

*Friday,  
18th December, 1903*

**ABSTRACT OF THE PROCEEDINGS**  
**OF THE**  
**Council of the Governor General of India,**  
**LAWS AND REGULATIONS**

**Vol. XLII**

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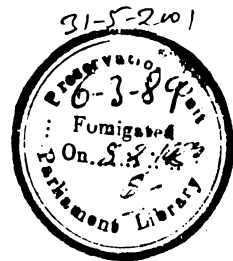
ABSTRACT OF THE PROCEEDINGS  
OF  
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA:  
ASSEMBLED FOR THE PURPOSE OF MAKING  
LAWS AND REGULATIONS

1903

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The Council met at Government House, Calcutta, on Friday, the 18th December, 1903.

PRESENT :

His Excellency Baron Curzon, P.C., G.M.S.I., G.M.I.E., Viceroy and Governor General of India, *presiding*.

His Honour Sir A. H. L. Fraser, K.C.S.I., Lieutenant-Governor of Bengal.

The Hon'ble Mr. T. Raleigh, C.S.I.

The Hon'ble Sir E. F.G. Law, K.C.M.G., C.S.I.

The Hon'ble Major-General Sir E. R. Elles, K.C.B.

The Hon'ble Mr. A. T. Arundel, C.S.I.

The Hon'ble Sir Denzil Ibbetson, K.C.S.I.

The Hon'ble Rai Bahadur B. K. Bose, C.I.E.

The Hon'ble Rai Sri Ram Bahadur.

The Hon'ble Mr. A. W. Cruickshank, C.S.I.

The Hon'ble Mr. Gopal Krishna Gokhale.

The Hon'ble Mr. E. Cable.

The Hon'ble Nawab Saiyid Muhammad Sahib Bahadur.

The Hon'ble Mr. F. S. P. Lely, C.S.I.

The Hon'ble Mr. H. Adamson, C.S.I.

The Hon'ble Mr. A. Pedler, C.I.E., F.R.S.

The Hon'ble Mr. T. Morison.

The Hon'ble Dr. Ramkrishna Gopal Bhandarkar.

The Hon'ble Mr. J. B. Bilderbeck.

The Hon'ble Mr. D. M. Hamilton.

NEW MEMBERS.

The Hon'ble MR. MORISON and the Hon'ble DR. RAM KRISHNA GOPAL BHANDARKAR took their seats as Additional Members of Council.

INDIAN OFFICIAL SECRETS (AMENDMENT) BILL.

The Hon'ble MR. ARUNDEL said:—"With your Lordship's permission I beg leave to make a motion which does not appear on the notice paper. His Highness the Agha Khan, a member of the Select Committee on the Official Secrets Bill, is, I regret to say, reported to be ill, and although

[*Mr. Arundel; The President.*] [18TH DECEMBER, 1903.]

I hope the Committee may have the benefit of his presence and advice before the Report is sent in, it is by no means certain that he will be here when the Committee commences its sitting. In order, therefore, that non-official opinion may be adequately represented, I desire to propose that the Hon'ble Nawab Saiyid Muhammad Sahib Bahadur be a member of the Select Committee of the Official Secrets Bill."

His Excellency THE PRESIDENT said :—" Before I put this motion to the Council there are a few words that I wish to add in connection with the Bill. The Government of India have heard from the Secretary of State that a Memorial, which has been presented to him in England on the subject of this Bill, is on its way to India with his observations on the subject. It seems to be only right that this communication should be in our hands before the Select Committee proceeds with its labours, and, therefore, we have decided to await its receipt before asking the Select Committee to hold its sittings. At the same time I should like to take the opportunity to add a few words about the feelings which have been aroused, and which have found such emphatic expression in many quarters, in connection with this Bill. I think it will be in my power to show that there has been considerable misapprehension both of the objects and of the position of Government in this matter, and that there is no sufficient excuse for the alarms that have been excited. I hope it will be understood by Hon'ble Members and by the public that I do not at all complain of the very strong expressions that have been employed. It is true that as I came back to Calcutta in the train, and found the Government of which I have the honour to be the head compared unfavourably in the newspaper extracts which were sent to me to a number of despotic powers, accused of wishing to inaugurate a reign of terror, and of ringing the death knell of the freedom of the Press, and so on, I did not quite recognise the description; for assuredly if ever there was an administration in India that has been free from any conscious inclinations of this sort, it has been the present; and if ever there was a head of the Government who has invited, instead of resenting, the expression of public opinion, even when it was critical or unfriendly to the policy of Government, I think I may claim that it has been myself. At the same time I fully recognise that if these misconceptions prevail, it can only be because they have been, however unwittingly, provoked, and that it is a much better thing to remove the cause of misunderstanding than to rail at it. The misconception as I understand it, relates both to the origin of the Bill and to its objects. I will say a word upon each. The Hon'ble Mr. Gokhale, whose outspoken criticisms I always admire, even when I dissent from them, delivered a

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scathing attack upon the Bill and upon the Government a fortnight ago, when I was not here, upon the occasion of its reference to the Select Committee. He directly attributed the introduction of the measure to the annoyance which he said had been caused to the Government by the unauthorised publication of the proceedings of a Conference of railway officials that took place a year ago, and he went on to describe the proceedings of the Conference in question as a lamentable departure from the avowed policy of Government. I have also seen an advance copy of the Memorial that I spoke of just now as being on its way out from England, and which similarly declares that it is universally believed in India that this has been the origin of the Bill. I hope the Hon'ble Member will allow me to assure him that he has got hold of an absolute mare's nest in this case. As a matter of fact, his theory of events is wholly inaccurate. The Government of India had nothing to do with the proceedings of the Conference in question. I was personally quite unaware of its existence, and so was the Hon'ble Member in charge of the Public Works Department. Nor did I or any of my Colleagues feel the smallest annoyance at the publication of proceedings, which in relation to the Government of India had neither authority nor sanction. But the Hon'ble Member's history has even less foundation than his facts. The Bill which he alleges us to have introduced in hasty alarm or irritation at something which was done or said at Delhi in January, 1903, and which I see that other critics have attributed to other occurrences in recent history, originated, he may be interested to learn, more than six years ago. The desirability of amending the Official Secrets Act of 1889 had been felt as far back as 1894, when, as is well known, there was a difference of opinion among the highest legal authorities in Bengal as to the matters to which it referred, and more particularly as to whether the Act was intended to prevent, or did prevent, the disclosure of confidential civil documents and information. A little later the inadequacy of the existing Act in another direction was discovered, in the case of some persons who had been found taking photographs of certain military defences, and who could not be dealt with by the Act as it then stood. These difficulties arose in the main from the ambiguous wording of Sections 3 and 4 of the Act of 1889. Accordingly it was decided to refer the matter to the Secretary of State, and I found a Bill already drawn up when I came out to India five years ago, and the Draft Despatch to the Secretary of State only waiting for my signature. A prolonged discussion followed upon the suggested amendment of the law. Then occurred some further cases of illicit photographing of defences, and the matter was again referred to the Secretary of State, who

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gave his consent to the amending legislation as far back as the autumn of 1902, the principal changes in the law that were suggested by the Government of India having been found to be already embodied in existing Colonial Laws and Ordinances. All these events took place long before the Delhi Railway Conference, or any of the other incidents that are alleged to have so greatly disturbed our equanimity. Then came the introduction of the Bill in the Legislative Session of this Council in Simla last summer. A fear was at once expressed that it was intended to force through an unpopular and insidious piece of legislation while Government was in the hills. I suppose, if we had been guilty of all the motives since attributed to us, that this would have been the most natural course to adopt; but so little design had we of springing a surprise upon the public, or of hurrying through the Bill without full discussion, that the idea never occurred to us of taking the Bill anywhere else than at Calcutta, and I at once authorised a public declaration to that effect. So much for the history of this Bill, which, I think, I have shown to be a very different thing from the imaginary sketch of it drawn by the Hon'ble Mr. Gokhale.

"I now pass to our aims and intentions. The same Hon'ble Member drew a harrowing picture of Indian editors being marched off to prison; of the publication of the most trivial information being treated as illegal; of innocent petition-writers being dragged out of Government offices by the Police; and of arrested persons rotting in gaol. Now the Hon'ble Member is a man of great perspicuity and great acumen. Did he really believe for a moment that this is what we have in view? If he really thought so, then I should be very sorry for myself, and I should not be quite happy about him. But the answer may be made that all such things are possible under the Bill. I do not think that they are. And if they are they were certainly never intended to be. But if I am wrong—and this is a matter for draftsmen, to which expert class I do not claim myself to belong—then I say at once, that we shall be prepared, if convinced of the unsuitability of our language, to alter it; if we have been guilty of obscurity, to correct it; if shown to have gone too far, to modify our plans. In fact, I am not without hope that even the critics of the Bill may be converted into its supporters. I want Hon'ble Members to remember this—the existing Act is unquestionably faulty. It is, indeed, so loosely drawn that it has been found to be inoperative whenever occasion has imperatively arisen to have recourse to it. It is not fully clear to what classes it applies, and even when its application is indisputable, its enforcement is very difficult. These defects it is proposed to remedy, most certainly in no hurry, seeing, as I have explained, that we have been more

[18TH DECEMBER, 1903.] [*The President; Sir Denzil Ibbetson; Mr. Raleigh; Mr. Bilderbeck.*]

than six years about it, but deliberately, and with every desire to carry public opinion with us. I believe that when the Select Committee meets they will find that their labours are neither so severe nor contentious as has been supposed, and that a satisfactory measure can be placed upon the Statute Book, which need not strike terror into the heart of a single innocent person, but which will give to the confidential secrets of the State the protection which no reasonable man would willingly deny to them."

The motion was put and agreed to.

#### POISONS BILL.

The Hon'ble SIR DENZIL IBBETSON moved that the Bill to provide for the regulation of the possession and sale of all poisons in certain local areas, and the importation, possession and sale of white arsenic generally be referred to a Select Committee consisting of the Hon'ble Mr. Raleigh, the Hon'ble Rai Bahadur B. K. Bose, the Hon'ble Rai Sri Ram Bahadur, the Hon'ble Mr. Cruickshank and the mover.

The motion was put and agreed to.

#### INDIAN UNIVERSITIES BILL.

The Hon'ble MR. RALEIGH moved that the Bill to amend the law relating to the Universities of British India be referred to a Select Committee consisting of the Hon'ble Sir Denzil Ibbetson, the Hon'ble Mr. Gokhale, the Hon'ble Mr. Pedler, the Hon'ble Mr. Morison, the Hon'ble Dr. Bhandarkar, the Hon'ble Mr. Bilderbeck and the mover. He said:—"My Lord, we had also proposed to add to this Committee the member representing the non-official members of the Bengal Legislative Council. But it has been found impossible to take this step at the present stage of the Bill, as no election has yet been made. On the introduction of this Bill, I explained its scope and purposes very fully, and any observations I have to add on the present occasion may be made by way of reply after my honourable colleagues have spoken."

The Hon'ble MR. BILDERBECK said:—"The Bill has reached a stage at which, I understand, it is not in order to deal with its specific provisions, but it is in order to discuss its general principles. The main principles underlying this Bill, as I understand them, are to be found in its recognition of the fact that it is the true function of a University worthy of the name to make provision for the highest class of teaching, to stimulate and provide facilities for research, and to exercise an effective control over the various institutions affiliated to or incorporated

with it. A Bill, the object of which is to bring into existence Universities which shall realize this function, deserves the support of all those who have the highest interests of the country at heart. Exception might perhaps be taken to the Bill on account of some of its provisions, and also on account of its omissions. Criticism, more particularly, has been directed and will probably again be directed against the proposal to reserve to Government large powers of interference and direction in the administration of academical affairs; but in regard to what has been characterised as the main principles of the Bill, I do not believe that opinion that is honestly based on knowledge and reflection can be divided. Should the Bill be opposed, I cannot see how the principles that have been referred to can be attacked, and I submit that the opposition, if it is to be of any value, must establish one of two propositions,—either that the provisions of the Bill are not calculated to meet the objects of its framers, or that these objects can be secured in a different and a more satisfactory manner. Further, mere condemnation of the Bill on the ground of its tendency to officialize the Universities of the country will, I submit, be beside the mark, unless the critics of the Bill are able to show that there is some near prospect of the Universities of this country becoming self-dependent or national institutions, in the sense that they fill a definite place in the public consciousness and receive adequate support in a general recognition of the need of them.

“ There are many critics who hold that there was no necessity—or at least no urgent necessity—for this Bill, inasmuch as the Universities as now established have been working satisfactorily, and inasmuch as the important objects which the present Bill has in view might be attained under existing Acts of Incorporation. This argument is one which appeals with special force to many resident in the Presidency from which I come. In Madras, we do not appear to have suffered to any great extent from those serious disorders and diseases that have been declared to exist elsewhere and that the Universities Commission was appointed to diagnose and prescribe for. In Madras, moreover, the regulations of the University provide for the supervision of its affiliated colleges, and in this connection I would observe that it is a matter of satisfaction to those connected with the administration of the affairs of the University that the provisions of the Bill dealing with the relations of a University to its affiliated institutions bear a very close resemblance to the provisions embodied in the by-laws of the University of Madras.

“ Now before replying to the arguments that have just been referred to I wish to state most emphatically that I am far from admitting the justice of

[18TH DECEMBER, 1903.] [Mr. Bilderbeck.]

the criticism that pronounces our existing University system a failure. In spite of the evils that may have attended the operation of the present system—evils which in some respects are not unknown to Universities in other lands—the established system must be credited with a distinct success in that it has brought into existence a numerous body of well-educated men who have won distinction in many spheres of activity, including the fields of research, scientific as well as literary, and to whose ability and conscientiousness in the discharge of their duties the efficient administration of the affairs of the Empire is in large measure due.

“On the other hand, certain awkward facts must be faced. Enquiry has disclosed that in some parts of the country the University system, if it has not called into existence, has either tolerated or been unable to suppress various serious evils. Again, even in regard to those Universities which have enjoyed a comparative immunity from these evils, experience has revealed many defects in their methods and organization, and has indicated many directions in which the system is capable of improvement. It has become increasingly clear that Universities which are merely examining bodies are not suited to the present needs of the country. So long as Universities remain what they are, there is little likelihood of any general advance in the standards of teaching, and moreover the methods of study and ideals of the majority of University students will continue to be governed mainly by a consideration of what is necessary to passing examinations. Now all these defects and evils, which are incidental to or have grown up under the existing Acts of Incorporation, it is the object of the Bill to remove or minimise. It may be, as some hold, that the existing Acts of Incorporation may be so interpreted as to justify the Universities established by them in appointing University professors, in providing facilities for research, and also in exercising a more effective control over affiliated institutions. The question, which really involves the interpretation of the language of the Acts and of the intentions of those who framed them, is debatable. The present Bill leaves these matters in no doubt, and this consideration alone amply justifies the introduction of the Bill.

“It is of course obvious that a mere legislative enactment cannot effect all the changes contemplated by the Bill. In respect to those provisions of the Bill that have been framed with the object of improving the efficiency of affiliated colleges, much can be done by a prudent but resolute employment of the procedure devised in the Bill for the purpose, and there can be little doubt that, under the steady pressure that the new regulations will bring to bear on these colleges, weak and inefficient institutions, whose very existence

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is a danger to society, will be extinguished, while the better ones will be improved and strengthened.

"In regard to the other main principle of the Bill under which a University is empowered to make provision for the higher teaching and to establish laboratories and other facilities for research, it is obvious that these must remain inoperative unless or until the Universities find themselves in possession of adequate funds for the purpose. This is a matter on which no misapprehension should be allowed to exist. Two considerations of the greatest importance are involved. In the first place, if the highest scientific work is to be accomplished, mere half-measures to attain this end will prove to be futile. No expense should be grudged in respect to the engagement of the services of competent teachers and the erection and maintenance of well-equipped laboratories, museums, and libraries, and no better examples could be followed than those provided by America, or Canada, or some of the States of Europe, or even by Japan, where generous sums are spent on such institutions which are rightly regarded as valuable national investments. In the second place, if it is an axiom of University administration that Schools of Science should receive adequate support, the question of course must be asked from what source the necessary funds are to be derived in the case of Indian Universities. Speaking from my knowledge of the conditions in the Presidency of Madras, I have no hesitation in saying that the University of Madras can expect little or no increase of income from any advance in the rates of examination fees. Moreover, there is little likelihood of any inflow of private benefactions, until the University has given evidence of its ability to turn out work of recognised value and until the claims of the higher education have begun to take their due place in the public consciousness. It would appear, therefore, that if the University of Madras—and possibly conditions are similar in the case of other Universities—is to perform these higher functions with which the Bill proposes to invest it, it must, for some time to come, be able to count upon the liberal support of the State. Unless such aid be given at an early date, the Madras University will at best continue to be little more than an examining body."

The Hon'ble MR. MORISON said:—"Your Excellency, all that I would say is that I think it would be an advantage to the Select Committee if we could elicit an expression of opinion upon the principles of the Bill; because in reading the Bill myself I must say I did not come to the conclusion that it was chiefly based upon those principles to which the Hon'ble Member has just referred. It seems to me that the Bill is

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one dealing not so much directly with education as with the machinery of education and with the administration of it; and what seems to me the most important reform aimed at in the Bill is the placing of University affairs in the hands of more professional men. The chief reform which it seems to me that we can hope for from this is that the affairs of the University will in the future be administered by men whose profession is that of education. Though that is understood to be the main reform of the Bill, I should like to know whether the Council would not be in favour of expressing rather more strongly that principle which seems to me in the Bill to be stated, if I may say so, rather shyly and timidly. For instance, to give an idea of the kind of strengthening or more strong statement which I should like to insert—if it will not seem impertinent to fetter the decision of the Lieutenant-Governor, or the Governor, or even the Governor General—I should like to suggest that the fellows nominated by the Chancellor should be in the proportion of two-thirds men who are engaged in the profession of teaching, at least two-thirds of the nominated fellows to be taken from the teaching profession. And in the same way so as to strengthen the Syndicates. I should like to see definitely expressed in the Bill that heads of Colleges or Principals should by virtue of their office be members of the Syndicate: that is to say that a certain number of seats on the Syndicate should be reserved for Principals. That is permissively expressed in the Bill,—expressed in a manner which indicates that it will meet with the approval of the framer of the Bill, but is hardly compulsory. My only reason for venturing to make these remarks is that this seems to me to be the main principle of the Bill; and if that is so, I should like to know whether the Council would not sympathise with amendments of the Bill in which it would be expressed more strongly and more distinctly.”

The Hon'ble Mr. PEDLER said :—“ I have not come prepared to make a long speech at the present stage of the Bill because I understand that the Select Committee is rather the place to thresh out all the details of the measure. Perhaps, however, I may be allowed to say a few words as to what I believe to be the imperative necessity of some Bill of this kind being introduced. I have now had nearly thirty-one years' experience in the Educational Department of Bengal, and I think I can say that to most men engaged in education from year to year comes a stronger and stronger feeling as to the necessity for raising the standard of the higher education in Bengal. In certain respects, though by no means in all, education has been deteriorating. We have had an enormous growth of Colleges and Schools without a corresponding growth of what may be called highly educated and trained tutors and professors to carry on

[ Mr. Pedler. ] [ 18TH DECEMBER, 1903. ]

the work. The consequence is that, during the last twenty years, a distinct deterioration has taken place in methods of teaching in Bengal, and in certain classes of educational institutions, while in all European countries a rapid advancement has occurred in educational methods. If I were to attempt to describe what I believe to be the intention of Government in dealing with the question of education, I should say that the object of the present Bill is to raise the standard of the higher forms of education given in India and by doing so necessarily the school education which is followed up by University education will in itself be raised. That this necessity is, I think, generally recognised not only by educationalists but also by the general public in Bengal, I think is proved by the fact that when Your Excellency was good enough to say that you would take up the reform of education in Bengal in speeches made some years ago in your position as Chancellor of the Calcutta University the promise was hailed with delight, and you were looked upon as being what might be called the Educational Saviour of Bengal. I admit that since this Bill has appeared the approval has not been so marked. I may perhaps mention another fact which would indicate that there is a necessity for raising the Standard of University education in India. I happened to be on short leave in England this year, and my attention was called to the fact that there was a Conference of Home and Colonial Universities to be held in London about July. I thought at first that naturally India would take part in such an Imperial Conference. Some of the delegates were my own personal friends, and I enquired privately whether Indian Universities were to be represented, or were in any way to be discussed, and I was told that apparently they had been intentionally left out. Now I do not think if the Indian Universities had the same reputation as many of our Colonial Universities, this action could possibly have occurred. I should rather in my own mind put down the omission to the fact that in some leading newspapers in England, such as *The Times*, *The Daily Chronicle*, *The Saturday Review* and others, articles have appeared within the last few years in which the condition of Indian University education has been portrayed in a rather unpleasant light; and it struck me at the time, though I have no official knowledge that such was the case, that Indian Universities were not considered to be on a par with the Universities of some of our Colonies, and not of the same standard as the Home Universities. This, I think, in itself shows that there is abundant necessity for raising our standards. If I may allude to one or two details, I may point out that in the Bill now under discussion an attempt has been made to provide for machinery by which the raising of the conditions of University education is possible and by which from time to time the nature of the work done in institutions affiliated to our Universities may be tested by

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expert inspection. We in Bengal are not perhaps quite so fortunate as they are in Madras, where the Hon'ble Mr. Bilderbeck seems to think that the rules for inspection and other purposes they have framed are extremely good. Here in Bengal we have no University rules for inspection of Colleges with a view to their improvement. Since I have been Director of Public Instruction in Bengal, that is for the last five or six years, I have only once been asked by the Calcutta University to formally inspect a College and to report on its condition. The result was after my report went up before the University, the College was dis-affiliated without a dissentient voice. My report was printed in various newspapers, and was widely commented on, and Bengal Colleges were taken to be like the one that was condemned, and a good deal of fun was made of their condition. Speaking, as I have said, with an experience of nearly thirty-one years in Bengal, can say that, unless something is done to raise the condition of University education in Bengal, unless something is done to raise the condition of the Colleges, especially of the smaller Colleges and those away in the Mofussil, such a thing as high education in Bengal will degenerate almost into a sham. A great part of the work which is done in the smaller Colleges is most inferior, and it should be the aim of the University Act to raise the standard and to create in the future a really highly educated class of men on whom the Government may rely. It must not be thought, however, that I am entirely condemning University education in Bengal. Many of our Bengal Colleges have done extremely good work. It must, however, be remembered that the University Acts were passed half a century ago. The general condition of education and what was required of Universities and Colleges then, or to put it briefly what was good enough for half a century ago, is not good enough at the present time. Hence I am of opinion that the introduction of this proposed new Bill with what I might call not very harsh provisions is absolutely essential, and unless some Bill such as the present is passed, we cannot hope for anything like a proper standard of high education in Bengal in the future."

The Hon'ble NAWAB SAIYID MUHAMMAD SAHIB BAHADUR said:—  
 "My Lord, I beg to offer a few observations on the Bill now before the Council. 'The question of University Reform,' as Lord Reay said on a famous occasion, 'is not merely an educational question. It is a question of practical importance to anybody who looks at political questions from a statesmanlike point of view.' It is no wonder, therefore, that since the appointment of the Universities Commission, during the time of their enquiry, and when

[*Nawab Saiyid Muhammad.*] [18TH DECEMBER, 1903.]

their report was published, an immense flood of criticisms and suggestions poured in from all sides, showing that the whole country was stirred to its depths, and felt the subject as one of prime national importance. When the recommendations of the Commission were published, the educated Indian public felt that if they were adopted in their entirety, national education in India would be much poorer than it is now, and that the members of the Commission in framing their proposals had failed to grasp the principle that the Universities should be the representatives in the country of its noblest and highest aspirations. The position of the Universities Commission is summed up in the following sentence of their Report: 'In all matters relating to the higher education, efficiency must be the first and the paramount consideration. It is better for India that a comparatively small number of young men should receive a sound liberal education than that a large number should be passed through an inadequate course of instruction, leading to a depreciated degree.' Professor Charles Waldstein, of Cambridge, says in an article on 'The ideal of a University' in the *North American Review* that 'the mistake with us is, that until quite recently, the only conception of a University has been purely educational, if not pedagogic. It was considered an establishment for the higher training of a small percentage of the inhabitants in each country, chiefly of the upper or professional classes. It was simply a higher school, really a high school for old boys. I think it important that this fatal misconception should be exposed.' It seems to me that this 'fatal misconception' runs not only through the recommendations of the Universities Commission, but is the foundation upon which the Universities Bill is built. I in common with many of my fellow-subjects feel grateful to the Government for not having adopted some of the recommendations of the Commission, notably the abolition of all second grade Colleges. But the Bill proceeds mainly on the lines, recommended in the Report, of which Mrs. Annie Besant, the gifted founder of the Benares College, said, in a lecture delivered in England, 'In the attempt to build up a large College we are trying to do the very opposite of some of the things that are being suggested to the Government, and are already doing some of the things they want done. We have put down the fees to the lowest possible point. But if this Commission Report be adopted, much of our work will be destroyed, and the results which we are trying to bring about, and have brought about to some extent, will be utterly wasted, will be impossible to carry on; for the boys that we want to reach, the intelligent, the eager, those who are longing to learn, but whose parents are poor, they will be shut utterly out of education, for unless we adopt the Government rate of fees, the Government may close the College and not permit to carry on its work.' My Lord, an opinion like this is entitled to the greatest weight, for

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no sort of political bias can be imputed to it. That the effect of the new legislation will be to increase the cost of education and to place it beyond the reach of the poorer classes is clear from the provisions regarding affiliation of Colleges, contained in section 21, which it will not be in the power of any private institution to comply with, except perhaps a few missionary institutions. The provisions contained in section 21, clauses (1)(c) and (d), that the Syndicate should be satisfied in each case that the buildings in which the College is to be located are suitable, and that due provision will be made for the residence, supervision and physical welfare of students, and provision will also be made for the residence of the head of the college and the members of the teaching staff, in or near the college, being statutory qualifications which it is impracticable for any private institution to comply with, it is certain that they will operate effectually to prevent new colleges springing into existence. Indeed, if this provision were insisted on, in the case of the existing colleges, the effect of it would be to cut up by the roots almost all the private institutions except, as I have pointed out, some missionary colleges. In section 21, clause (1) (g), the rate of fees is left to be determined by the Syndicate. Here I wish to say a word regarding the constitution of the Senate and the Syndicate. It is proposed to have a Senate in which the studies of the University, the colleges affiliated to it and the religious communities which send their young men to these colleges would all be fairly represented. This proposal has been received with great satisfaction by the various religious communities. But, My Lord, I submit that if this principle of representation is sound, as I think it is, it is equally sound in reference to the constitution of the Syndicate. As the executive government of the University would be vested in the Syndicate, it is necessary that the various religious communities should also be represented on the Syndicate. In the matter of affiliation and disaffiliation of Colleges, Government is the sole authority—eighty per cent. of the members of the Senate are to be nominated by the Chancellor, and all the regulations of the Senate relating to the University are subject to the sanction of Government, in order to have the force of law. Thus the Government is to have the paramount voice and authority in all matters of internal administration of the University, as well as in the general educational policy of the country.

“I confess I do not share the misgivings which are sometimes given vent to, regarding persons who hold what is called a depreciated degree. To my mind a person who holds a degree and has imbibed the education which must have been imparted to him in the process, is a much better citizen and a more desirable member of the body politic than he would be, if he had been left entirely uneducated. The present Bill appears to be framed on the principle that we

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must have the best kind of education or nothing at all. I desire to quote in this connection the words of Dewan Bahadur Srinivasa Raghava Aiyangar of Madras, who had had more than a local reputation and whose recent death has left a void in the country in the ranks of its eminent men which will not be easily filled up. On the occasion of delivering the address at the last convocation of the University of Madras, he said, in referring to the multiplication of graduates 'one important consideration must be borne in mind, namely, the importance of educated men as factors in the social and industrial regeneration of the country. Viewed in this light, we cannot have too many graduates, for, imperfectly as they may discharge their functions at present, the increase in their number cannot but tend to dispel in course of time many prejudices and harmful practices among persons coming within the sphere of their influence and the very struggle for remunerative employment must have the effect of compelling them to seek fresh fields and pastures new'. He was himself a product of the University under its present system. He was the holder of only one degree, and under the present Universities Bill would not be entitled to vote for the election of fellows, under section 7, nor would hundreds of others possessing single degrees who may possess higher claims to exercise the franchise than the Master of Arts or Bachelor of Laws of yesterday to whom the franchise is given. If the University is to form the nucleus of a corporate life from among all its graduates, and if all its graduates are to feel a living interest in its working and growth, it follows that every graduate must have a voice in the constitution of its Government, and there is no reason given why even the privilege hitherto allowed to graduates of single degrees of twenty years' standing should now be taken away except the feeble ground stated in the Objects and Reasons that this privilege was not embodied in the former Act, was granted subsequently by notification and no pledge of continuance was ever given. It is difficult to understand the repugnance with which the idea of clothing any institution with a representative character is regarded in this country.

"Mr. Gladstone is reported to have said, 'There is not a feature or a point in the national character which has made England great among the nations of the world, that is not strongly developed and plainly traceable in our Universities. For eight hundred or a thousand years they have been intimately associated with everything that has concerned the highest interests of the country.' Although the conditions in this country may not make it desirable that our Universities should have the closest approximation to those of England in this respect, still the legislation proposed should be such as to place the Indian Universities in perfect accord with the progressive tendencies of the age to meet the needs of the country and to conduce to the organic growth of the nation. In

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my humble opinion the provisions of the Bill in the main are not calculated to enable the universities to stimulate and expand the activities of the people but to chill and repress them within narrow bounds, and they will therefore be the reverse of beneficial in their effects on the social and political progress of the people."

The H<sup>n</sup>ble MR. GOKHALE said :—" My Lord, as this is the occasion on which the principle of the Bill may be usefully discussed, I cannot give a silent vote on the motion now before us, especially in view of the great attention which this subject has received during the last three years at the hands of both the Government and the public, and the angry controversy which has raged round it for most of the time. In the course of the Budget Debate of last year, Your Lordship, while referring to the attitude of the educated classes of this country towards University Reform, was pleased to observe—' Surely there are enough of us on both sides who care for education for education's sake, who are thinking, not of Party-triumphs, but of the future of unborn generations, to combine together and carry the requisite changes through.' My Lord, I do not know if my claim to be regarded as one of such persons will pass unchallenged. But this I venture to say for myself : I hope I have given, in my own humble way, some little proof in the past of my interest in the cause of higher education ; and that in the observations which I propose to offer to-day, the only consideration by which I am animated is an anxious regard for the future of Western education in this land, with the wide diffusion of which are bound up in large measure the best interests of both the Government and the people. My Lord, in your Budget speech of last year, Your Lordship complained of the unnecessary distrust with which the educated classes regarded the attitude of the present Government towards higher education. I can assure Your Lordship that even among those who have not been able to take the same view of this question as Your Lordship's Government, there are men who regret that the difficulties, which already surround a complicated problem, should be aggravated by any unnecessary or unjustifiable misapprehension about motives. But is it quite clear that the Government itself has been free from all responsibility in this matter, and that it has given no cause whatever for any misapprehension in regard to its object ? Let the Council for a moment glance at the circumstances which have preceded the introduction of this Bill. More than two years ago, Your Lordship summoned at Simla a Conference of men engaged in the work of education in the different Provinces of India. Had the Conference been confined to the educational officers of Government, one would

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have thought that Government was taking counsel with its own officers only, and of course there would have been no misunderstanding in the matter. But the presence of Dr. Miller at the Conference at once destroyed its official character, and gave room for the complaint that the deliberations were confined to European educationists in India only. The fact that the proceedings of the Conference were kept confidential deepened the feeling of uneasiness already created in the public mind by the exclusion of Indians from its deliberations. Later on, when the Universities Commission was first appointed, its composition, as is well known, afforded much ground for complaint; and though, to meet public opinion half way, Your Lordship took the unusual step of offering a seat on the Commission, almost at the last moment, to Mr. Justice Guru Das Banerjee, the objection remained that, while Missionary enterprise was represented on the Commission in the person of Dr. Mackichan, indigenous enterprise in the field of education was again left unrepresented. The hurried manner in which the Commission went about the country and took evidence and submitted its report was not calculated to reassure the public mind. Finally, the holding back of the evidence, recorded by the Commission, on the plea that its publication would involve unnecessary expense, was very unfortunate, as other Commissions had in the past published evidence ten times as voluminous and the question of economy had never been suggested. Now, my Lord, every one of these causes of complaint was avoidable, and I cannot help thinking that a good deal of the misapprehension, which every right-minded person must deplore, would have been avoided, if Government had been from the beginning more careful in this matter. The task of reforming the University system in India was, in any case, bound to be formidable, and it was much to be wished that it had been possible to examine the proposals of Government on their own merits, in the clear light of reason, unobscured by passion or prejudice or misapprehension of any kind, on one side or the other.

"A misapprehension of the motives of the Government cannot, however, by itself, explain the undoubted hostility of the educated classes of this country to the present measure. And it seems to me to be clear that this sharp conflict of opinion arises from the different standpoints from which the question of higher education is regarded by the Government and the people. In introducing this Bill the other day at Simla, the Hon'ble Mr. Raleigh asked at the outset the question 'whether English education has been a blessing or a curse to the people of India.' And he proceeded to give the following reply:—'In point of fact it has been both, but much more, I believe, a blessing than a curse. We note every day the disturbing effects of a

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new culture, imposed upon learners who are not always prepared to receive it; but still, it is a great achievement to have opened the mind of the East to the discoveries of Western science, and the spirit of English law. To the Schools and Colleges under our administration we owe some of the best of our fellow-workers—able Judges, useful officials, and teachers who pass on to others the benefit which they have received. To them also we owe the discontented B.A., who has carried away from his College a scant modicum of learning and an entirely exaggerated estimate of his own capacities—and the great army of failed candidates, who beset all the avenues to subordinate employment.’ Here then we have the principal objection to the present system of University education authoritatively stated, *namely*, that it produces the discontented B.A. and a great army of failed candidates. The Hon’ble Member describes these classes as a curse to the country, and he claims that his proposals are intended to abate this evil. Now, my Lord, I would in the first place like to know why ‘the army of failed candidates, who beset the avenues to subordinate employment’ should be regarded as a curse by the Government any more than any other employer of labour regards as a curse an excess of the supply of labour over the demand. These men do no harm to anyone by the mere fact that they have failed to pass an examination or that they seek to enter the service of Government. Moreover, unless my Hon’ble friend is prepared to abolish examinations altogether, or to lay down that not less than a certain percentage of candidates shall necessarily be passed, I do not see how he expects to be able to reduce the evil of failed candidates. The Colleges on the Bombay side satisfy most of the conditions that the Hon’ble Member insists upon, and yet the problem of the failed candidates is as much with us there as it is here. As regards the discontented B.A., assuming that he is really discontented, will the Hon’ble Member tell me how his proposed reconstitution of the University will make him any more contented? Does he not know that Indians educated at Oxford or Cambridge, who bring away from their Universities more than a ‘scant modicum of learning’ and a by no means ‘exaggerated estimate of their own capacities’ are found on their return to India to be even more ‘discontented’ than the graduates of the Indian Universities? The truth is that this so-called discontent is no more than a natural feeling of dissatisfaction with things as they are, when you have on one side a large and steadily growing educated class of the children of the soil, and on the other a close and jealously-guarded monopoly of political power and high administrative office. This position was clearly perceived and frankly acknowledged by one of the greatest of Indian Viceroys—Lord Ripon—who, in addressing the University of Bombay in, 1884, expressed himself as follows:—‘I am very strongly

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impressed with the conviction that the spread of education and especially of Western culture, carried on as it is under the auspices of this and the other Indian Universities, imposes new and special difficulties upon the Government of this country. It seems to me, I must confess, that it is little short of folly that we should throw open to increasing numbers the rich stores of Western learning; that we should inspire them with European ideas, and bring them into the closest contact with English thought; and that then we should, as it were, pay no heed to the growth of those aspirations which we have ourselves created, and the pride of those ambitions we have ourselves called forth. To my mind one of the most important, if it be also one of the most difficult, problems of the Indian Government in these days is how to afford such satisfaction to those aspirations and to those ambitions as may render the men who are animated by them the hearty advocates and the loyal supporters of the British Government.' My Lord, I think it is in the power of Government to convert these 'discontented B.A.'s' from cold critics into active allies by steadily associating them more and more with the administration of the country, and by making its tone more friendly to them and its tendencies more liberal. This, I think, is the only remedy for the evil complained of, and I am sure there is none other.

"My Lord, in the speech of the Hon'ble Member, to which I have already referred, he has argued as follows:—The evils of the discontented B.A. and the great army of failed candidates cannot be combated without improving the methods of teaching and examination which produce these results. Such improvement cannot, however, be secured without reconstituting the Senates of the different Universities. Therefore it is that the Government has thought it necessary to come forward with the proposals embodied in the present Bill. Now, my Lord, I do not think the discontented B.A. will grow rarer or that the ranks of the army of failed candidates will become thinner, after this Bill becomes law. But even if this object, of the Hon'ble Member be not likely to be achieved, I am willing to admit that it would be a great and worthy end to attempt an improvement for its own sake in the methods of teaching and examination, and if any one will make it clear to me that this end is likely to be attained by the adoption of the proposals embodied in this Bill, I shall be prepared to give my most cordial support to this measure. For, my Lord, I have long felt that our present methods of both teaching and examination are very imperfect and call for a reform. But as far as I can see, there is little in this Bill which will in any way secure that object. It is true that the Hon'ble Sir Denzil Ibbetson, in his brief but eloquent speech at the first reading,

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spoke of the necessity of raising the character of the teaching at present imparted in Colleges and he announced that Government had decided 'to make for five years special grants in aid of Universities and Colleges, whose claims to special assistance in carrying out the reforms which we have in view are established, subject to an annual limit of five lakhs of rupees.' The announcement is a most welcome one, but it is difficult to see what reforms the Government has in view, and until further details about the Government scheme are forthcoming, no definite opinion can be pronounced on it. Moreover, we are just now considering the Bill, and so far as its provisions are concerned, there need not be the least change in the present state of things, so far as the Colleges in the Bombay Presidency are concerned. But, my Lord, while it is difficult to allow the claim of the Hon'ble Mr. Raleigh that this Bill will lead to an improvement in the methods of teaching and examination, there can be no room for doubt that the first and most obvious effect of the passing of this measure will be to increase enormously the control of Government over University matters, and to make the University virtually a Department of the State. This increase of control is sought to be secured both directly and indirectly—directly by means of the new provisions about the acceptance of endowments and the appointment of University Professors and Lecturers, the affiliation and disaffiliation of Colleges and the making of regulations—and indirectly by the proposed reconstruction of the Senate and the power of censorship in regard to its composition, which Government will now be able to exercise every five years. My Lord, if Government cannot trust the Senate even to accept endowments without its own previous sanction, or to make appointments to endowed Professorships or Lectureships, if Government is to have the power to affiliate or disaffiliate any institution against the unanimous opinion of both the Senate and the Syndicate, if it may make any additions it pleases to the regulations submitted by the Senate for its sanction and may even in some cases make the regulations itself without consulting the Senate, I do not see that much dignity or independence is left to the Senate under such circumstances. And when in addition to so much direct control, Government takes to itself the power of not only nominating practically nine-tenths of the Fellows but also of revising their lists every five years, I think no exception can be taken to the description that the Senate under the circumstances becomes a Department of the State. My Lord, much was said during the last three years about the necessity of giving a preponderant voice to men actually engaged in the work of education in the deliberations of the University; very little, on the other hand, was heard about the necessity of increased Government control. In the proposals, however, with which Govern-

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ment has now come forward, while no statutory provision has been made for a due representation of Professors and teachers in the composition of the Senate, Government has virtually absorbed nearly all real power and made everything dependent upon its own discretion. The spirit in which the Government has chosen to deal with the Universities in this Bill appears to me to be more French than English. Was it really necessary to revolutionize their position so completely in the interests of education alone? After all Government itself is responsible for the composition of existing Senates, and what guarantee is there that the power of nomination, which has been admittedly exercised with considerable carelessness in the past, will be used any better in the future? Moreover, there are men on the existing Senates who have all along taken great interest in the affairs of the Universities, but who have perhaps made themselves disagreeable to those who are regarded as the special representatives of Government in those bodies. And it is very probable that these men may not be included among those who will now form the reconstructed Senates. If this happens, will it be just? My Lord, I am personally not opposed to the idea of a limited Senate, and were the question not complicated by fears of probable injustice in the first reconstruction, I should even be disposed to support the idea strongly. I also recognize that if we are to have a limited Senate, it is necessary to provide for a certain number of seats falling vacant every year, so that there should be room for a continuous introduction of qualified new men; and if these vacancies cannot be expected to arise in the natural course of things—by retirement or death—it is necessary to make the Fellowships terminable. But one essential condition in a scheme of a limited Senate with terminable Fellowships is that a large proportion of seats should be thrown open to election, so that those, who do not see eye to eye with the special representatives of Government, may not be deterred from taking an independent line by the fear of displeasing Government. But to make the Fellowships terminable in five years and to keep practically nine-tenths of the nominations in the hands of Government will, in my humble opinion, seriously impair all real independence in the deliberations of the University. My Lord, there are, in the special circumstances of this country, three different interests which really require to be adequately represented in the University Senate. There is first the Government which is of course vitally concerned in the character of the education imparted; then there are the Professors and teachers who are actually engaged in the work of instruction; and last, but not least, there are the people of this country, whose children have to receive this education and whose whole future is bound up with the nature of the educational policy pursued. These three interests are not—at any rate, are not always thought to

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be—identical, and I think it is necessary to secure an adequate representation to each one of them. My Lord, I feel that it is only reasonable to ask that as far as possible each interest may be represented by about a third of the whole Senate. Thus, taking the case of Bombay, I would fix the number of ordinary Fellows at 150, and of these, I would have 50 nominated by Government, 50 either elected by or assigned to different Colleges, and the remaining 50 thrown open to election by the graduates of different Faculties of more than ten years' standing. In giving representation to Colleges, I would take into consideration all those points which the Government wants to be considered in affiliating an institution. Of course a majority of the representatives of Colleges will as a rule vote with Government nominees, and Government will thus have a standing majority in favour of its views. I would make these Fellowships terminable at the end of ten years, which would provide for 15 vacancies every year. I venture to think, my Lord, such a plan will duly safeguard all the different interests. I may mention that in the new Constitution of the London University, out of 54 Fellows, 17 are elected by graduates, 17 by Professors and teachers, 4 are appointed by the Crown, and the rest are nominated by certain bodies and institutions. Failing the plan which I have suggested, I would support the scheme proposed by the Hon'ble Mr. Justice Guru Das Banerji in his minute of dissent. It is impossible for me to support the proposals put forward on this point by Government in the Bill.

"My Lord, I must not discuss any of the details of the Bill at this meeting, though I have a good deal to say about many of them. But one or two remarks I will offer on two other points, which in my opinion are points of principle. The first is the provision in the Bill to give at least half the number of seats on the Syndicate for the different Faculties to Professors and teachers. My Lord, I am opposed to this provision. I would give a large representation to these men on the Senate, but having done that, I would leave the Syndicate to be composed of those whom the Senate considers to be best qualified. How would the proposed provision work in the case of the Bombay University? In the Faculty of Arts, the provision will not cause any inconvenience, and, as a matter of fact, the present practice is to have half the men in this Faculty from the ranks of Professors. But in the Faculty of Law, what will be the result? There is only one Law School in Bombay, which is a Government Institution. The Professors are generally junior barristers, who stick to their posts, till they get on better in their profession. They are generally not Fellows of the University. And yet, if this provision is adopted, they will first have to be appointed Fellows and then straightway one of them

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will have to be put on the Syndicate, in place of a High Court Judge or a senior barrister, who represents the Faculty at present on the Syndicate. Again, in the Faculty of Engineering, the present practice is to elect eminent Engineers in the service of Government. The Engineering College of the Presidency is at Poona, and it will be a matter of serious inconvenience to insist on one of the Professors of that College being necessarily elected a Syndic. Moreover, my Lord, I really think it is not desirable to prop thus by means of the statute men whom the Senate—and especially the reconstructed Senate—does not care to put on the Syndicate. Another point on which I would like to say a word is the provision in this Bill that henceforth all institutions applying for affiliation must satisfy the Syndicate that they have provided themselves with residential quarters. In the first place, what is to happen, if they build the quarters and then find that affiliation is refused? And secondly, I submit that such a condition will practically prevent the springing into existence of new Colleges and will, if made applicable to old Colleges, as the Syndicate is empowered to do, wipe out of existence many of those institutions—especially on this side of India—which in the past have been encouraged by the Government and the University to undertake the work of higher education. I freely recognize the great advantages of residence at a College, but if I have to choose between having no College and having a College without residential quarters, I would unhesitatingly prefer the latter alternative. My Lord, the people of this country are proverbially poor, and to impose on them a system of University education, which even a country like Scotland does not afford, is practically to shut the door of higher education against large numbers of very promising young men.

“My Lord, I have spoken at so much length at this stage of the Bill, because the issues involved in this attempt at reform are truly momentous. I confess that there is a good deal in this Bill with which I am in hearty sympathy. But the main provisions of the Bill are so retrograde in character that it is impossible for me to support the measure. My Lord, I have already admitted and I admit again that there are serious defects in the methods of teaching and of examination pursued at present in this country. But the present Bill in my opinion offers no remedy calculated to cure the evil. I really think, my Lord, that the Government has begun the work of University reform at the wrong end. It is not by merely revolutionizing the constitution of the Universities that the object, which all well-wishers of higher education in this land have equally at heart, will be attained. It seems to me that the first step in the work of real reform is for Government to make its own Colleges model Colleges. Bring out from England the best men available for this work.

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I would place them on a level with members of the Civil Service, as regards pay and promotion. When I think of the great responsibilities of these men—of how much of the future of this country and of British rule depends upon the influence they succeed in exercising on the young minds committed to their care—and when I think of the more or less stereotyped character of the work which a majority of the Civilians have at present to perform, I am astonished that Government does not see how necessary it is to secure even a better type of men for its Colleges than for the administration of the country. If Government will bring out only the best men available—men who know how to combine sympathy with authority and who, for their learning and character, will continue to be looked up to by their pupils all their life,—there will, in a few years, be a marked change in the tone of Government Colleges in India. And the private Colleges will find themselves driven to work up to the level of Government institutions. One word more on this subject and I have done. Let not Government imagine that, unless the education imparted by Colleges is the highest which is at the present day possible, it is likely to prove useless and even pernicious; and secondly, let not the achievements of our graduates in the intellectual field be accepted as the sole or even the most important test to determine the utility of this education. I think, my Lord—and this is a matter of deep conviction with me—that in the present circumstances of India, *all* Western education is valuable and useful. If it is the highest that under the circumstances is possible, so much the better. But even if it is not the highest, it must not on that account be rejected. I believe the life of a people—whether in the political or social or industrial or intellectual field—is an organic whole, and no striking progress in any particular field is to be looked for, unless there be room for the free movement of the energies of the people in all fields. To my mind the greatest work of Western education in the present state of India is not so much the encouragement of learning as the liberation of the Indian mind from the thralldom of old-world ideas, and the assimilation of all that is highest and best in the life and thought and character of the West. For this purpose not only the highest but *all* Western education is useful. I think Englishmen should have more faith in the influence of their history and their literature. And whenever they are inclined to feel annoyed at the utterances of a discontented B.A., let them realize that he is but an incident of the present period of transition in India, and that they should no more lose faith in the results of Western education on his account than should my countrymen question the ultimate aim of British rule in this land, because not every Englishman who comes out to India realizes the true character of England's mission here."

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The Hon'ble MR. RALEIGH said:—"My Lord, only the general principles of the Bill are to be discussed to-day, and my hon'ble colleagues have really left me little to say. I might leave the powerful arguments advanced in support of Government to serve as an answer to our critics. But the challenge thrown down by the Hon'ble Saiyid Muhammad and the Hon'ble Mr. Gokhale is so direct that I feel bound to deal with it to the best of my ability.

"We may be asked, and, as the Hon'ble Mr. Bilderbeck has told us, we are asked to consider the question whether we have proved the necessity for the changes we propose. I do not in any way disparage the excellent work which has been done in the past, but we have an accumulating mass of evidence to shew that much remains to be done. We have before us the opinions expressed by high scientific authorities like Sir William Ramsay, and we have, as the Hon'ble Mr. Pedler has reminded us, the implied judgment passed upon Indian Universities when they were left out of the programme of the Conference of British Universities recently held in London. That judgment impressed me so much that I made representations to some of my friends in England, pointing out that, whatever our defects may be, our Colleges can shew a long roll of able teachers, many of them graduates of English Universities: in their name I ventured to claim a place for Indian Universities among the Universities of the Empire. I am glad to know that our claim will be admitted, and that when the next Conference is held, our Universities will not be unrepresented.

"Extension of University work and improvement of University methods must, as Mr. Bilderbeck said, be to some extent a question of funds. Everybody who takes a practical interest in the matter must feel that it may be long before our resources are adequate to our ambition. But Government is prepared to do what it can, and we must hope that help from other quarters will not be wanting.

"My hon'ble colleague Mr. Morison has stated that one of the main objects of the Bill is to place a larger control over the higher education of the country in the hands of those who are professionally acquainted with the subject. There can be no doubt that one result of the present constitution of our Senates has been that academic opinion has not carried all the weight to which it is entitled. We propose to alter that in the future. The Hon'ble Member went on to suggest that we should strengthen the Bill by requiring that two-thirds of the Senate should be persons engaged in teaching."

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That is perhaps a question for Committee, but when we come to prescribe the mode in which effect is to be given to a general principle, we must not lose sight of the fact that we are legislating for five Universities, differing in their history, and also in their usages and ideas. It may not be necessary to provide that the proportion of the teaching element in the Senate should be the same in all cases.

"The speech of the Hon'ble Saiyid Muhammad turned in great part on questions connected with the Universities Commission, and this is not an appropriate occasion to resume the defence of that much-enduring body. But when the Hon'ble Member selects certain sentences from the Report of the Commission which embody, as he thinks, the principle of this Bill, I can only say that those sentences describe quite accurately the situation which this Bill is intended to meet. It is better for India that a smaller number (of course I do not admit that the number need be or will be smaller) should receive a sound liberal education than that a larger number should be hurried through inadequate courses of instruction, leading to a depreciated degree. The statement partakes of the nature of a truism. Does the Hon'ble Member contend that any good whatever is attained by hurrying young men through courses of inadequate instruction? And, if efficiency is not to be our paramount consideration, I should like to be told exactly what is the consideration to which efficiency is postponed.

"The Hon'ble Member regards this Bill as a measure designed to check and thwart the aspirations of the people of India. I say in reply that the object of Government has been, not to check those aspirations, but to evoke and strengthen them. We ask you to look at the best Colleges elsewhere, to consider all that goes to the making of a good College, the manifold provision which it should make not only for the instruction but for the general welfare of its students, and to resolve that you will make the Colleges of India as good as the best. That is work which cannot be done by Government alone, and the policy of the Bill can only be carried out with the aid of voluntary effort.

"I come now to the speech of the Hon'ble Mr. Gokhale. I listened to that speech with a feeling of profound disappointment. We all readily admit the Hon'ble Member's right to be heard on any University question, but we expected from him, not only an acute opinion on the Bill (that he has given us) but some friendly recognition of the effort Government is making to promote reforms which he has himself admitted to be necessary. Instead of this we have a speech which strikes the note of distrust in Government, and my hon'ble colleague went on to justify his distrust by a

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series of arguments which I can only describe, if he will pardon me the expression, as captious and irrelevant. Do we come here, at this time of day, to discuss the Simla Conference? The Conference was an official meeting, for surely the presence of Dr. Miller was not enough to deprive it of its official character. It is not a matter for this Council, it is entirely in the discretion of Government to determine how the advice of its officers may best be used for the public advantage. And again, are we to go back upon the complaints, so often made and so often answered before, as to the composition or conduct of the Commission? Assuming that all Mr. Gokhale's statements are well founded, has he said anything that detracts from the importance of the deliberate findings of the Commission? What you have to deal with is the fact that a body of men with long and varied experience of University work, after an inquiry extending over months (the Hon'ble Member is pleased to say it was hurried) have recorded their opinion that certain changes in our system are urgently required. I have never denied that, in carrying out these changes, Government may make mistakes. But if Mr. Gokhale has a right to remind us that mistakes of Government have hampered the success of our educational system, I hold that the disastrously mistaken sentiment which pervaded his own speech has not been without its evil effect.

"My hon'ble colleague admits that some reforms are necessary, but he says that improvements in our teaching methods will not be effected by this Bill. On both points, I entirely agree with him. When the Bill was introduced, I disclaimed altogether the fanciful idea that new methods can be imposed on five Universities by a single act of legislation. All that we propose now is, to put the Universities in a position to act for themselves.

"Both Hon'ble Members who have spoken against the Bill seem to regard it as a measure which is intended to make Government control closer and more stringent than it is at present. On the contrary, this is a Bill for enlarging the sphere of University action. Government control is and always has been a part of our system; in the Acts of 1857 control was established, first, by requiring all University regulations to be submitted for the sanction of Government, and secondly, by requiring that the institutions which present candidates for University degrees shall be authorized by Government. The Bill makes no essential change in these respects. In the future, as in the past, regulations will go to Government for sanction. We invite the Universities to make their regulations complete and systematic (a demand with which, I ought to say, Madras has already complied), and we suggest that they should take this opportunity to revise their rules, and to strengthen their organisation in those points where the Report of the Commis-

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sion indicates the necessity of amendment. It is true that the Bill confers on Government a limited and temporary power of interference, which may in some cases extend even to the making of new regulations. But I explained in introducing the Bill that this power would not be used to force uniformity of system, or to displace rules which may be approved by local opinion. A part of Mr. Gokhale's argument seems to resolve itself into the assertion that Government will do what Government has carefully and explicitly said it will not do.

"In like manner, when we deal with affiliation of Colleges, we leave the final decision to Government, but we provide the Universities with what at present they lack—a regular procedure, the whole object of which is to secure that Government shall take action only after a careful inquiry, conducted by University authorities. As the famous Despatch of 1854 has been frequently quoted against us, I should like to point out that, while the Despatch contemplated the inspection of Colleges by officers of Government, we now propose that the work of inspection should be entrusted to University agencies.

"I need not enter further into detail; the composition of the Syndicate, the scope to be given to the elective principle—these, and some other matters touched upon by Hon'ble Members, may be discussed more fully in the Select Committee. My object has been to show that the Bill is a sincere effort to begin the process of raising our academic standards, and that we are entitled to ask for the co-operation of all who are interested in the progress of higher education in this country."

His Excellency THE PRESIDENT said :—"I had not intended myself when I came into this room this morning to say anything at this stage of the Bill. A better opportunity will perhaps present itself when the Bill has been discussed in Committee and when it appears in its more final shape before this Council. But certain of the speeches to which we have just listened, and to which my Hon'ble Colleague sitting on my left (Mr. Raleigh) has delivered, if I may say so, a most effective and powerful reply, challenged so directly the principles and policy of the Government that I feel myself impelled to follow his example in making a few observations on certain points. We feel in this matter that we stand upon ground so firm that we are prepared to resist and to repel every assault upon it, and when these assaults are delivered, as in some cases they have been this morning, under circumstances of unjustifiable suspicion, I think we are entitled as the responsible Government of the country to make our own position clear.

" My Hon'ble friend, Mr. Gokhale, spoke as an expert on educational matters, and he spoke with that sincere regard for the interests of his own people which never fails to inspire his speeches. Regard for the interests of his own people sometimes, I think, renders him a little unfair as regards the interests and points of view of others. He was endeavouring, as my Hon'ble friend the Legal Member has pointed out, to explain the circumstances in which the views and attitude of the Government of India about education are regarded with suspicion by his fellow-countrymen, but all that he had to say on this point was summed up in a few insignificant charges about the exact course of our proceedings during the past three years. I only wish to supplement what the Hon'ble Mr. Raleigh said about the Simla Conference by adding that that Conference was a private Conference summoned by myself in order to enable me to ascertain the trend of public and expert opinion in India upon educational matters, and that I invited the Revd. Dr. Miller to join it because he was the senior Educational expert in India—a man who had served on Lord Ripon's Commission twenty years ago, and who would present to me something else than the official point of view. Are we not always being accused by the school which the Hon'ble gentleman represents of treating everything upon strictly official lines, and if we go outside of them, are we then to be subject to his attack for selecting the most competent exponent whom we can find of the unofficial point of view? I summoned that Conference in order that I might have at my right hand some body of opinion more authoritative and better informed than the Home Department. Nothing would have been easier than to have started the work of reform of education in India on strictly Departmental lines, and nobody would have been more quick to denounce us than the Hon'ble Mr. Gokhale for taking such a step. The proceedings of the Conference were private, because it was an advisory Conference, which was intended to acquaint the Government with the views that were entertained by the Educational authorities before we framed any proposals. Well, I really cannot proceed to discuss the question of the constitution of the subsequent Commission. It may safely be said that no Commission can be constituted by the Government of India that will give satisfaction to all classes of the Indian community. I suppose that I have taken more trouble than anybody else about Commissions. I have to represent provinces, interests, classes, creeds, upon them, and I have spent many hours of time in the attempt to make these Commissions fair. But we never get any thanks for our efforts, and then long afterwards we are liable to these belated charges. The Hon'ble Member spoke about the hurried labours of the Commission. The question is

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not whether the labours of the Commission were hurried, but whether they were scamped. Nobody, so far as I know, has ever brought against the Commission the charge that, if its labours were conducted with considerable rapidity, they were not conducted well. It visited all parts of the country, collecting important opinions from every class entitled to be consulted, and the fact that it conducted its proceedings with despatch is, in my opinion, to its credit rather than the reverse. I would ask the Hon'ble Member whether the end which he in common with ourselves desires to see produced is likely to be effected if the conduct of Government is always to be regarded with the sort of suspicion that he evidently entertains. I thought that in the present case I had done everything in my power to remove every legitimate cause for such an attitude in the matter of this Bill. Years have now passed since I first took up the subject shortly after coming to India. During that time we have appointed a Commission which has travelled about the country, taken evidence in every direction, and issued its Report. We have consulted public opinion, Local Governments, public bodies, Universities, Senates, times without number. We have endeavoured, by every sort of reasonable concession, to meet their views. I think that my first speech announcing educational reform in India as one of the charges that I had taken upon myself was made at the Convocation of the Calcutta University in 1899. In February next five years will have elapsed since that speech was made, and we shall not yet have carried our proposals. The charge that might much more reasonably be brought against me, instead of going too quick or instead of not paying adequate attention to the public view, might be that I have gone too slow. I do not think that these suspicions are generally shared by the Indian community. I believe that they are grateful for the opportunities that have been offered to them at each stage, even up to the last, of expressing their views, and my own feeling, looking to all the opinions that we have received, is one of gratification at the degree to which, considering the passions that were excited a year and a half ago, we have now approximated to uniformity. I am even not without hope that the Hon'ble Member himself, who has made a rather violent speech today, will modify his views when the Select Committee meets to consider the details of the Bill.

"The Hon'ble Mr. Morison made one complaint about which I should like to say a word. He entertained the view that the Bill deals rather with the machinery of education than with the principles. And he explained what he meant by saying that the object of the Bill is clearly to place education in

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more expert hands. It is quite true that that is one of the objects of the Bill. And it is an important object. But I should be seriously disappointed if the Bill did not do very much more than that, or if the principles underlying it were limited to the narrow definition which the Hon'ble Member has applied to them. I have not come here with any tabulated category of the principles of the Bill to lay before this Council or before the Hon'ble Member, but at the same time I think that to anyone who reads the Bill they are patent on its surface. Its main principle is of course, as pointed out by the Hon'ble Mr. Pedler, to raise the standard of education all round, and particularly of higher education. What we want to do is to apply better and less fallacious tests than at present exist, to stop the sacrifice of everything in the colleges which constitute our University system to cramming, to bring about better teaching by a superior class of teachers, to provide for closer inspection of colleges and institutions which are now left practically alone, to place the government of the Universities in competent, expert, and enthusiastic hands, to reconstitute the Senates, to define and regulate the powers of the Syndicates, to give statutory recognition to the elected Fellows, who are now only appointed upon sufferance—and on that point I have a word to say in a moment in reply to Mr. Gokhale,—to show the way by which our Universities, which are now merely examining Boards, can ultimately be converted into teaching institutions; in fact, to convert higher education in India into a reality instead of a sham. These are the principles underlying our Bill. I will not labour them, but I hope I have said enough to show my Hon'ble Colleague that we have something in view much wider and more important than the somewhat narrow intentions that he has ascribed to us. When I spoke just now about the attitude of suspicion that is adopted by the Hon'ble Mr. Gokhale, I could not give a more striking illustration than the remarks he made about the election of Fellows. At the present moment there is no right to elect Fellows at all. It exists only on sufferance on a plan first tentatively proposed by Lord Lansdowne some years ago when Chancellor of the University and since continued. Calcutta at the present moment has something like 18 or 20 out of a total of 170 or 180 Fellows. Now, we propose in the Bill to take this great step forward: namely, to give statutory recognition to these elected Fellows, and to fix a definite number which they shall always enjoy. The Hon'ble Member spoke about nine-tenths of the future Senate being nominated by Government. He was mistaken; we propose in this Bill to give one-fifth of the Senate, or 20 out of a total of 100 to selection. And yet when this substantial favour, more than has ever hitherto

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been asked for, certainly more than it has ever been contemplated to give, is offered, the Hon'ble Member infected with his own ideas and prejudices, comes forward and practically makes the matter a charge against Government instead of a cause of thanks and congratulation. He spoke of an ideal University which was to consist of a Senate of 150 persons, of whom I understood that only 50 were to be appointed by the Government and the other 100 were to be elected. I should like to see how soon the machinery of such an institution would break down.

"The only other general considerations to which I would like to draw attention today are these. I would ask Council and the public to bear in mind that we are not departing in any degree from the principles which have underlain the course of education hitherto pursued. We regard this Bill as the logical supplement of the famous Despatch of 1854 and the Report of the Education Commission of 1882, and of all that has gone since. Here at length after a careful examination of the existing system lasting over a period of years, after listening to expert advice drawn from every University and from every part of the country, and after considering the remedies that have been put forward by all those whom we have consulted, we are adopting a measure, with, I think, a large and gratifying consensus of opinion behind it, which is intended to purify our system in India of its existing defects, of the defects which must attach to purely examining Universities anywhere, but which are peculiarly rampant in India, owing to the fact that we have given to this country a foreign system of education in which mnemonic tests play a large part, owing to the conditions under which it is imparted, and owing also to the characteristics of the Indian mind. Well, when we take this measure in hand all the recognition that we get from the Hon'ble Member is the charge that we desire to make the Universities a Department of State. This is one of the bug-bears which seem to be inseparable from the manner in which so many public questions are regarded in this country—the idea that Government is everywhere endeavouring to snatch or steal something that ought to belong to somebody else, and to concentrate everything in its own possession. After being five years at the head of the Government of India I say deliberately that any Government would be foolish and suicidal that was animated by any such conception. We are already overburdened with work; we are anxious to throw it off at every turn; and the idea that we should desire to add to our overwhelming labours by taking higher education out of the hands of people who are competent to deal with it

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and monopolising it ourselves is not one that could be entertained by any one who was familiar with the inner workings of the Government. I remember that when after the Simla Conference we appointed a Director-General of Education in India, the same fears were entertained. It was said that the Government was anxious to centralise everything, to crush the independence of Local Governments and Universities, and that one iron rule would be made to apply to the whole country. I deprecated any such construction at the time. All that we wanted was that at head-quarters we should have a qualified authority to advise us; that something like uniformity should be introduced into the chaos at that time prevailing; and that there should be a channel of communication between the centre and the extremities. I am not aware that Indian education has become in consequence any more centralised than it was before, and when this Bill passes into law I have no fear whatever that, although Government is asserting its proper influence over education, any fair-minded critic can say that we are trying unduly to subordinate it to the State. But I would not base my reply to the Hon'ble Member solely on these grounds. Though we do not want to departmentalise the Universities, Education is not only one of the foremost duties of Government, but it is perhaps the highest of all. To allow the system of education in this country to fall to pieces would be one of the severest charges that could be brought in any indictment against the administration of India. We are bound to take to some extent into our hands the charge of higher education in this country: we cannot leave it to accident: we cannot entrust it exclusively to Missionary or other agencies, valuable as is the work done by those bodies in this country: we cannot hand it over to private enterprise, since the resources of this are soon exhausted, as the Hon'ble Mr. Bilderbeck pointed out in his remarks about his own province of Madras: above all, it would never do in my view for Government to leave education in India to the disastrous effects of the sort of commercial rivalry that now prevails. For these reasons I have always held the view, that Government must itself accept its share of the burden. Later on I hope that we shall be able to relinquish a portion of the charge, but at the present moment it is indubitable that Government must assume a larger responsibility than it has hitherto done, although, as Mr. Raleigh has reminded us, all that we are doing is to develop principles and to exercise powers already in existence.

"Now, I have only this to say in addition. The Hon'ble Mr. Pedler in his remarks alluded to some observations that fell from me, when first I spoke on this question at the University of Calcutta five years ago. There has scarcely been a week since then in which the matter has not

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been in my mind. I could not have left India happy, indeed I should have left it ashamed, had I looked on helplessly during these five years at the great mass of intellectual energy which exists in this country, because its existence I do not for a moment dispute, being mis-spent or flowing into improper channels. I could not look on without compunction at teachers spending their lives and abilities in India on unfruitful and heartbreaking service, at pupils learning the wrong thing, or learning the right thing wrongly, at the welfare of future generations of young Indians being sacrificed to depreciated standards or subordinated to mistaken tests. I believe it is in our power to correct some at any rate of these evils, and to give a positive lift forward to education in India that will not be exhausted for years, and that will powerfully affect the future of the race. I hope that Council will not throw away the opportunity that is presented to them by the introduction of this Bill, and that those Hon'ble Members who will serve upon the Select Committee will, as the representatives of India in dealing with this important question, not be unmindful of the heavy responsibility that has been placed upon their shoulders."

The motion was put and agreed to.

#### CENTRAL PROVINCES CIVIL COURTS BILL.

The Hon'ble MR. ARUNDEL moved that the Bill to consolidate and amend the law relating to Civil Courts in the Central Provinces be referred to a Select Committee consisting of the Hon'ble Mr. Raleigh, the Hon'ble Rai Bahadur B. K. Bose and the mover, with instructions to report within one month. He said:—"My Lord, since I introduced the Bill to consolidate and amend the law relating to Civil Courts in the Central Provinces, certain suggestions have been received regarding it which are not of a purely verbal nature, and one of which would have the effect of extending its scope. It is desirable to have the details examined by a small Select Committee. I beg leave therefore to move that the Bill be referred to a Select Committee consisting of the Hon'ble Mr. Raleigh, the Hon'ble Rai Bahadur B. K. Bose and myself".

The motion was put and agreed to.

The Council adjourned to Friday, the 8th January, 1904.

CALCUTTA :  
The 22nd December, 1903. }

J. M. MACPHERSON,  
*Secretary to the Government of India,  
Legislative Department.*