved for leave to introduce a Bill for the Protection of Game in India. He said:—

“This Bill is not in the nature of a Game law, as might possibly be inferred from its title. The Government of India has never entertained the idea of adding the ‘poacher’ to the classes on whom the police keep an observant eye. The subject is one which has been frequently under consideration during the last quarter of a century, and the object in view has always been not the protection of private property in game but the protection of the wild creatures themselves from destruction in their breeding season. Even so, the establish-

[Mr. Peile.]

[8TH JUNE,

ment of a close season in a project of law emanating from the Bombay Government was vetoed on the ground that the protection of the *feræ naturæ* from harassment might involve a more serious matter in promoting the harassment of the cultivator of the soil. I believe that Madras is the only Province of the Empire which possesses anything like a game law in the Nilgiris Game Act of 1879, which protects certain game birds from being shot in that district between the 1st March and the 30th September. I am told that under that Act there have been very few convictions, and, as there exists a Nilgiri Game Association, which disregarded an invitation to express an opinion on this Bill, the necessity for further legislation is apparently not very keenly felt there. The conclusion of the Government of India has been that, although opinions vary, there is no strong case for protective legislation of a general kind. This Bill, however, is in no way designed to pursue the unlicensed sportsman on his shooting grounds. It is, in fact, an extension of municipal and cantonment law for the protection, as far as it goes, of animals, defined as game, in their breeding season, and it merely purports to close certain markets against game during that time. It proposes to empower the Local Government, with respect to any municipality or cantonment within the territories under its administration, or the municipal authority or the cantonment-authority of any municipality or cantonment, with the previous sanction of the Local Government, to make rules defining the word 'game' for the purposes of the Act in its application to the municipality or cantonment; to define the breeding season of any kind of game; and to prohibit, under penalty, the possession or sale within the municipality or cantonment of any kind of game during its breeding season. A wide discretion, which no doubt will be exercised with due regard to obvious exceptions, is left to Local Governments in making and sanctioning rules. The Bill introduces nothing new, but it gives legal sanction to a practice which has been in force for some time in Northern India without such sanction, and which would have to be discontinued if it were not made legal."

The Motion was put and agreed to.

The Hon'ble MR. PEILE also introduced the Bill.

The Hon'ble MR. PEILE also moved that the Bill and Statement of Objects and Reasons be published in the Gazette of India in English, and in the local official Gazettes in English and in such other languages as the Local Governments think fit.

The Motion was put and agreed to.

1887.]

[*Lieutenant-General Chesney; Mr. Quinton.*]

INDIAN MARINE BILL.

The Hon'ble LIEUTENANT-GENERAL CHESNEY presented the Report of the Select Committee on the Bill for the better administration of Her Majesty's Indian Marine Service.

ALLAHABAD UNIVERSITY BILL.

The Hon'ble MR. QUINTON moved for leave to introduce a Bill to establish a University at Allahabad. He said:—

“ Nearly 20 years ago a large sum of money was contributed by Native noblemen and gentlemen in the North-Western Provinces for the establishment of a central college at Allahabad; the project was sanctioned by the Government of India; and the Secretary of State, to whom the correspondence was communicated, expressed a hope that the college might thereafter expand into a university for the North-Western Provinces and the Punjab. The college was established in due course and was associated with the name of Sir William Muir, himself a distinguished scholar as well as statesman, who during his long service had been a firm supporter of the cause of education.

“ For many years, however, though provided with a name, the college wanted a permanent local habitation, and was obliged to content itself with temporary lodgings in a hired house until suitable buildings could be erected for its accommodation. These were completed and formally opened last year by Your Excellency accompanied by the Lieutenant-Governor. On that occasion Your Lordship was good enough to promise on behalf of the Government of India the most favourable consideration for the proposals of the Lieutenant-Governor for the establishment of a university at Allahabad, which had been called for in connection with the Report of the Education Commission of 1883.

“ That learned body held it to be a point worthy of consideration whether a new university should not then be established for the North-Western Provinces and Oudh.

“ Those proposals are embodied in the Bill the subject of the present motion, and their general principles have been approved of by Your Excellency's Government and by the Secretary of State.

“ Under these circumstances it will be sufficient for me to indicate very briefly and in general terms the main reasons which have led these high authorities to believe that the measure proposed is desirable and necessary.

[*Mr. Quinton.*]

[8TH JUNE,

“The North-Western Provinces and Oudh contain a population of 44 millions, to whom high English education is imparted in five colleges situated at Allahabad, Benares, Lucknow, Agra and Aligarh. The two first are Government institutions, and the three latter are supported mainly by endowments and receive grants-in-aid from the public funds. The liberality of the Taluqdárs of Oudh, the intelligent and unwearied zeal and self-sacrifice of my hon'ble friend Saiyad Ahmad Khan Bahadur, and the public spirit of the inhabitants of Agra and the surrounding districts have founded or maintained the colleges at Lucknow, Aligarh and Agra. These are largely resorted to and turn out every year a considerable and increasing number of students who can only obtain the degree which is the crown of their college career by passing the examinations of the Calcutta University. The number of their students who matriculated has risen from 60 in 1869 to 208 in 1885, and is almost double the average number that matriculated for the Bombay University during the first ten years of its existence. The number of undergraduates studying at these institutions has nearly doubled within the last five years, and already exceeds that of many of the smaller universities of Europe. The average number of both M. A. and B. A. degrees has increased by about a third within the same short period, and is greater than the number conferred by the Calcutta University for many years after its first establishment. The value of the teaching given by the colleges is proved by the high places uniformly gained by their students in the university class lists in spite of disadvantages to which I am about to refer. It is no part of my duty, and it is certainly not in accordance with my inclinations, to detract from the credit due to the Calcutta University for the great impetus it has given to the spread of English education. It was founded 30 years ago, when English education outside Bengal was in the most backward condition, and it sufficed then and for many years to supply the needs of the whole of the Bengal Presidency. But its children are now attaining manhood, and the parental home is becoming too narrow for them. The Punjab has already, by founding a university, started on an independent career, and the Provinces to which the Bill refers are equally qualified and entitled to set up a separate establishment. It is an undoubted hardship to them that the flower of their youth should be guided in their studies and subjected to examination by a university in the management of which they have practically no voice, located in what is to them a distant and a foreign capital, and the great advancement of education in those Provinces and the munificence with which these colleges have been endowed fully justify the establishment there of an institution which shall direct the course

1887.]

[*Mr. Quinton.*]

of education with a regard, so far as may be, properly had to local peculiarities and requirements. For it must be remembered that the influence of an Indian university is not confined to its own alumni, but affects in a great degree the teaching in every school within the sphere of its operation. Schoolmasters naturally teach their boys what will tell best in university examinations, and omit from their curriculum subjects which are useless for obtaining university distinctions.

“ It is contrary to all experience to expect that a single university can suffice for the 60 millions of Bengal and the 44 millions of the United Provinces, or that a system of studies found adequate and satisfactory in the one case must necessarily be equally applicable to the other.

“ Even granting this, and admitting—which is a very large admission—that absolute uniformity in the thousands of schools throughout this great area is desirable, the task of examining and testing the merits of candidates is becoming year by year more and more difficult for the examiners and less and less satisfactory to the public and the candidates themselves. It is impossible to devise any system which will secure equality of marking or uniformity in the standard of excellence where so many as 3,000 candidates have to be dealt with, and this is the number which matriculates annually at the Calcutta University.

“ The establishment of a local university will satisfy a general desire of the educated community ; it will ensure that the course of study in the schools throughout the North-Western Provinces and Oudh will be directed with greater regard than at present for local requirements ; it will afford a stronger guarantee for the careful examination of students during their university career, especially as oral examination, quite impracticable under the existing system, can be constantly resorted to ; it will meet an increasing demand for high education among the upper classes of Native society, and may fairly be expected to stimulate such education not merely in the North-Western Provinces and Oudh but in the adjoining districts of the Central Provinces and Rajputana, and to evoke in a still greater degree that liberality in the cause of education in which the inhabitants of Hindustan have not hitherto been found wanting.”

The Motion was put and agreed to.

The Hon'ble MR. QUINTON also introduced the Bill.

[*Mr. Quinton.*]

[8TH JUNE, 1887.]

The Hon'ble MR. QUINTON also moved that the Bill and Statement of Objects and Reasons be published in the North-Western Provinces and Oudh Government Gazette in English and in such other languages as the Local Government thinks fit.

The Motion was put and agreed to.

The Council adjourned to Wednesday, the 29th June, 1887.

S. HARVEY JAMES,

Offg. Secretary to the Govt. of India,

Legislative Department.

SIMLA;

The 10th June, 1887.