

*Friday,
18th March, 1904*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XLIII

Jan.-Dec., 1904

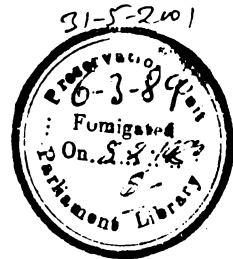
ABSTRACT OF THE PROCEEDINGS
OF
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA:
ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS

1904

VOLUME XLIII



Published by Authority of the Governor General.



CALCUTTA
PRINTED BY THE SUPERINTENDENT OF GOVERNMENT PRINTING, INDIA,
1905

Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 & 25 Vict., Cap. 67, and 55 & 56 Vict., Cap. 14).

The Council met at Government House, Calcutta, on Friday, the 18th March, 1904, at 11 A.M.

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.

His Excellency General Viscount Kitchener of Khartoum, G.C.B., O.M., G.C.M.G., Commander-in-Chief in India.

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., K.C.I.E.

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

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

The Hon'ble Rai Sri Ram Bahadur.

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

His Highness Raja Sir Surindar Bikram Prakash Bahadur, K.C.S.I., of Sirmur.

His Highness Agha Sir Sultan Muhammad Shah, Agha Khan, G.C.I.E.

The Hon'ble Mr. Gopal Krishna Gokhale, C.I.E.

The Hon'ble Mr. E. Cable.

The Hon'ble Nawab Saiyid Muhammad Sahib Bahadur.

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.

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

The Hon'ble Dr. Asutosh Mukhopadhyaya, D.L., F.R.A.S., F.R.S.E.

QUESTION AND ANSWER.

His Highness THE AGHA KHAN asked :—

“ I. Will the Government be pleased to state whether any representation has been made by the Government of India to the Turkish Government for abolishing the ten days' quarantine at Camaran Island, where Indian pilgrims going to Mecca, who have already spent fifteen days on board a ' *healthy* ' ship without

[*The Agha Khan ; Sir Denzil Ibbetson ; Major-General Sir Edmond Elles.*] [18TH MARCH, 1904.]

touching any port, are detained for ten days more, and, if not, will the Government, in view of the hardships which the present unnecessary (Turkish) quarantine rules inflict on Indian pilgrims, consider the advisability of making such representations to the Turkish Government as may bring about new rules by which Indian pilgrims coming on 'healthy' boats and having spent fifteen days since last calling at a port may not be detained anywhere for a further period of needless quarantine."

The Hon'ble SIR DENZIL IBBETSON replied :—

"The Government of India have repeatedly protested against the rule by which all pilgrim ships coming from Indian ports are held by the Turkish Government to be infected irrespective of their actual condition or of the length of the voyage and are subjected to ten days' quarantine at Camaran. These representations have proved ineffectual as Turkey has not joined the International Sanitary Conventions entered into by other Powers. The Secretary of State will again be addressed on the subject in connection with the Convention recently concluded at Paris, by which the period of freedom from plague to be taken into account in determining whether a ship should be regarded as infected or suspected has been reduced from twelve days to seven."

His Highness THE AGHA KHAN asked :—

"II. Will the Government be pleased to state whether any of the Native States have increased or reduced their Imperial Service Troops during the last ten years, and if so will Government mention the State or States that have increased or reduced such Troops, and also mention by what proportion they have increased or reduced them."

The Hon'ble MAJOR-GENERAL SIR EDMOND ELLES replied :—

"I lay on the table a statement* which will answer His Highness the Agha Khan's question. From it it will be seen that there have been, in the case of the States there shown, certain changes, in some instances an increase, and in others a decrease, in the strength of the Imperial Service Troops. The change has, however, generally been in the nature of the corps contributed to Imperial Defence."

[18TH MARCH, 1904.] *Sir Denzil Ibbetson; Nawab Saiyid Muhammad; the President.*]

ANCIENT MONUMENTS PRESERVATION BILL.

The Hon'ble SIR DENZIL IBBETSON moved that the Report of the Select Committee on the Bill to provide for the preservation of Ancient Monuments and of objects of archæological, historical or artistic interest be taken into consideration. He said:—"When I introduced this Bill at Simla, I explained the objects of the Bill and its provisions at considerable length. In Select Committee we made some substantial alterations, and I think improvements; but they in no way touched the principles upon which the Bill is based, and they were mainly directed towards providing still further safeguards for the right of private property and in individuals the religious feelings of the public. I therefore think it unnecessary to add any further remarks now."

The motion was put and agreed to.

The Hon'ble SIR DENZIL IBBETSON moved that the Bill, as amended, be passed.

The Hon'ble NAWAB SAIYID MUHAMMAD said:—"My Lord, I venture to congratulate Your Lordship's Government on this Bill, of which the motive and object will commend themselves to all interested in the preservation of ancient monuments which are of manifold value. These monuments will serve in future as landmarks of the various civilizations and Governments that existed in this country from time immemorial. The various provisions of this Bill are chiefly protective and not penal, and without any unnecessary encroachment upon private or individual rights seek to preserve from ignorant, careless or wanton destruction ancient buildings and monuments of historic and antiquarian value which may not be known to people living in the neighbourhood or in actual possession of the same. The amendments made in the Select Committee are, on the whole, such as will meet with the approval of the public, and are calculated to minimise proceedings of a vexatious nature. Considering the immense advantage which the country derives by the preservation of these monuments the tax-payer, I think, is not likely to complain about any expenditure that may be incurred in acquiring and preserving them."

His Excellency THE PRESIDENT said:—"In a session which embraces a good deal of contentious business, it will, I think, be a pleasure to all of us to pass into law a Bill which has been received without a discordant note by all classes of the community, to which no one has come forward to move an amendment, and which will presently take its place, to use the classical phrase, *nemine contradicente*, on the Statute-book. The principle of the Bill is the sound, and,

[*The President.*]

[18TH MARCH, 1904.]

as I think, irrefragable, proposition that a nation is interested in its antiquities—an interest which is based on grounds alike of history, sentiment, and expediency, and that it is reasonable and proper to give statutory sanction to the maintenance of this principle by the State. In the somewhat frigid language of the preamble, the object of the measure, more specifically stated, is ‘to provide for the preservation of ancient monuments, for the exercise of control over traffic in antiquities, and over excavation, and for the protection and acquisition of ancient monuments and of objects of archæological, historical, or artistic interest.’ In pursuing these ends we have endeavoured, as far as possible, to enlist private co-operation, to exercise the minimum of interference with the rights of property, to ensure a fair price in the event of compulsory purchase, and to pay most scrupulous deference to religious feelings or family associations. The Bill will require to be administered with sympathy and discretion. But I trust the awakened conscience of all sections of the community in respect of our duty to the past to save us from friction or trouble, and I believe myself that private effort will gladly combine with Government for the furtherance of objects in which both are equally concerned. For the individual owner is as much the trustee for his particular archæological possession as the Government is the general trustee on behalf of the nation at large.

“The Bill is, however, even more than its stipulations imply. It is in reality the coping-stone of a policy in respect of archæology and the remains of the past which the Government of India have pursued with fits and starts throughout the past half century, but with sustained and unremitting ardour during the past few years. I had been in India more than once as an ordinary traveller before I came out as Viceroy, and had observed the state of its antiquities with pain and regret. Fresh as I then was from my University days, I remember thinking how pertinent to India, and to my countrymen in India, were the words of reproach in which the Roman poet, Horace, had addressed his countrymen in what he thought the decadent and indifferent days of the early Empire: and at the risk of being so unfashionable as to quote a language which is said to be now tabooed in public life, I must cite the passage—

Delicta majorum immeritus lues,
Romane, donec templa refeceris,
Ædesque labentes deorum, et
Fœda nigro simulacra fumo.

“In India it was not so much a case of recovering the favour of the Gods—for our theology is not quite the same as that of the Romans—as it

[18TH MARCH, 1904.]

[*The President.*]

was of expiating the carelessness of the past, and escaping the reproaches of posterity. But the obligation was just as strong and urgent; and this Council, while giving the authority of law by its vote of today to the culminating phase, may like to hear something of the manner in which we have interpreted its remaining injunctions.

"It seemed to me, when I began to enquire exhaustively into the matter five years ago, that the Government of India had made three mistakes. In the first place, they had not recognized that any obligation lay upon them. They had devolved it entirely upon Local Governments, leaving to the latter to spend much or little or nothing at all, and contenting themselves with paying for an inadequate supervisory staff. Secondly, they had set no standard to which Local Governments ought to conform. There was neither co-ordination, nor system, nor control. In one province an enthusiastic administrator might do his duty by the archæological treasures temporarily committed to his care. In another, there was no idea that archæology existed as a science or, if it did, that Government had anything to do with the matter. The third mistake was that conservation, or the task of preserving the memorable relics that we still possess, had been forgotten in the task of research for those that no longer exist, or of writing about objects that were fast falling into decay. Our first step, accordingly, was to revive the post of Director-General which had been in abeyance since 1889, and to procure a competent person to fill it. The next was to set an example to Local Governments, which we undertook to do by the grant of sums aggregating 1 lakh a year, to supplement the local expenditure of which their own funds might permit. The third step was to stimulate them and the Native States also to renewed efforts by a definite programme of conservation and repair. By the end of 1900 our proposals had gone home to the Secretary of State. A year later his answer was received, and a Director-General, Mr. Marshall, who has since thrown himself with scholarly energy and enthusiasm into his task, was on his way out to India; and in February 1902 we were in a position to publish a Resolution in the Gazette defining our policy, and foreshadowing the programme of work that lay before us as well as the legislation which we are carrying to completion to-day. Two years have passed since that date, and the new system is now firmly established, and has already justified itself by its fruits. I can, perhaps, best bring home to this Council the extent to which we have advanced by giving the concrete figures of then and now. In the year 1898-99, the total expenditure of the Government of India upon archæology was less than £3,000, and this was almost exclusively devoted to salaries; the total expenditure of all the Local

[*The President.*]

[18TH MARCH, 1904.]

Governments added together was only about £4,000 in the same year. A sum, therefore, of £7,000 per annum represented the total contribution of the Government of 300 millions of people towards the study or preservation of the most beautiful and precious collection of ancient monuments in the Eastern world. The Government of India is now spending upon this object 2½ lakhs per annum, and the Local Governments 3 lakhs per annum, or a total of some £37,000 a year. Thus, not little by little, but by leaps and bounds, are we catching up the errors of the past, and purging our national reputation of this great stain.

"It is given to but few to realize, except from books and illustrations, what the archæological treasures of India are. I know of Civilians who have spent a life-time in the country without ever seeing Agra, and who make a pilgrimage to visit it when their thifty-five years are done. A Governor General's tours give him a unique chance, and I should have been unworthy of the task which I undertook at the first meeting of the Asiatic Society that I attended in Calcutta five years ago, had I not utilized these opportunities to visit all the great remains or groups of remains with which this country is studded from one end to the other. As a pilgrim at the shrine of beauty I have visited them, but as a priest in the temple of duty have I charged myself with their reverent custody and their studious repair.

"Our labour may be said to have fallen into four main categories. First, there are the buildings which demanded a sustained policy of restoration or conservation, with most diligent attention to the designs of their original architects, so as to restore nothing that had not already existed, and to put up nothing absolutely new. For it is a cardinal principle that new work in restoration must be not only a reproduction of old work but a part of it, only reintroduced in order to repair or to restore symmetry to the old. Of such a character has been our work at all the great centres of what is commonly known as the Hindu-Saracenic style. We have, wherever this was possible, recovered and renovated the dwellings in life and the resting-places in death of those master builders, the Mussulman Emperors and Kings.

"The Taj itself and all its surroundings are now all but free from the workmen's hands. It is no longer approached through dusty wastes and a squalid bazar. A beautiful park takes their place; and the group of mosques and tombs, the arcaded streets and grassy courts that precede the main building, are once more as nearly as possible what they were when completed by the masons of Shah Jehan. Every building in the garden

[18TH MARCH, 1904.]

[*The President.*]

enclosure of the Taj has been scrupulously repaired, and the discovery of old plans has enabled us to restore the water-channels and flower-beds of the garden more exactly to their original state. We have done the same with the remaining buildings at Agra. The exquisite mausoleum of Itmad-ud-Dowlah, the tile-enamelled gem of Chini-ka-Roza, the succession of Mogul palaces in the Fort, the noble city of Akbar at Fatehpur Sikri, his noble tomb at Sikandra,—all of these have been taken in hand. Slowly they have emerged from decay and in some cases desolation, to their original perfection of form and detail: the old gardens have been restored, the old water-courses cleared out, the old balustrades renovated, the chiselled bas-reliefs repaired, and the inlaid agate, jasper, and cornelian replaced. The skilled workmen of Agra have lent themselves to the enterprise with as much zeal and taste as their fore-runners three hundred years ago. I have had there the assistance of two large-minded and cultured Lieutenant-Governors in the persons of Sir Antony MacDonnell and Sir James LaTouche. Since I came to India we have spent upon repairs at Agra alone a sum of between £40,000 and £50,000. Every rupee has been an offering of reverence to the past and a gift of recovered beauty to the future; and I do not believe that there is a taxpayer in this country who will grudge one anna of the outlay. It will take some three or four years more to complete the task, and then Agra will be given back to the world, a pearl of great price.

"At Delhi and Lahore we have attempted, or are attempting, the same. The Emperor Jehangir no longer lies in a neglected tomb at Shahdera: his grandfather, Humayun, is once again honoured at Delhi. The Military authorities have agreed to evacuate all the principal Mogul buildings in the Delhi Fort, and the gardens and halls of the Emperors will soon recall their former selves. I might take you down to Rajputana and show you the restored bund along the Ana Sagar Lake. There a deserted stone embankment survived, but the marble pavilions on it had tumbled down, or been converted into modern residences. Now they stand up again in their peerless simplicity, and are reflected in the waters below. I might bring you much nearer home to Gaur and Pandua in this province of Bengal, in the restoration of which I received the enthusiastic co-operation of the late Sir John Woodburn. A hundred and twenty years ago the tombs of the Afghan Kings at Gaur were within an ace of being despoiled to provide paving stones for St. John's Church in Calcutta. Only a few years back these wonderful remains were smothered in jungle from which they literally had to be cut free. If the public were fully aware of what has been done, Malda, near to which they are situated, would be an object of constant excursion from this place. We have

[The President.]

[18TH MARCH, 1904.]

similarly restored the Hindu temples of Bhubaneshwar near Cuttack, and the palace and temples on the rock-fortress of Rhotasgarh. At the other end of India I might conduct you to the stupendous ruins of the great Hindu capital of Vijayanagar, one of the most astonishing monuments to perished greatness, or to Bijapur, where an equally vanished Muhammadan dynasty left memorials scarcely less enduring. If I had more time today, I might ask you to accept my guidance to the delicate marble traceries of the Jain temples on Mount Abu, or the more stately proportions of the mosques at Jaunpur—both of which we are saving from the neglect that was already bringing portions of them to the ground: or I might take you across the Bay of Bengal to Burma, and show you King Mindon's Fort and Palace at Mandalay, with their timbered halls and pavilions, which we are carefully preserving as a sample of the ceremonial and domestic architecture of the Burmese Kings.

"A second aspect of our work has been the recovery of buildings from profane or sacrilegious uses, and their restitution either to the faith of their founders or at least to safe custody as protected monuments. Here we have a good record. The exquisite little mosque of Sidi Sayid at Ahmedabad with the famous windows of pierced sandstone, which I found used as a tehsildar's cutcherry when first I went there, is once more cleared and intact. The Moti Musjid in the Palace at Lahore, into which I gained entrance with difficulty because the treasury was kept there in chests beneath the floor, and which was surrounded with a brick wall and iron gates, and guarded by sentries, is once more free. The Choti Khwabgah in the Fort is no longer a church, the Dewan-i-Am is no longer a barrack, the lovely tiled Dai Anga Mosque near the Lahore Railway Station has ceased to be the Office of a Traffic Superintendent of the North Western Railway, and has been restored to the Muhammadan community. At Bijapur I succeeded in expelling a dāk bungalow from one mosque, the relics of a British post office from another. The mosque in the celebrated fort at Vellore in Madras is no longer tenanted by a Police Instructor. The superb *mantapam* or Hindu temple in the same fort is now scrupulously cared for. A hundred years ago the East India Company presented it to George IV, when Prince-Regent, for erection in the grounds of the Pavilion at Brighton, and only failed to carry out their design, because the ship, which had been chartered for the purpose, very happily went to the bottom. (*Laughter.*) Next it was used as an arsenal, and finally Commissariat bullocks were tethered to its pillars. At Lucknow I recovered a mosque which had been used for years as a dispensary. At Ahmedabad I have already mentioned that the marble *baradari* on the bund is

[18TH MARCH, 1904.]

[*The President.*]

no longer the dining-room of the Commissioner's house. At Mandalay the Church and the Club are under notice of removal from the gilded throne-rooms of the Burmese Sovereigns.

"In this policy, which I have so far described in relation to monuments in British territory, I have received the most cordial support from the Indian Princes in their own States. The Nizam of Hyderabad was willing to do all that I asked him—I only wish that it had been a quarter of a century earlier—for the unique Caves of Ajunta and Ellora. He undertook the cataloguing and conservation of a most interesting collection of old china, copper ware, and carpets that had been lying neglected for centuries at Aurungabad in the tomb of the wife of the Emperor Aurungzeb. The Maharana of Udaipur has willingly undertaken the restoration of the exquisite Towers of Fame and Victory on the hill fort of Chitor, one of which could hardly have survived for many more years. The Maharaja Scindia threw himself with characteristic zeal into similar works in his magnificent fortress at Gwalior. The Begum of Bhopal did all that was required at the Sanchi Tope. Finally, there stands in the remote State of Dhar the huge rock-fortress of Mandu, certainly one of the most amazing natural spectacles in the world. Rising to a height of 1,500 feet above the Nerbudda plain, it carries upon its summit, which is thirty miles round, a splendid group of deserted Muhammadan fortifications, palaces, and tombs. These we are assisting the State, which is not rich enough to assume the entire responsibility itself, to place in order. They were fast perishing, victims to the ravages of the jungle, and to unchallenged decay.

"There is yet another aspect of the work of conservation to which I hope that the Bill that we are about to pass will lend a helping hand. This is the custody in collections or museums of rare or interesting objects that have either been torn from their surroundings or whose surroundings have disappeared. Hon'ble Members will be familiar with the larger museums in the capital cities of India, where are collections not without value, but, as a rule, sorely mutilated, often unidentified and uncatalogued, and sometimes abominably arranged. The plan has hitherto been to snatch up any sculptured fragment in a Province or Presidency, and send it off to the provincial museum. This seemed to me, when I looked into it, to be all wrong. Objects of archæological interest can best be studied in relation and in close proximity to the group and style of buildings to which they belong, presuming that these are of a character and in

[*The President.*]

[18TH MARCH, 1904.]

a locality that will attract visitors. Otherwise, if transferred elsewhere, they lose focus, and are apt to become meaningless. Accordingly we have started the plan of a number of local museums, in places of the nature that I have described. I may instance Malda in Bengal, Pagan in Burma, the Taj at Agra, Bijapur in Bombay, and Peshawar, as localities where these institutions are being called into being, and I hope that in future any local fragments that may be discovered in the neighbourhood of such places, instead of being stolen, packed off, or destroyed, will find their way into these minor collections. Of course the larger provincial museums will continue to attract all classes of objects that do not easily find a local habitation.

"These remarks will, I hope, give to Hon'ble Members an idea of the scientific and steadfast policy upon which the Government has embarked in respect of archæology, and which they are invited to assist by passing this Bill today.

"By rendering this assistance all will join in paying the debt which each of us owes to the poets, the artists, and the creators of the past. What they originated, we can but restore; where they imagined we can but rescue from ruin. But the task though humble is worthy, and the duty though late is incumbent. A hundred and thirty years ago Samuel Johnson in England used to keep up a correspondence with Warren Hastings in Bengal, and in one of his letters the philosopher thus addressed the Governor General—"I hope that you will examine nicely the traditions and histories of the East, that you will survey the corridors of its ancient edifices, and trace the vestiges of its ruined cities, and that, on your return, we shall know the arts and opinions of a race of men from whom very little has hitherto been derived." It is in this spirit that my archæological coadjutors and I have worked. All know that there is beauty in India in abundance. I like to think that there is reverence also: and that amid our struggles over the present we can join hands in pious respect for the past. I like to think, too, that this spirit will survive, and that the efforts of which I have been speaking will not slacken in the hands of our successors, until India can boast that her memorials are as tenderly prized as they are precious, and as carefully guarded as they are already, and will in the future be even more, widely known."

The motion was put and agreed to.

[4TH MARCH, 1904.]

[*Mr. Raleigh ; Mr. Gokhale.*]

INDIAN UNIVERSITIES BILL.

The Hon'ble Mr. Raleigh moved that the Report of the Select Committee on the Bill to amend the law relating to the Universities of British India be taken into consideration.

The Hon'ble MR. GOKHALE said:—"My Lord, it is only two weeks today since the Government of India carried through this Council a highly controversial measure, which had evoked a perfect storm of hostile criticism throughout the country. The echoes of that controversy have not yet died out, when the Council is called upon to consider and pass into law another measure even more contentious and vastly more important than the last one. My Lord, if the position of those who opposed the Official Secrets Bill on the last occasion was, from the beginning, a hopeless one by reason of the large majority, which the Government can always command in this Council, that of those who deem it their duty to resist the passage of the Universities Bill today is even more hopeless. In the first place, our ranks, thin as they then were, are even thinner today. Two of our Colleagues, who were then with us, are, in this matter, against us and will no doubt give their powerful support to the Government proposals. Secondly, Anglo-Indian public opinion, which was, if anything, even more pronounced than Indian public opinion in its condemnation of the Official Secrets Bill, is, in regard to this measure, for the greater part, either silent or more or less friendly. Thirdly, both Your Lordship and the Hon'ble Member in charge of the Bill are recognized to be distinguished authorities on educational matters, and the Government have further strengthened their position by the appointment to this Council of four prominent educationists from four different Provinces for the special purpose of assisting in the passage of this Bill. Last, but not least, not only do the Government attach the greatest importance to this measure, but they also feel most keenly on the subject, as was clearly seen in December last, when the Hon'ble Member in charge of the Bill, in replying to some of my observations, spoke with a warmth which, from one of his equable temper and his philosophic cast of mind, must have surprised the Council, and when even Your Lordship—if I may be permitted to say so—spoke in a tone of severity which I ventured to feel I had not quite deserved. My Lord, it is a matter of everyday human experience that when men feel strongly on a point, there is a smaller chance of their appreciating properly the case of their opponents than if there were no feeling involved in the matter. The fight today is thus for several reasons even more unequal than on the last occasion. But those who are unable to approve the proposals of

Government feel that they have an obvious duty to perform in the matter, and they must proceed to the performance of that duty, however heavy may be the odds against them.]

"My Lord, what is this measure of University reform, round which so fierce a controversy has raged for sometime past? Or I will ask the same question in another form. What is it that this Bill seeks to achieve, which could not have been achieved without special legislation? For an answer to this question we must turn to the provisions of the Bill, and these provisions we may classify under three heads. First, those dealing with the expansion of the functions of the Universities; secondly, those dealing with the constitution and control of the Universities; and, thirdly, those dealing with the control of affiliated Colleges. Of these, I would willingly have assented to the last group, had those provisions stood by themselves—unaccompanied by the constitutional changes proposed in the Bill. My Lord, no true well-wisher of the country can object to the Universities in India exercising a reasonable amount of control over their Colleges, as such control is necessary to enforce properly those obligations which affiliated institutions are understood to accept when they come forward to undertake the responsibility of imparting higher education. But there are reasons to fear that in the hands of the reconstituted Senates and Syndicates, these provisions will operate to the prejudice of indigenous enterprise in the field of higher education, and this, of course, largely alters their complexion. But whether one's fears on this point are well or ill-founded, one thing is clear—that the present Bill was not needed to enable Universities to exercise this control over their Colleges. For the University of Madras has, under the existing law, framed regulations for this purpose, which are substantially the same as those contained in this Bill; and what Madras has done, the other Universities could very well do for themselves. Surely, all this convulsion, which the Bill has caused, was not necessary to enable these bodies to do that which they have the power to do under the existing law! Again, in regard to the provisions empowering the Universities to undertake teaching functions, I hope I am doing no injustice to the authors of the Bill if I say that they themselves attach only a theoretical value to these provisions. The Allahabad University has possessed these powers for the last sixteen years, and yet that University is as far from undertaking such functions as any other in India. The truth, my Lord, is that in addition to other difficulties inherent in the position of our Universities, their conversion into teaching bodies, even to the limited extent to which it is possible, is essentially a question of funds, and as there is no reason to assume that

[18TH MARCH, 1904.]

[*Mr. Gokhale.*]

private liberality will flow in this direction after the Bill becomes law, and Government will not provide the resources necessary for the purpose, these enabling clauses are, as in the case of Allahabad, destined to remain a dead letter for a long time to come. The Government themselves do not seem to take a different view of the matter, as, after including these provisions in the Bill, they are content to leave the rest to time, with the expression of a pious hope that some day somebody will find the money to enable some University in India to undertake teaching functions! While, therefore, I am prepared to recognise that these provisions embody a noble aspiration, I must decline to attach any great value to them for practical purposes, and in any case they are no set off against the drastic changes proposed in the constitution of the Universities. We thus see that for enabling the Universities to exercise efficient control over their Colleges this Bill was not required at all; while, though new legislation was necessary to enable the older Universities to undertake teaching functions, a Bill so revolutionary in character was not needed for the purpose. The claim of the Bill to be regarded as an important measure of reform must, therefore, rest on the provisions dealing with the constitution and control of the Universities. My Lord, I have tried to examine these provisions as dispassionately as I could and to put as favourable a construction on them as possible; and yet I cannot resist the conclusion that while the good they may do is at best problematical, the injury that they do is both certain and clear. In the minute of dissent which I have appended to the Select Committee's Report, I have discussed at some length the real nature and the probable effect of these provisions. I have urged there five principal objections to the constitutional portion of the Bill; namely, (1) in making a clean sweep of existing Senates and in giving them no voice whatever in the nomination of the first new Senates, the Bill inflicts an unmerited indignity on men who have on the whole done good work in the past; (2) the Bill fails to provide for election by Professors, and yet this is the class of men that has more immediate interest than any other in the deliberations of the University; (3) the numbers of the new Senates are fixed too low; (4) the proportion of seats thrown open to election is too small, while that reserved for Government nomination is too large; and (5) the five years' limit to the duration of a Fellowship aggravates the evil of an overwhelming number of seats being in the gift of Government. And I have expressed my belief that the effect of these provisions will be virtually to dissociate the Indian element from the government of the Universities and to put all directive and administrative power into the hands of European Professors, within such limits as the Government may allow. The supporters of the Bill practically admit the correctness

[*Mr. Gokhale.*]

[18TH MARCH, 1904.]

of this contention by saying that the main purpose of the Bill is to get rid of the old Senates, which contain a large unacademic element, and to create new Senates, which shall be academic in their composition, under guarantees of their always retaining this character. It is urged by these men that as the Universities are intended for imparting Western education, it is only proper that their direction should be mainly in the hands of Europeans; and we are further told that the presence of a large unacademic element in the existing Senates has tended to lower the standard of University education and to impair discipline. Especially has this been the case, so we are assured, with the University of Calcutta, and a writer, writing under the name of 'Inquisitor,' has spent considerable industry and ingenuity in demonstrating how both efficiency and discipline have suffered as a result of Indians—especially Indians unconnected with the profession of teaching—having a substantial voice in the deliberations of that University. My Lord, I am myself personally unacquainted with the working of the Calcutta University, but I have made inquiries, and I find that while there may be some room for the complaint which 'Inquisitor' makes, the evil has been greatly exaggerated, and in any case there are facts on the other side which he might well have included in his statement. For instance, he might have told us that in 1881 no less an educationist than Sir Alfred Croft brought forward a proposal for removing classical languages from the list of compulsory subjects, and it was mainly by the votes of the Indian Fellows present and by the casting vote of the chairman that the proposal was rejected. I would like to know how the Hon'ble Mr. Raleigh or the Hon'ble Dr. Bhandarkar would regard such a proposal today. Again, we find that in 1893, a Committee consisting almost entirely of educational experts, including several prominent European educationists, declined to approve a rule laying down that no teacher in a recognized school should teach more than sixty pupils at the same time, Dr. Gurudas Banerjee being the only member of the committee who stood out for such a rule. In 1894, on a motion brought forward by Surgeon-Colonel McConnell, supported by Professor Rowe and Surgeon-Colonel Harvey, the regulation which required candidates for the M.D. degree to have passed the B.A. examination was rescinded, and it is worth remembering that the motion was opposed by an Indian member, Dr. Nil Ratan Sarkar. Even in the well-known case of a prominent Calcutta College, when a serious charge was brought against the working of its Law Department, it is a remarkable circumstance, which, 'Inquisitor' might have mentioned, that the Syndicate, which proposed a temporary disaffiliation of the Law branch of the College, was unanimous in making the recommendation, and of the nine members who voted for this proposal, seven were Indians, six of them being

[18TH MARCH, 1904.]

[*Mr. Gokhale.*]

again unconnected with the profession of teaching. My Lord, I have mentioned these few facts to show that a wholesale condemnation of Indian Fellows—even of such of them as have been unconnected with the work of education—is neither fair nor reasonable and that the position in reality comes very much to this—that when Englishmen have proposed changes in the existing order of things, nothing is said, but when similar changes have been proposed by Indian Fellows, the cry that efficiency or discipline is in danger has been raised without much hesitation by those who would like to keep the management of University affairs mainly in European hands.

“My Lord, if any one imagines that the passing of this Bill will lead to an improvement in the quality of the instruction imparted in Colleges, he will soon find that he has been under a delusion. Even those who make the more guarded statement that the Bill, by providing an improved machinery of control, will bring about a steady and sure reform in the character and work of affiliated institutions, will find that they have been too sanguine in their expectations. My Lord, after nearly twenty years' experience as a teacher I lay it down as an incontestible proposition that a teacher's work with his students is but remotely affected by the ordinary deliberations of a University, and that if he finds that he is unable to exercise on their minds that amount of influence which should legitimately belong to his position, he may look within himself rather than at the constitution of the Senate or the Syndicate for an explanation of this state of things. Of course in regulating the courses of instruction, and prescribing or recommending text-books, the University determines limits within which the teacher shall have free scope for his work. But these courses of instruction, once laid down, are not disturbed except at considerable intervals, and in regard to them as also in regard to the selection of text-books, the guidance of the expert element is, as a rule, willingly sought and followed. The substitution of an academic Senate for one in which there is a considerable mixture of the lay element will no doubt effect some change in the character of University debates; but that cannot affect the work done in Colleges in any appreciable degree. For an improvement in this work, we want better men, more money and improved material. The first two depend, so far as Government Colleges are concerned, on the executive action of Government which could be taken under the old law and which has no connection whatever with the present Bill. And when an improvement takes place in the manning and equipment of Government institutions, the private Colleges will find themselves driven, as a matter of course, to raise their level in both these respects. As regards an improvement in the material on which the College Professors have to work,

that depends on the character of the instruction imparted in Secondary Schools, and the character of the examinations prescribed by the University. Of these two factors, the education given in High Schools is not affected by this Bill, and the character of the examinations, which I have long felt to be most unsatisfactory, will continue practically the same under the new *regime* as under the old, since examiners will continue to be drawn from the same class as now, and the conditions of their work will also continue the same.

“ Unless, then, there is an improvement in the manning and equipment of Colleges, and in the quality of the material on which Professors have to work, it is idle to expect any improvement in the work done in these Colleges. My Lord, I go further and say that, even if better men and more money and improved material were available, the improvement is bound to be slow. The three factors of men, money and material will have to act and re-act on one another continuously for some time, before a higher academic atmosphere is produced, without which there can be no real elevation of the standard of University education. To this end, the Bill has, as far as I see, very little contribution to make. There is indeed one way in which the Bill can help forward such a result, and that is, if under its operation the Universities are enabled, by funds being placed at their disposal, to establish University chairs. The institution of such chairs, especially if supplemented by a large number of research scholarships in the different Provinces for more advanced students, will powerfully stimulate the creation of that higher academic atmosphere of which I have spoken. But it seems this is just the part of the Bill which will not come into operation for a long time to come. It will thus be seen that the Bill has very little connection with the improvement of the work done in the affiliated Colleges of the Universities. It may, however, be said that the creation of academic Senates is in itself a desirable end, since in other countries the government of the Universities is in the hands of those who are engaged in the work of teaching. My Lord, my reply to this argument is that the whole position is exceptional in India; and that it is not fair to the people of this country that the higher education of their children should be under the exclusive control of men who want to leave this country as soon as they can and whose interest in it is therefore only temporary. Of course, the Professors must have a substantial voice in the deliberations of our Universities; but with them must also be associated almost on equal terms, specially for the purpose of determining the broader outlines of educational policy, representatives of the educated classes of India. And, my Lord, it is because the Bill proposes to ignore this aspect of the

[18TH MARCH, 1904.]

[*Mr. Gokhale.*]

question and practically reverses the line of policy adopted by Government in this matter for the last half a century that I look upon the measure as a distinctly retrograde one. The highest purpose of British rule in India, as I understand it, is not merely to govern the country well but also to associate, slowly it may be but steadily, the people of this country with the work of administration. In proportion as a given measure helps forward this purpose, it makes for true progress. Whatever, on the other hand, has the contrary tendency, deserves to be declared as reactionary. There is no doubt whatever that under this Bill the proportion of Indian members in the Senates of the different Universities will be much smaller than at present. The Fellows elected by Graduates will, as a rule, be Indians; the Faculties will consist almost entirely of Government nominees and of such other persons as these nominees may co-opt. There is not much room for the hope that any considerable proportion of the Fellows elected by these Faculties will be Indians. As regards Government nominations, their choice will naturally first fall on European educationists; then will come European Judges, Barristers, Civilians, Engineers, Doctors and such other people. As the numbers of the new Senates are now to be very small, one can easily see that there is hardly any margin for the inclusion of any except a very few most prominent Indians, in the Government list. The Senates of the future will thus be dominantly European with only a slight sprinkling of Indians, just to keep up appearances. And it is these Senates and the Syndicates elected by them that are armed with powers of control over affiliated Colleges, which may easily be abused. My Lord, it fills me with great sadness to think that after fifty years of University education in this country, the Government should have introduced a measure which, instead of associating the Indian element more and more with the administration of the Universities, will have the effect of dissociating it from the greater part of such share as it already possessed. I think the ascendancy of Englishmen in India in any sphere of public activity should rest, if it is to be of real benefit to the country, on intellectual and moral and not on numerical or racial grounds. My Lord, in your speech on the Budget of last year, Your Lordship thought it necessary to address a caution to the opponents of this Bill. You asked them not to assume that 'all the misguided men in the country were inside the Government and all the enlightened outside it.' If any of the critics of this Bill had ever made such a preposterous assumption, they well merited the caution. But it sometimes seems to me that the supporters of this Bill argue as though the reverse of that assumption was justified, and that every one who was opposed to this Bill was either a misguided person or an interested agitator. My Lord,

[*Mr. Gokhale ; Mr. Raleigh.*] [18TH MARCH, 1904.]

I do hope that, whatever our deficiencies, we are not really so dense as to be incapable of understanding what is now our interest, and what is not, nor, I hope, are we so wicked and ungrateful as to bite the hand that is stretched to feed us. It is because we feel that this Bill is of a most retrograde character and likely to prove injurious to the cause of higher education in the country that we are unable to approve its provisions, and it is because I hold this view that I deem it my duty to resist the passage of this Bill to the utmost of my power."

The Hon'ble MR. RALEIGH said :—"My Hon'ble Colleague has criticised with some severity the speech which I addressed to this Council in December last. It is true that on that occasion my language was emphatic, but if in replying to my Hon'ble Colleague I have gone beyond what he might think the consideration for him, which he would desire, it is because it has been to me a matter of great personal regret that we have not been able to carry the Hon'ble Mr. Gokhale with us, and to obtain a larger measure of his co-operation in devising the provisions of this Bill. I trust that he will accept this explanation, and I trust also that I am justified in assuming that there was nothing unfair to him in the criticism which I ventured to offer in the speech to which he referred. My Hon'ble Colleague has delivered a sustained attack upon the whole Bill, and I will ask him to forgive me if, on the occasion of this motion, I do not make a general reply. We have had a review of the whole question of University education in India, the object of the review being to show that on the points where they differ my Hon'ble Colleague is right and the Government are wrong. But so far as the merits of this Bill are concerned every single point which my Hon'ble Colleague has taken will come up on one or other of the amendments which stand on the paper. I am prepared to deal with them all in their order; and in the meantime, I think the Council will agree with me that I need not lengthen this debate, which is likely in any case to be long, by making a general speech at this stage."

• The motion was put and agreed to.

The Hon'ble MR. GOKHALE moved that from the preamble the word "Bombay", wherever it occurs, and the reference to Act XXII of 1857 be omitted, and the words "except Bombay" be added after the words "British India". He said :—"My Lord, my object in moving this amendment is to enter my protest at this Council against the Government of India proposing to deal in one Bill with five different Universities, having different histories and growth, and to raise my voice in a formal manner

[18TH MARCH, 1904.]

[*Mr. Gokhale.*]

against the unjust condemnation which this Bill impliedly passes on the work and character of the Bombay University as at present constituted. In the course of the discussions in the Select Committee over this Bill, the case of the Calcutta University was again and again mentioned to justify the inclusion within the Bill of provisions to which exception was taken on the ground that they were unnecessary and might even prove harmful in other Provinces. We were repeatedly told that the Calcutta University had drifted into such a position that there was no hope for it without a drastic measure of reform, such as is contemplated in this Bill. My Lord, if the state of things in Calcutta was really so hopeless, what was there to prevent the Government from undertaking an amendment of the Calcutta University Act on such lines as they thought proper? The wisdom and foresight of those who passed the original Acts of Incorporation for the three older Universities had made it easy for the Government to adopt such a course. Those Acts were identical in their wording, and yet they were passed separately for each one of the three Universities, so that whatever amendment was subsequently found necessary as a result of the special circumstances of each case might be made without interfering with the natural growth of the other Universities. Or, if the Government of India wanted that certain general principles should be introduced or emphasized in the constitution of the different Universities in India, the proper course for them to pursue was to have laid down these principles in a general Resolution, and to have directed the Local Governments to introduce amending legislation to give effect to them without doing any undue and unnecessary violence to the special character and growth of each University. It would then have been possible to legislate for the different Universities in India with a full knowledge of local conditions, and after giving due weight to local objections and criticisms. And we should not have witnessed the spectacle of men generalizing for five Universities from their knowledge of a single University, and assisting in the work of legislation for Universities other than their own, in greater or less ignorance of their special conditions. If the amending legislation for Bombay had been undertaken in the Bombay Legislative Council instead of here, I am confident that the Bill would have been much more satisfactory, as the changes proposed would have had to face the fullest discussion and the closest scrutiny on the spot. My Lord, I see no justification for extending the provisions of this Bill to the case of the Bombay University; the record of that University is on the whole such that it may well regard it with a sense of satisfaction. It has been a record of powers well and judiciously exercised, of continuous attempts to raise the standard of education by a revision of the courses of instruction from time to time, and in other ways. Take, for instance, the question of the affiliation of Colleges

There are only eleven Arts Colleges in the whole of the Bombay Presidency, and of these, only one is a second grade College, and that is in the Native State of Kolhapur. Of these eleven Colleges, two are Government institutions, four more are in Native States with the resources of these States at their back, two more are maintained by Municipal bodies with the assistance of the Government and of the general public, and only three are private Colleges, of which two are missionary institutions and one only of indigenous growth. All these private Colleges receive substantial grants-in-aid from Government. In the case of not a single one of these Colleges can it be said that it has been started for private gain. Their constant endeavour has been to place better and better facilities for real education at the disposal of their students. All these Colleges, with the exception of the second grade College at Kolhapur, provide residence in College for at least a part of their students. In my College we have built residential quarters for more than half of our students, and two of our Professors reside on College grounds. A large spot of 37 acres in one of the finest localities outside the city of Poona has been secured for the College, and College buildings with residential quarters for the students and houses for Professors have been built thereon. We are making continuous additions to our library and laboratory, and in fact no effort is being spared to make the College as much a seat of true College life as it is, in existing circumstances, possible. What is true of my College is true of other Colleges in the Presidency also. Only Bombay and Poona have more than one College each, Bombay having three and Poona two. No suggestion has ever been made that any College encourages a spirit of low rivalry such as is justly objected to by the Universities Commission in their Report: there is of course room, and great room, for improvement in the Bombay Colleges; but that is, in reality, a question of men and means, and this Bill has no connection with it. Again, it cannot be urged with any regard for fairness that the Bombay Senate has ever attempted to lower the standard of efficiency or discipline. On the other hand, it has steadily striven to raise its standards for the different examinations. Thus, taking its work in the Faculty of Arts, we find that it has extended the old course of three years between Matriculation and B. A. to four years: substituted two examinations in place of the old F.E.A., made History and Political Economy compulsory subjects in the B.A., and raised considerably the standard of English and the classical languages required for the several examinations. In all matters relating to courses of instruction and the selection of text-books it has invariably followed the advice of educational experts. So far as I know, there have been only two occasions of importance on which there has been a difference of opinion between a majority

[18TH MARCH, 1904.]

[Mr. Gokhale.]

of European educational experts and the general body of the Senate, but these were matters not specially falling within the particular sphere of the experts, and in regard to both of them I think the Senate was right in its decision. One such occasion was when the Deans of the several Faculties were made *ex officio* members of the Syndicate. Though the experts opposed this reform at the time, they themselves admit now that it has proved useful. The second occasion was when an attempt was made to introduce examinations by compartments, after the Madras system. The reform was recommended by a Committee which included two European educationists—Dr. Peterson and the Rev. Mr. Scott; but a majority of European experts in the Senate, opposed it and though the proposal was carried in the Senate it was subsequently vetoed by Government. But whatever difference of opinion there may be about the soundness or unsoundness of the proposal, I think it is absurd to describe it as an attempt to lower the standard of University education. It may be asked why, if the state of things has on the whole been so satisfactory in Bombay, so many of the European educationists there are supporting the Bill. The answer to that, I think, is simple. By this Bill the Government of India go out of their way to make a present of a permanent monopoly of power to European educationists, and it is not to be expected that they should raise any objection to such a course. One of the strongest supporters of this Bill on our side is our present Vice-Chancellor. He was a member of the Universities Commission and has signed the Commission's Report. Well, twelve years ago, when an attempt was made by the Bombay University to secure an amendment of its Act of Incorporation, Dr. Mackichan took a most active part in the deliberations of the Senate. And he then was strongly in favour of fixing the number of Fellows at 200, of giving no statutory recognition to the Syndicate with or without a Professorial majority, and of leaving a large measure of independence to the University. Of course, he has every right to change his views, but that does not mean that those who now hold the views which he so strongly advocated twelve years ago are necessarily in the wrong. My Lord, it is true that certain educational experts have in the past exercised a commanding influence in the deliberations of our Senate, and it is also true that men who have succeeded to their places have not necessarily succeeded to that influence. But the great educationists who ruled our University in the past did so not merely because they were educational experts but because they were men bound to lead wherever they were placed. Such great influence has also, sometimes, been exercised by men not actually engaged in the work of teaching. Of the former class, Sir Alexander

[18TH MARCH, 1904.] [*Mr. Gokhale ; Mr. Raleigh.*]

Grant and Dr. Wordsworth may be mentioned as the most shining examples. Of the latter class have been men like Sir Raymond West, the late Mr. Telang, the late Mr. Ranade and the Hon'ble Mr. P. M. Mehta—all lawyers, be it noted. Their influence has been due to their great talents and attainments, their sincere devotion to the cause of higher education, and their possession of that magnetic personality without which no man, however learned, can hope to lead even in a learned assembly. To object to the ascendancy of such men over the minds of their Fellows is really to quarrel with the laws of human nature. My Lord, I submit the Bombay Senate has not deserved to be extinguished in so summary a fashion as this Bill proposes, and I, therefore, move that the Bill be not extended to Bombay."

The Hon'ble MR. RALEIGH said :—" My Lord, the history of the proposal to deal with the five Universities in one Bill is briefly as follows. When the Commission was sitting we took the opportunity to consult the Judges and others who gave evidence on the question as to the form which legislation should take, if legislation should be required. The advice we received pointed in the direction of a repeal of the five Acts of Incorporation and the substitution of five new Acts for them. When I came to discuss the matter with my Hon'ble Colleague Dr. Gurudas Banerjee, it seemed to us undesirable to break so suddenly and so completely with the past. We set ourselves to discover whether it would not be possible to keep the original Acts of Incorporation with such tradition and sentiment as had gathered round them, and to provide for the constitutional changes that appeared to us to be required by means of a general amending Bill. In the case of the three older Universities the problem presented very little difficulty, because in those cases the original constitutions were almost verbally the same; the changes which the Commissioners were prepared to recommend were the same in each case; and there seemed to be no difficulty at all in legislating for them in one Bill. The two junior Universities stood upon a different footing. That part of my argument I propose to postpone until we come to the amendment which stands in the name of my Hon'ble Colleague Rai Sri Ram Bahadur. There was one point which the Hon'ble Mr. Gokhale made at the outset of his speech which I feel bound to take up. He has said, and a good many other people have said before him, that four of the five Universities are being sacrificed to Calcutta. There is a very general disposition in other Universities to say, this may be an excellent Bill for Calcutta, but we are much too good to require it. This is a view of the matter which, as Vice-Chancellor of the Calcutta University, I entirely decline to accept. We have teachers as good and students as good in Calcutta as any

[18TH MARCH, 1904.]

[*Mr. Raleigh.*]

other University can show; and the men we turn out hold their own in the competition of civil life with students of any other University. We admit perhaps we are sometimes too candid in admitting that there are defects in our organisation and that there are occasional abuses. But I say deliberately, and if necessary I can prove, that the same defects and even the same abuses are not unknown elsewhere. There is a great deal in my Hon'ble Colleague's account of his own University which I can cordially accept, and I will admit that if the Bombay University stood alone the case for a Bill of this character would not be so strong as it is. The Western Presidency has enjoyed the advantage of being led in educational matters by men not only of great ability but of great wisdom. These men have set a high standard of what a College in a University ought to be. The result is that the Colleges of Bombay are comparatively few, while their standard of efficiency is comparatively very high. But even in Bombay there is room for improvement. To take first the great City Colleges in Bombay itself. I regret to say that they afford a striking illustration of the evils which arise from assembling large numbers of students in Arts and Medicine without making any adequate provision for residence and discipline. Go through those Colleges and you will find that the most ambitious teachers in them are inclined to complain that a great deal of the instruction is of an elementary character such as really ought to be done in high schools; that the standards of the University courses are in some points not high enough, and I have the authority of my Hon'ble Colleague Mr. Pedler for saying that this remark applies with special force to scientific instruction. The University of Bombay has made as yet no adequate provision for advanced study. All these are defects which I point out. Take any competent teacher in Bombay, and ask him why these vital questions are not brought up in the Bombay Senate, and he will tell you that the Senate is a body of three hundred gentlemen, the great majority of whom have had no practical connection with University work, and that the prevailing sentiment of that learned body is one of robust satisfaction with things as they are; indeed, it is so difficult for the opinions of teachers who wish to make progress in any subject to get even a hearing in the Bombay Senate, that some of them ceased to attend the Senate or to speak in it because they see no chance of obtaining a hearing for their opinions. We propose now to give Bombay a working Senate in which the teachers of the University will have that share of influence to which they are justly entitled. My Hon'ble Colleague declines to co-operate with us in securing this reform, and so far as I can see he offers us no alternative. In his Note of Dissent, indeed, he says that we are beginning at the wrong end, and that we ought to begin by strengthening the Colleges. That, I may point out to my

[*Mr. Raleigh; Dr. Bhandharkar; Sir Denzil* [18TH MARCH, 1904.]
Ibbetson.]

Hon'ble Colleague, is not a logical alternative. We ought to do, and I hope we are doing, all that we can to strengthen the Colleges in Bombay and elsewhere by getting teachers from Europe and in other ways, but when it comes to be a question of University standards no body knows better than my Hon'ble Colleague that the Colleges cannot do what they would wish to do,

"I will take my illustrations from the Fergusson College itself. The Hon'ble Mr. Gokhale will remember the evidence on behalf of that College which was given before the University Commission, and I will remind him specially of a very able written statement in which Mr. Paranjpye gave us with unflinching candour his estimate of Bombay University mathematics. It is to be hoped that the example of Mr. Paranjpye may induce the students of the Fergusson College to press beyond the requirements of the University course, but as things now stand Mr. Paranjpye has no power to do anything to improve the general standard of mathematical teaching in the University. We propose now to give Bombay a Senate in which Mr. Paranjpye will have the chance of raising the whole standard of mathematical teaching not only in his own College but throughout the University; and it is not for the first time that I must express great regret that we cannot carry the Hon'ble Mr. Gokhale with us in making what seems to me a very necessary and reasonable proposal."

The Hon'ble DR. BHANDHARKAR said:—"What I have to say on this point I intend to say on the last motion that the Bill be passed. Now, however, I may state generally, that I entirely disagree with what has fallen from my Hon'ble friend Mr. Gokhale. I do think the Bombay University does require reform. The state of things consequent on the peculiar composition of the Senate has been so bad that, when I heard of such a Bill as this being under consideration, I literally said to myself the day of deliverance had come. For the Senate has been in the hands of men who, following other occupations, do not understand much of real education but are actuated by other considerations. The matters of interest to them are other than educational, and consequently any real educational reform has no chance of being fairly considered so long as the state of things is what it is at present. I shall state more in detail in the speech that I am going to make, why it is that I consider that the Bombay Senate requires as much reform as any other. I know something of the Bombay Senate at first hand, having myself been a member for thirty-eight years, and of the Syndicate for eight years and Chairman of the Syndicate for two years."

The Hon'ble SIR DENZIL IBBERTSON said:—"My Lord, it seems to me that it is impossible to consider this motion as an isolated motion, without

[18TH MARCH, 1904.]

[*Sir Denzil Ibbetson.*]

reference to the fact that it is followed by two similar motions, one by the Hon'ble Nawab Saiyid Muhammad to exclude the University of Madras from the operation of the Bill, and the other by the Hon'ble Rai Sri Ram Bahadur to exclude the University of Allahabad from the operation of the Bill. In each case no doubt the argument will be the same as that which the Hon'ble Mr. Gokhale has put before us. Mr. Gokhale's argument is that the present constitution of the University of Bombay is so satisfactory, that the work done by the University under that constitution is so excellent, that there is no need, I will not say for any reform, but at any rate for such a large measure of reform as is provided for by the Bill before us. I may remark in passing that in support of that contention, he advances what seems to me the extraordinary argument that Dr. Mackichan entertained, twelve years ago, different views from those which he lately expressed—the natural deduction from which appears to me to be, that twelve years' experience of the working of the University at Bombay as at present constituted, has compelled an educational officer of authority and intelligence to abandon views which he held strongly before that experience, and has convinced him of the necessity of reform. At any rate, the Hon'ble Mr. Gokhale sums up his reasons for proposing to exclude Bombay from the operation of this Bill by asserting that the provisions of the Bill amount to an unjust condemnation of that University. I have no doubt that we shall be told the provisions of the Bill amount to an unjust condemnation of the Madras and Allahabad Universities; and I think that it is not impossible that if we had had an independent representative of the Punjab University on the Council, we might also have been told that the Bill amounts to an unjust condemnation of the Punjab University. Now I would ask the Council if we, its members, sitting round this table, are prepared to adjudicate upon the relative merits of the different Universities, to differentiate between them, to decide that Madras is worthy and Bombay unworthy, that Allahabad is worthy and the Punjab is not, that in one case the Bill is needed and in another case it is unnecessary. If not, then it seems to me that the only logical course before us is either to accept all these three amendments or to reject them all. Now I should like to call attention to the result which will follow if we accept them all. The fourth paragraph of the preamble to the Bill would read as follows :—

'And whereas it is expedient to amend the law relating to the Universities of British India except Bombay, except Madras, and except Allahabad.'

"That is to be given as one of our reasons for the legislation which this Council is asked to pass. If we were to accept these three amendments, it would simply reduce the Bill to a farce. And it would do more. It would

[*Sir Denzil Ibbetson ; Mr. Gokhale.*] [18TH MARCH, 1904.]

make it invidious in the highest degree. I am a Fellow of the Punjab University, and had a good deal to do with its organisation in its early days ; and I suppose that I may regard myself as the representative of that University upon this Council. I do not propose to move that the word 'Punjab' be omitted from this Bill wherever it occurs ; but I do not for a moment admit that the Punjab University is in any way inferior to its sister at Allahabad, with which I compare it because the two Universities are run on the same lines ; and I do protest most strongly against anything which should suggest, with the authority of this Council at its back, that besides the Calcutta University, the Punjab University is the only one in India that is in need of substantial reform."

The Hon'ble MR. GOKHALE said :—"In replying to the speeches made on my amendment I would first deal with what has fallen from the Hon'ble Sir Denzil Ibbetson. The Hon'ble Member imagines that I have stated that the Senate of Bombay needs no reform whatever and that things are so satisfactory that everything ought to be kept as it is. I cannot charge my memory with having ever said any such thing. I have made two speeches in this Council and written a Note of Dissent. Nowhere have I said that the state of things in Bombay ought to be allowed to continue as it is and that no reform is needed ; but because I am not prepared to say that the state of things is wholly satisfactory, therefore it does not follow that I am bound to accept or approve of every suggestion of those who have undertaken the work of reform. As regards the complaint that we have no alternative remedy to propose, I submit, my Lord, that it is not a just complaint. As a matter of fact, Sir Raymond West, an eminent educationalist, had drafted a Bill for reforming the constitution of the Bombay University more than twelve years ago. This had met with the acceptance of a large number of persons interested in the work of education, and if reference is made to that measure Government will find that there is an alternative scheme, which would be generally acceptable. The Hon'ble Member says that if Dr. Mackichan has changed his views after twelve years, that is an argument in favour of this Bill. But when Dr. Mackichan expressed these views he had already been Vice-Chancellor of the University, and if a man's views are in a fluid condition, even when he has attained so high a position, I don't think that his change of views should carry so much weight as the Hon'ble Member seems inclined to attach to it.

"Then the Hon'ble Sir Denzil Ibbetson says that if this amendment is accepted and if some other amendment is accepted and if a third amendment is accepted, there will be very little left of the Bill. I for one will rejoice if the

[18TH MARCH, 1904.]

[*Mr. Gokhale.*]

Bill is withdrawn altogether. We are not bound to pass a Bill as it stands simply because it will be useless if we do not pass the whole of it.

"With regard to what has fallen from the Hon'ble Dr. Bhandarkar,—the learned Doctor was my Professor at College and I cannot speak of him or of anything that falls from him except with great reverence,—I would ask him to state facts as well as opinions, which opinions would, I may remark, derive additional weight if based on facts. I would like to know what reforms in the course of instruction were proposed by the experts and resisted by the lay members of the Senate.

"The Hon'ble Mr. Raleigh, to whose appreciative remarks about the Bombay University I listened with great pleasure, takes the same view as Dr. Bhandarkar, and he says that he was told by certain educational experts and Professors in Bombay that it was hopeless to get a hearing for any matter of educational reform at the meetings of the Bombay Senate. My answer to that is what I have already given to Dr. Bhandarkar. I would like to know the instances in which this occurred, because facts in this controversy are of more value than mere statements: I would like to know in how many cases attempts were made to introduce measures of reform by the experts, and in how many they were defeated in their attempts by the opposition of the non-expert element.

"If these men merely stayed at home and thought that no reform that they proposed was likely to be accepted, and if in consequence they did not attend the meetings of the Senate, I think that their position there was not quite justified. A member should not sit quietly at home under the impression that he would not get a hearing, and he failed in his duty unless he took active steps to introduce any measure of reform. The Hon'ble Member referred to Mr. Paranjpe of my College and to the evidence he gave when fresh from England. I shall be delighted if the Bombay University allows men like Mr. Paranjpe to regulate their courses of mathematical instruction, but I have here the authority of my friend Dr. Mukhopadhyaya that it is difficult to get the Calcutta University to revise its mathematical courses of instruction because of the opposition of the experts. As a matter of fact, the strongest opposition to reform very often comes from men who are themselves teachers, whose standard is not very high, who are unwilling to read new books and who object to leaving familiar grooves. It is the professors of the Bombay Colleges that have for

[*Mr. Gokhale ; Nawab Saiyid Muhammad ; Mr. [18TH MARCH, 1904.] Raleigh.*]

many years practically ruled the Syndicate, and I would like to know how often they used their power to effect reforms which they now say they have long been anxious to introduce."

The motion was put and negatived.

The Hon'ble NAWAB SAIYID MUHAMMAD moved that from the preamble the word "Madras", wherever it occurs, and the reference to Act XXVII of 1857 be omitted, and that the words "except Madras" be added after the words "British India". He said :—"My Lord, in moving that the Madras University be eliminated from the scope of this Bill I have been guided by the consideration that neither the evidence taken by the Universities Commission in Madras nor the Report of that body contains any satisfactory proof that that University, as at present constituted, has failed to fulfil the object for which it was established. A reform is justifiable only when there is an evil to be removed. Whatever may be said of any other University in India, there is nothing to indicate that the Madras University has proved a failure in any respect. I will not attempt to dwell at great length on this point by giving a list of the many eminent men this University has produced, or indicating the manner in which the *alumni* of the Madras University have distinguished themselves in many professions and paths of life, in letters and in affairs. The University and its governing body deserve well of the Government, and the weight of evidence does not support their supersession by another constitution and a new University."

The Hon'ble MR. RALEIGH said :—"My Lord, it is obviously impossible for me to deal fully with the question raised in regard to the evidence before the Commission, but I can say with some confidence that the evidence taken by the Commission in regard to Madras presented the same general characteristics as the evidence which I have already mentioned in speaking of Bombay. No doubt, a very large amount of most excellent work has been done in the Southern Presidency, and when remarks are made at this Board as to our passing a wholesale condemnation on this or that University, I wish to dissociate myself from anything of the kind. There is a great deal in the work of the Madras University which commands my cordial admiration, but when my Hon'ble Colleague refers to the evidence I think he must have forgotten the evidence of some of the leading men in Madras, and I will mention more especially Sir Bhashyam Aiyengar, who put before the Commission in the most serious way his opinion that the standards of the University for its

[181H MARCH, 1904.] [*Mr. Raleigh; Mr. Bilderbeck.*]

ordinary degrees were inadequate and that enough was not being done for advanced study and for the encouragement of learning. So strongly did Sir Bhashyam feel this that he laid before the Commission, if I recollect rightly, propositions which were considerably more revolutionary than anything which the Commission ultimately saw their way to recommend. For the general part of my argument I must be content to refer to what I said in reply to the Hon'ble Mr. Gokhale; but I would ask my Hon'ble Colleague to consider that whatever opposition there may be to this Bill in Madras we are entitled to say that, if votes must be weighed as well as counted, we can claim the support of those men who are best entitled to be heard in any University question in Madras. That University was represented in the Commission by two members, by our late Colleague the Nawab Syed Hossain Bilgrami and by Dr. Bourne, who has since become Director of Public Instruction. I claim them both as convinced supporters of the policy of this Bill. And there is another name which I cannot deny myself the pleasure of quoting. There is no man who has a better right to speak for the cause of education in Madras than Dr. Miller of the Christian College, and as we all know if Dr. Miller thinks the Government is wrong he never has any scruple about telling the Government so in unequivocal terms. Dr. Miller, subject to certain observations which have been duly considered by the Select Committee, warmly supports this Bill, and says that he thinks it will do a great deal of good. I venture to set the opinion which I have quoted against what my Hon'ble Colleague has said, and I hope the Council will reject this amendment."

The Hon'ble MR. BILDERBECK said:—"My Lord, a predecessor of my Hon'ble Colleague, the learned Member in charge of this Bill, has immortalized for us the heroic defence of 'the dauntless three' on Tiber bridge, and I think Macaulay's successor has been in some way instrumental in creating for us a very similar scene in this Council chamber. For Horatius and his gallant companions put our three Hon'ble Colleagues the movers of the amendments in Nos. 4, 5, 6 of the Agenda paper, and for the bridge over the Tiber put the preamble to this Bill, and I think there is some justification for the analogy. I only fear that there may be still more in the analogy than first suggests itself, for, from the language that has been employed on various occasions, it would appear as if some were under the impression that the cause of liberty and independence is again being defended against a Tarquin and a Porsena, masquerading in the guise of a Government of India. I take it that in this motion and its congeners a final heroic effort is being made to wreck the Bill and check the inroad of tyranny.

[18TH MARCH, 1904.]

[*Mr. Bilderbeck.*]

"If my Hon'ble Colleague Nawab Saiyid Muhammad had, at some earlier stage of the Bill, moved that Government should be respectfully requested to re-consider its determination to introduce a Bill which took into its purview all the Indian Universities and to substitute for this a group of Bills dealing with the different Universities individually, I must honestly confess that I should have found considerable difficulty in making up my mind whether or no it was my duty to support him, for there can be little doubt that the arguments that may be advanced against a general Bill are many and weighty. When, however, a motion like the present one is brought forward at the eleventh hour, and when no satisfactory reasons for this action seem to be forthcoming, I think there is no need for hesitation on my part in both speaking and voting against the motion.

"It must be remembered that the proposal for a general Act was made by the Universities Commission nearly two years ago, and that the Bill itself has been before the Council since the 4th November, 1903. Ample time has, therefore, been at the disposal of those who may have wished to move formal proposals for the modification of the Bill.

"So far as I am aware, no objection on account of its comprehensive character has been raised against the Bill by the Government of Madras, and from intimate personal knowledge I can say that, whatever may have been the views on the subject of individual members of the Senate of the Madras University, this Senate, as a whole, passed no resolution condemning the inclusion of Madras within the scope of the Bill, when it was called upon to consider the recommendations of the Universities Commission. It is, however, only fair to add that the Madras Senate has not had the opportunity of discussing the provisions of the Bill in its original form.

"My Lord, I am of opinion that the Bill contains several important and necessary provisions and embodies principles which, if the University of Madras had formed the subject of a separate legislative enactment, would have found place in such an enactment. No other result could have been expected after Your Lordship's declarations as to the educational policy of Government and after the Universities Commission had submitted its report. There are many in Madras who think that, except in the matter of the reconstruction of the Senate and of the provisions that give to Government large powers of intervention in the affairs of the University, there is not much in the Bill that can be called revolutionary, or is calculated to effect any serious disturbance in the existing order of things. The resemblance of some of the provisions of the

[18TH MARCH, 1904.] [*Mr. Bilderbeck; Sir Arundel Arundel.*]

Bill to the regulations of the Madras University carries with it the sincerest form of flattery. It follows, therefore, that in respect to a considerable part of the Bill, there is not much to which exception could be taken in Madras. The question of the reconstitution of the Senate is a very different matter. My Lord, I believe there is no part of the Bill that has so powerfully operated in provoking a spirit of criticism and opposition as the provisions which relate to the reconstruction of the Universities. Making, as they do, a clean sweep of all existing Senates without distinction of places or persons, these provisions invade many imagined vested interests and cannot but cause widespread mortification among individuals who attach considerable value to the possession of a Fellowship and who, in many instances, have conscientiously and efficiently discharged their duties as Fellows. It is impossible not to feel sympathy with those who regard themselves as the victims of unjust treatment, but, as it is equally impossible to believe that Government could have failed to anticipate or been callously indifferent to the natural results of its proposals, fair-minded criticism must conclude that the policy under reference has been deliberately adopted only because Government could not see its way to devising a scheme which, while it took into account the susceptibilities of individuals, would at the same time meet all the conditions and necessities of the difficult and all-important problem of remedying the defects and improving the efficiency of the Universities in India. In respect to the reconstitution of Senates, the Bill embodies provisions for the improvement of University systems which, it seems to me, are as applicable to the case of Madras as to other Universities; but I here only touch upon the question, as I hope to have the opportunity of dealing with it more fully at a later stage of the debate."

The Hon'ble SIR ARUNDEL ARUNDEL said :—" It is surprising that the Hon'ble Saiyid should desire to exclude the Madras University from the purview of the Bill, for I did not gather from his speech on the introduction of the Bill that he was opposed to the principle of it, though he desired modifications in detail. To my mind one of the greatest improvements that will be effected by this Bill when it becomes law, will be the reform of the Senates in the reduction of the numbers to maximum of 100 Ordinary Fellows, in the limitation of tenure of a Fellowship to a term of years, and in the efficiency that must result from the care that will inevitably be taken in the appointment of the Fellows whether by election or by nomination.

" Now, as the Hon'ble Member speaks on behalf of the Madras University,

[Sir Arundel Arundel.] [18TH MARCH, 1904.]

I cannot understand how he can set aside the great weight of expert opinion in favour of this most important reform.

"The Revd. Dr. Miller, who entirely approves of the general tenor of the Bill and also of the reduction of the number of Fellows to 100 so far as the needs of the present are concerned, expressed the opinion that the Senate was too large, and would be even if all its members were efficient.

"The Rev. Father Sewell, who considers the provisions of the Bill calculated to give general satisfaction to all those who have the interests of education in India at heart, said :—

'The Senate is a very unwieldy body and needs to be reformed. Fellows have been nominated on account of some special distinction or because Government wished to reward them for services to the State.'

"Mr. Saththianandhan, Professor of Mental and Moral Science at the Presidency College, a graduate of Madras and also of Cambridge, says there is a feeling that the Senate is too large and has very little to do with the working of the University.

"Mr. G. Subramania Iyer, a Graduate, Editor of the *Madras Standard*, said that steps should be taken to diminish the number of Fellows. Although a drastic step it would be well to declare that after five years the present Fellows should vacate their appointments, and that fresh nominations should be made by the Government to start with and all subsequent nominations by the Senate and the Graduates. The total number of Fellows should not exceed 60 or 70, including 20 non-official members.

"The Revd. J. Cooling, of the Wesleyan Mission, said :—

'There is some ground for the complaint that the Senate is too large and that some of the Fellowships are given by way of compliment. It is expedient to make the Fellowships terminable. The total number for Madras should be from 100 to 120.'

"Sir V. Bhashyam Iyengar, Judge of the High Court, said :—

'The Senate has become very unwieldy. The present Senate should be dissolved, and the numerical strength fixed at a minimum of 30 and a maximum of 50, with certain *ex officio* members over and above these. The whole body should be dissolved and the first nomination of Fellows should be by Government.'

"I have quoted the opinions of three most experienced educationalists representing European Missions, representing the Presbyterians, the Roman Catholics and the Wesleyans, and of three representative Indians, a newspaper editor, a College Professor and a distinguished High Court Judge, and could

[18TH MARCH, 1904.] [*Sir Arundel Arundel; Rai Sri Ram Bahadur.*]

add many more, together with the general weight of official evidence in the same direction. As regards the vital reform of the Senate of Madras, no less than of the other Universities, I do not see how it is possible to set aside such a weight of disinterested evidence. I was myself member of the Senate for twenty years, and would add my own testimony in favour of reform, while at the same time I am glad to be able to say here that I retain a sincere respect for the high tone that ordinarily characterized the discussion in the Madras University Senate, and I know that the Syndicate to which for a time I had the honour to belong, was usually a thoroughly businesslike and efficient body of men. I may safely concede to my Hon'ble friend that if the Madras University had been the only University in India, there might not have been the same urgency for legislation that now exists, though the defects that characterize it in common with the other Universities would have had at some time or other to be removed. It would be a grievous mistake if they were not removed now."

The motion was put and negatived.

The Hon'ble RAI SRI RAM BAHADUR moved that from the preamble the word "Allahabad" and the reference to Act XVIII of 1887 be omitted, and the words "except Allahabad" be added after the words "British India". He said :—"My Lord, the University of Allahabad was established in November 1887, and is now more than sixteen years old. The framers of its Act of Incorporation had the experience of the older Universities before them, and took good care to remove the shortcomings and avoid the pitfalls of the enactments relating to those Universities. The United Provinces had at that time the good fortune of having at the head of their administration Sir Alfred Lyall, a statesman who, by his scholastic attainments, long connection with the country, and the knowledge of the requirements of the people, was eminently fitted to carry out the work of establishing a University for those Provinces, and to provide it with a suitable and proper constitution. During the sixteen years that this Act has been in working, it has not been stated that its provisions have been found defective in any way in advancing the cause of high education in those provinces. The public expected that for introducing such sweeping and revolutionary changes in the existing constitution of the University, and its *modus operandi*, as we find in the Bill, the Government should have given some reasons in justification of the step taken by them. The Government have not taken the public into their confidence in this respect, and withheld the publication of the deliberations of the Simla Conference, to which the Indian public generally attribute the adoption of the policy of which they consider this Bill to be one of the results. So far as the

[*Rai Sri Ram Bahadur.*] [18TH MARCH, 1904.]

Allahabad University is concerned, neither the speech of the Hon'ble the Law Member, delivered at the time of introducing the Bill, nor the Statement of Objects and Reasons, does throw any light why such wholesale alterations in the most important provisions of the existing law have been considered necessary by Government.

"My Lord, in the United Provinces there is a consensus of opinion that no changes in the present University Act are called for; that that Act already provides for the attainment of many of the objects contemplated in this Bill; and that the provisions of this Bill, instead of advancing the cause of high education, will act in a retrograde direction.

"The Syndicate entertain the fear, writes the Registrar of the Allahabad University under the direction of the Syndicate, in his letter addressed to the Local Government,—

'that the Bill, if passed into law as it stands, might seriously injure and would certainly not benefit this University. The changes proposed in the appointment of the members of the Senate, and still more those proposed in the constitution of the Syndicate, would amount to a retrograde movement in the case of this University, and would result in positive harm to its work and interests.'

"The Sub-Committee of the Syndicate of the University, to which the Bill was referred for opinion, after taking it into careful consideration, expressed their opinion

'that its provisions would injure and not benefit this University, and (they) should ask that this University be excluded from its operation, seeing that the Bill is in places superfluous, and in others is in conflict with the present Act ** and the proposed reconstitution of the Syndicate will be a retrograde movement, and would in the main be seriously detrimental to the work and interests of this University.'

"My Lord, these are not the cries of the 'discontented B. A.' nor of the dissatisfied agitator, nor of persons interested in educational institutions started on the so-called commercial basis; but the deliberate opinion of the members of the sub-committee consisting of (1) the Hon'ble Mr. Justice Knox, of the Allahabad High Court, whose experience of this country as a civilian dates back from 1865, who has been a member of the Senate for the last twelve years and is Vice-Chancellor of the University, (2) the Hon'ble Mr. Conlan, Barrister-at-Law, whose experience of the country extends over a period of more than forty years, who has been a member of the Senate since 1889, and (3) Dr. Thibaut, a scholar of European celebrity and head of the premier Government College in the United Provinces and a member of the Senate since 1889. The Local Government has characterised the opinion of the Syndicate as 'the best

[18TH MARCH, 1904.] [*Rai Sri Ram Bahadur.*]

available expert opinion on the Bill, in its bearings on the Allahabad University' and has expressed concurrence with it.

"The heads of some of the aided Colleges also have expressed views similar to those of the Syndicate.

"The Graduates Association, representing the educated Indian public in general and the Graduates of the United Provinces in particular, has expressed its views against the provisions of the Bill; and so has the Vaishya Mahasabha, an association representing an educated and influential community in those Provinces.

"My Lord, the principal provisions of the Bill, so far as they have a bearing on the Allahabad University, fall into the following three categories: first, those which do already exist in the Act of 1887 or in the rules made thereunder and are therefore a surplusage; second, those which contemplate a radical change in the constitution of the Senate and especially in that of the Syndicate. With regard to them it is submitted that, according to the general opinion, those changes are not only uncalled for but, if introduced, will result in positive harm and will in no way benefit the University. Thirdly, those whose effect will be to leave the Senate a governing body in name only, with a curtailed independence and diminished representative character, and invest all the powers in Government and make the University only one of its departments.

"My Lord, whatever may be said with regard to other Universities, the Allahabad University, from its past history, shows that it does not in any way deserve such treatment. It should be left alone, and Government ought not to force on it a legislation the effect of which, as remarked by the Syndicate, would be to impede its 'progress in directions in which it has advanced with benefit to all whose interests are concerned, in order that the University may be brought into line with other Universities which may not have made similar advance, merely for the sake of surface uniformity.'

"My Lord, the principles underlying this Bill have, at the meeting of this Council on the 18th December last, been described by Your Excellency to be—

- '(1) to raise the standard of education all round and particularly that of high education, 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;
- '(2) to bring about better teaching by a superior class of teachers;

- ' (3) to provide for closer inspection of colleges and institutions which are now left practically alone ;
- ' (4) to place the government of Universities in competent, expert, and enthusiastic hands ; to reconstitute the Senates, to define and regulate the powers of the Syndicate ;
- ' (5) to give statutory recognition to the elected Fellows, who are now only appointed upon sufferance ;
- ' (6) to show the way by which our Universities, which are now merely examining Boards, can ultimately be converted into teaching institutions."

" My Lord, the soundness of these principles cannot be disputed, but the question which requires examination is whether any new legislation on these lines is required for the University of Allahabad.

Now, my Lord, the first object, *i.e.*, the raising of the standard of education, can be attained by the Universities by exacting a higher test of knowledge under the powers they already possess under the present law, and no fresh legislation is required. As to putting a stop to cramming, so long as the system of examinations at present in vogue is not materially improved, much cannot be done to stop it. If for an examination of such a superior nature as that for the Indian Civil Service the help of 'coaches' of the class of the late Mr. Wren is brought into requisition by the would-be examinees, the Indian student surely is not the only one of his class who resorts to cramming to get through his examination.

" The bringing about of better teaching by a superior class of teachers can be effected by improvement in the methods of appointment of the members of the tuitional staff, and by increasing the remuneration to be paid to them, which resolves itself into a question of ways and means. It is the allotment of liberal funds for this purpose and not legislation which can bring about the wished-for result.

" Section 17 of the Act and the regulations framed under it invest the Allahabad University with sufficient power to exercise close inspection on the institutions affiliated to it. These regulations do also provide as to the conditions which an institution applying for affiliation must fulfil, and the requisite qualifications which it must possess, before its application can be granted. And, if anything, the Allahabad University has been, in the exercise of this power, more strict than the other way. My Lord, Collegiate institutions started purely on the so-called commercial basis are unknown in my Province, and there is no apprehension of their coming into existence for some time to come.

[18TH MARCH, 1904.] [Rai Sri Ram Bahadur]

" With regard to the competency and enthusiasm of the body in whose hands the Allahabad University has been for the last sixteen years, no question has anywhere been raised.

" The Senate of the Allahabad University is composed of four classes of Fellows :—first, the *ex officio* ones whose number given in the Calendar is 17, but as the Principals of the Muir and Queen's Colleges appear by their names in other classes, their number is 15, and they are the Chief Justice of the Allahabad High Court, the Chief Commissioner of the Central Provinces, the Agent to the Governor General in Rajputana, three Secretaries to the Local Government, four Commissioners of the four important divisions, heads of the Educational Departments of the United and Central Provinces, the Bishop of Lucknow and the Principals of the Thomason College, Roorkee, and the Dehra Forest School.

" Then come the Fellows appointed at the time of the passing of the Act and whose names are given in the Schedule to the Act. By death or retirement their number is now reduced to 7. Of course no increase in the future is possible in this class.

" The third class consists of Fellows nominated by the Chancellor. Of the total number of 42, 30 are Government officials, and only 12 non-officials. Of these 42, 14 represent the educational interest, being either officers of the Educational Department, or members of the tuitional staff of Government or aided institutions. The above figures will show that the non-official element in no way finds a preponderance in the class of Fellows appointed by the Chancellor. On the contrary, it is in a very considerable minority.

" Coming now to the fourth class, *i.e.*, those elected by the Senate, their number at present is 42. Of these, 11 are Government officials, 9 belonging to the Educational Department. Of the remaining 31, 21 are connected with the different educational institutions affiliated to the University, thus leaving only 12 who are not officials and do not represent the educational interest. The above figures tell a good deal in what way the power of election has been exercised by the Senate during the period of the last fifteen years. The result is that of a total number of 106 Fellows of all classes, no less than 52 are persons, officials and non-officials, representing the educational interests; 32 Government officials, including the Chief Commissioner of the Central Provinces, Agent to the Governor General in Rajputana, Judges of High Court. etc., etc. These two classes make up the total of 84, leaving only 22 non-officials and not connected with education. The educational interest is thus represented by nearly half the number, and the

[*Rai Sri Ram Bahadur.*] [18TH MARCH, 1904.]

Government officers forming a little less than one-third, leaving a little more than one-sixth of the total number to represent all sections of the community in a Province having a population of nearly 48 millions.

"My Lord, no complaint has ever been raised either by the Government or by the public against the capacity or enthusiasm of the Senate, nor have any defects been pointed out in its management of the University.

"My Lord, since its very establishment, the Senate of the Allahabad University has enjoyed the statutory privilege of electing Fellows, equal in number to those appointed by the Government. These Fellows are not appointed upon sufferance, but in the exercise of a statutory power conferred upon the Senate by the Act of Incorporation. The constitution proposed in the Bill will be a retrograde step, as it will for no reason alleged limit the power of election to only 15 Fellows by the Senate, the Graduates and the Faculties, all put together; thus reducing the proportion of the elected Fellows to one-fifth only of the total number. Surely, my Lord, this cannot be called a forward step. Still this radical change, which involves such a curtailment of the right of election, and consequently reduces the chance of adequate representation of the different classes of the community, is intended to be introduced into the United Provinces, notwithstanding the remark of the Hon'ble Mr. Raleigh made in his speech at Simla, that there is no complaint as to the results of the rule under which elections have been made by the Allahabad University.

"The remaining object which it is said the Bill will accomplish is converting the Universities gradually into teaching institutions. My Lord, this is a subject on the utility of which opinions differ; and the Hon'ble Mr. Raleigh, in his speech delivered at the time of introducing the Bill, has not taken a very hopeful view of the matter, because, as explained by him, the schemes submitted before the Universities Commission 'were for the most part rather vague, and some of them involved an expenditure which Government is not in a position to face.' The Hon'ble the Law Member went on further to say that the 'problem must be worked out gradually with due regard to the interests and the sentiments of the Colleges concerned.' My Lord, if this scheme be ever launched, want of legal powers in the Allahabad University could never be in its way, as the present Act amply provides for it. 'In Act XVIII of 1887,' says the Report of the Universities Commission, 'the recitals and provisions, which have sometimes been construed as restricting the older Universities to the functions of examining bodies, are not repeated. There is, therefore, no doubt as to the legal power of the University to assume the functions of a teaching

[18TH MARCH, 1904.] [*Rai Sri Ram Bahadur ; Mr. Raleigh.*]

body.' Further on, section 17 empowers the Senate to make rules also on this subject. If sufficient funds be placed at the disposal of the University, classes for post-graduate studies can at once be opened without any difficulty.

"But, my Lord, the finances of that University are in a deplorable condition. No Government grant whatever is given to it. Expenditure is increasing with the increase in the number of examinations held; its receipts are, on the other hand, diminishing from year to year, and the amount of closing balance is being rapidly reduced. It is hoped that a portion of the annual grant of five lakhs, promised by Government, will be given to the Allahabad University to relieve it from the pressing necessities.

"My Lord, I hope I have been able to show to the Council that the existing law governing the Allahabad University makes ample provisions for everything which is required at present and which can be reasonably desired in order to improve high education in the provinces within its sphere of action, and that any interference with the present constitution of the Senate or of the Syndicate will not be progressive but a retrogressive measure, and that the officialisation of the University will in no way tend to advance the cause of high education. I should not, my Lord, be understood to contend for a moment that our present University Act is a perfect piece of legislation—no human law can be so—and does not require any modifications. But such modifications, if any, should be made by a separate enactment and in a different shape and not in the way this Bill proposes to do.

"For these reasons I move the amendment standing in my name, the effect of which if carried would be to take the Allahabad University out of this Bill."

The Hon'ble MR. RALEIGH said:—"My Lord, when the Commission was sitting at Allahabad we found much reason to congratulate the United Provinces upon the excellent work that had been done by the University in the sixteen years of its existence. With all that my Hon'ble Colleague has said on that head I have the pleasure to agree; but when he says that there is a consensus of opinion that the present constitution is a satisfactory one I must beg to differ, because I can well recollect the evidence of certain persons, whose opinion on any question touching that University would carry great weight, to the effect that the present position of the Allahabad Senate is by no means a satisfactory one. The Senate, however distinguished the individuals of whom it is composed, is a body so constituted that its opinion is not valued, and is very frequently not taken upon questions that concern the University. We have just had a

[Mr. Raleigh; Mr. Morrison.] [18TH MARCH, 1904.]

striking illustration of that, because during the last two years, while the older Universities have been debating the recommendations of the Commission and the provisions of this Bill with great vigour in their Senates, while we have before us full reports of what was said on both sides, reports from which we gather valuable instruction in regard to the manner in which this piece of legislation ought to be framed, the Allahabad Senate has not been consulted upon the point, and the document which my Hon'ble Colleague quotes is merely a letter from the Syndicate. I agree that the Syndicate as at present constituted has deserved well of the Allahabad University. But the predominance of a Syndicate containing so large an *ex officio* element is not without its drawbacks, and with a view to the future extension of University work there is much to be said for the proposal to give the University a working Senate. For this and for other reasons which were brought before us at Allahabad we came to the conclusion that in framing proposals for legislation the University of Allahabad could not possibly be left out, and though I am far from making light of the demonstrations of local opinion to which my Hon'ble Colleague has referred, I must give due weight to all the facts of the case. In my judgment and in the opinion of others with a better right to speak about Allahabad than I have it would be the greatest possible mistake to leave the youngest of our Universities out of this Bill, and the constitution we propose for it is better adapted to the needs of a growing University than the one it now has. To complete this part of my argument, I may say that the reasons for including the University of the Punjab in the Bill are the same as in the case of Allahabad. I cannot accept this amendment."

The Hon'ble MR. MORISON said:—"My Lord, I am inclined to agree with the Hon'ble Member that it would have been preferable to have had a separate Bill for each University; but I cannot for that reason support this amendment. I would rather have this Bill than no reform at all. The objection to a general Act dealing with five Universities at once is that such an Act may warp or arrest a natural local development suitable to the environment, but I think now that the Bill is redrafted that danger has been successfully avoided and there is no characteristic of the Allahabad University which is now in danger of being obliterated."

"The chief reason for the antipathy felt in Allahabad to the draft Bill was due to the proposed constitution of the Syndicate; we objected to being compelled to adopt an unfamiliar method of selecting our Syndicate; but section 15 has been redrafted in Committee and is, I believe, now elastic enough to include the form of Syndicate which is there preferred. I therefore no longer see any

[18TH MARCH, 1904.] [*Mr. Morison ; Mr. Gokhale.*]

reason for postponing the reforms which this Bill offers, and I should not be doing my duty to the Allahabad University if I did not bear testimony to the fact that it is quite the best University in India. But that is the very reason why I support this Bill. I do not think that the good Universities have anything to fear from this Bill."

The Hon'ble MR. GOKHALE said:—"My Lord, I have really no special knowledge of the state of things in Allahabad, but my curiosity has been aroused by the Hon'ble Mr. Raleigh's speech, and I trust Your Lordship will excuse a brief intervention on my part in this discussion. The Hon'ble Member says that when the Commission took evidence in Allahabad certain witnesses gave evidence to the effect that the state of things there was not quite satisfactory. Now I would really like to know who these mysterious advisers of the Commission were. They could not have had much weight with the Government, since the Government of the United Provinces has expressed its disapproval of this Bill. They could not be men holding prominent positions in the educational world, since their most prominent educationists are members of the Syndicate, and the condemnation of the Bill by the Syndicate is described by the Registrar to be unanimous or nearly unanimous. They could not also be representatives of the general public, since the Graduates' Association, as representing the views of the general public, has expressed its disapproval of this Bill. If certain stray witnesses gave evidence to the effect that the state of things in Allahabad was not satisfactory, surely neither the Commission nor the Government of India were justified in placing that above the opinion of the Local Government and of the educational experts.

"My Lord, this question really raises another much larger question, and that is, are the Supreme Government justified, not legally because they have the power legally, but morally, in overriding the wishes of the Local Government? The Supreme Government in this matter is merely a representative of authority: it is not a representative of educational knowledge or learning, though in the present case particular members of the Government may occupy distinguished positions in the educational world. And as the Government of India only represents authority, and this authority has been delegated for local purposes to the United Provinces Government, when that Government is opposed to a measure like this, I think the Government of India has no moral right to impose a measure like this upon those Provinces.

"There is another point about which I would say a word—and that has been suggested to me by the course of this discussion—in support of having one and the same Bill for all these different Universities. That argument seems to me to be moving in a vicious circle. We are asked to pass this Bill, for all the five

[*Mr. Gokhale ; Sir Denzil Ibbetson ; Rai Sri Ram* [18TH MARCH, 1904.]
Bahadur.]

Universities together, but we are practically told that if each University had stood by itself, such a Bill would not have been introduced in its case. Thus the Hon'ble Mr. Raleigh has told us that had the Bombay University stood alone, such legislation as the one proposed would not have been undertaken. He also says that the Calcutta University is as good as any other. Then Sir Arundel Arundel tells us that if Madras alone had been affected by the Bill it would not have been required; the Hon'ble Sir Denzil Ibbetson protests that the Punjab University is not a whit behind any others; and lastly, Mr. Morison says that the Allahabad University is really the best of all Universities. I would really like to know then which University it is whose sins have brought down upon the heads of all the wrath of the gods."

The Hon'ble SIR DENZIL IBBETSON said :—" I should like to say one word upon a remark made by the last speaker. The Hon'ble Mr. Gokhale said that the Government of India only represents authority. I absolutely deny that. The Government of India represents very much more than authority. It also represents responsibility—responsibility for the proper use of its authority which follows from the very possession of that authority—a responsibility which it would be abrogating its highest duty if it did not discharge it to the full. It is true that it delegates authority to Local Governments; but it delegates that authority subject to its own control; and it is essential to the due discharge of its responsibility that it should exercise that control wherever it considers that a case is made out for its exercise."

The Hon'ble RAI SRI RAM BAHADUR said :—" With regard to the remark made by the Hon'ble Law Member that there were witnesses who expressed opinions against the present working of the Senate of the Allahabad University, as their names are not disclosed, I have nothing to say. I have been anticipated in my other remarks by Hon'ble Mr. Gokhale. It has been said that the opinion that we have before us is the opinion of the Syndicate only and not of the Senate. It was no fault of the Senate that they gave no opinion on the subject, as the Local Government chose to consult the Syndicate only. Therefore, the Senate had not even an opportunity of expressing their opinion in their matter. The Hon'ble Mr. Morison will bear me out on this point.

" Then it has been said that we have here an opinion of a Syndicate only, and we do not know if there were any dissentient voices. My Lord, in the opinions submitted by the Government of the United Provinces we have the resolutions actually passed by the Syndicate, and these resolutions are given in the proceedings. There we do not find anything to show that anybody raised a dissentient voice with regard to the general conclusions arrived at

[18TH MARCH, 1904.] [*Rai Sri Ram Bahadur ; the President ; Dr. Asutosh Mukhopadhyaya.*]

by the Syndicate. So far as the proceedings show, we find that the resolutions were passed unanimously.

"Then the Hon'ble Mr. Morison has said that the reconstitution as now proposed in the amended Bill will remove many of the objections taken by the Syndicate as well as by the Local Government and the general public of the United Provinces. It may be so with regard to the Syndicate, but with regard to the Senate I find that there was general expression of opinion that this Bill if passed into law will curtail rights which have been enjoyed by them, and that the Bill will not be considered a wholesome measure in that respect, and in my opinion the Bill is open to the same serious objection as before."

His Excellency THE PRESIDENT said :— "I need only make one observation in reply to the parting shot of the Hon'ble Mr. Gokhale, and it is this. He thinks that he has placed us in a dilemma. I do not myself admit its existence. The fact is that everyone at this table recognises at the bottom of his heart, in the case of his own University, that it stands very much in need of reform ; and he is really only too glad, subject of course to modification in particulars, that this Bill is going to be applied to it ; but each Hon'ble Member, inspired by a patriotism that does him credit, but which must be taken with a certain discount by other Hon'ble Members, has thought it his duty to point out that his University is not the particular culprit that has brought down this piece of legislation upon the heads of all the other institutions. That is really, I think, the answer to the Hon'ble Member's question."

The motion was put and negatived.

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA moved that in clause 4, sub-clause (1), head (e), the following be added after sub-head (i) as sub-head (ii), the existing sub-heads (ii) and (iii) being re-numbered (iii) and (iv), namely :—

"(ii) elected by registered Heads of, or Professors in, Institutions affiliated to the University, and University Professors and Lecturers, if any."

He said :—"This amendment, standing by itself, is hardly intelligible, and it has to be read with the following connected amendments, which contain my whole scheme for election by Professors :—

"That in clause 6, sub-clause (1), after head (a) the following be inserted as head (b), the existing heads (b) and (c) being re-lettered (c) and (d), namely :—

'(b) ten shall be elected by registered Heads of, or Professors in, Institutions affiliated to the University and University Professors and Lecturers.'

[*Dr. Asutosh Mukhopadhyaya.*] [18TH MARCH, 1904.]

"That in clause 6, sub-clause (a), after head (a) the following be inserted as head (b), the existing heads (b) and (c) being re-lettered (c) and (d), namely:—

'(b) five shall be elected by registered Heads of, or Professors in, Institutions, affiliated to the University and University Professors and Lecturers.'

"That after clause 7 the following be inserted as a new clause, the existing clauses being re-numbered accordingly, namely:—

'(1) Once in every year, on such date as the Chancellor may appoint in this behalf, there shall, if necessary, be an election to fill any vacancy among the Ordinary Fellows elected by registered Heads of, or Professors in, Institutions affiliated to the University and University Professors and Lecturers.

(2) The Syndicate shall maintain a register on which any person who is the Head of, or Professor in, an Institution affiliated to the University or is a University Professor or Lecturer, shall, subject to the payment of an initial fee of such amount as may be prescribed under regulations made in this behalf, be entitled to have his name entered, upon application made within the period of three years from the commencement of this Act, or one year from the date on which, by reason of his appointment as Head or Professor or Lecturer, he becomes so entitled:

Provided, nevertheless, that if such application is made after the expiry of the aforesaid period, the applicant shall be entitled to have his name entered upon payment of the said initial fee and such further sum as may be prescribed under regulations made in this behalf.

(3) The name of any Head or Professor or Lecturer entered on the register shall, subject to the payment of an annual fee of such amount as may be prescribed under regulations made in this behalf, be retained thereon, so long as he continues to be the Head of, or Professor in, an Institution affiliated to the University or a University Professor or Lecturer, and in case of default or of his ceasing to be a Head or Professor or Lecturer, his name shall be removed therefrom:

Provided, nevertheless, that the name of such person shall at any time, if he is duly qualified, be re-entered upon payment of such sum as may be prescribed under regulations made in this behalf.

(4) No person other than a Head or a Professor or Lecturer whose name is entered in the said register, shall be qualified to vote or to be elected at an election held under sub-section (1):

Subject, nevertheless, to such directions as may be given from time to time by the Chancellor, with a view to secure a fair representation of the Government, Aided, and Unaided Institutions, as also of different branches of study on the Senate.

(5) If a question arises at any time as to whether any person is a *bond fide* Head of, or Professor in, an affiliated Institution for the purposes of this section, the matter shall be referred to the Senate, whose decision shall be final.'

[18TH MARCH, 1904.] [Dr. Asutosh Mukhopadhyaya.]

" Clause 4 of the Bill, as amended by the Select Committee, provides that of the Ordinary Fellows of the University, some shall be elected by the registered Graduates or by the Senate, some shall be elected by the Faculties, and the remainder shall be nominated by the Chancellor. In the Universities of Calcutta, Bombay and Madras, where registered Graduates will be allowed to elect, there will be no election by the Senate, but there will be an election by the Faculties; in the Universities of the Punjab and Allahabad, there will for the present be no election by registered Graduates, but there will be an election by the Senate and also an election by the Faculties. The object of my amendment is to provide for an election by registered Heads of or Professors in Institutions affiliated to the University and University Professors and lecturers, if any. I do not desire to conceal my deep regret that the Bill, as amended, makes no provision for election by the constituency which I have named—a constituency which, in my opinion, has the first and foremost claim on the University. If it be the object of the Bill to secure for the Universities an academic Senate and also to secure the closest possible co-operation between University and College authorities, I think it is essential that the right of representation on the Senate should be conferred by statute upon those who carry on the educational work of the Colleges affiliated to the University, and I regret to have to say that the omission to provide for such representation does, in my judgment, appear to be a grave defect in the Bill. Indeed, the only reason which can justify us in refusing a statutory right of representation to teachers is either that the other modes of election would necessarily enable teachers to be represented on the Senate, or that no workable and consistent scheme could be devised to secure the end in view. As to the first of these positions, it seems clear to me that an election by Graduates or an election by the Senate or an election by the Faculties can in no sense and in no manner replace an election by teachers. As to the body of Graduates who will form our electorate, members of the teaching profession are in a hopeless minority. As to the Senate, in the case of the Universities in which there will be an election by the Senate, even though teachers are strongly represented upon that body, it can hardly be contended with any show of justice that an election by the Senate is equivalent to an election by teachers; and the same remark obviously applies to an election by the Faculties. It is perfectly true that we cannot as yet have an election by Colleges, for the reason that our Colleges are not yet Corporations; but I venture to point out that we may well have an election by College Professors who, whatever their individual aims and interests may be, are united by one common tie, namely, that they have all devoted themselves to the carrying out

[*Dr. Asutosh Mukhopadhyaya.*] [18TH MARCH, 1904.]

of that educational work which it is the object of this Bill to promote. I further desire to point out that, although teachers may be, and will be, nominated by the Chancellor, such nomination can hardly replace an election by teachers themselves. Indeed, it would not be difficult to point out instances in which teachers of distinction, European and Indian, in Government service or in private employ, have not been put on the Senateres for many long years; and the reason is not far to seek; such must be the inevitable consequence, so long as we have teachers of eminence who are either unable or unwilling to press their claims upon Government, so that appointment to the Senate may not be unduly delayed or indefinitely postponed. If the right of election is conferred upon teachers, these are precisely the men whose claims are likely to be recognised by the electorate. To put the matter from another point of view, if the right of election is conferred upon teachers, they will be placed in a position to make recommendations to the Chancellor as to the persons whom he should nominate. My Lord, is there any doubt that the body of teachers we now possess or are likely to possess in the future, whatever their shortcomings may be, may safely be entrusted with the privilege of election? If there is any reasonable foundation for such doubt, I am afraid, my Lord, we are in a very bad way and no amount of legislation will be of any practical benefit. So far as I am concerned, I affirm without the slightest hesitation that the College teachers we have at the present moment may be implicitly entrusted with the privilege of election. The only question which then remains is whether it is possible to work out a consistent and practical scheme, and I have no doubt that if we earnestly seek for a solution, we may obtain one without much difficulty. I have myself worked out the details of one scheme which is embodied in my proposed amendment and which I submit to the judgment of my Hon'ble Colleagues. The substance of my scheme is that, with a Senate of one hundred, ten of the Fellows should be elected by registered Professors; I have provided for a system of registration in order to avoid any possibility of any dispute as to who may or may not be members of the constituency, and, in the case of any such dispute, I have provided for a decision by the Senate. But the cardinal point of my scheme is not merely that there should be an election by registered College Professors, but that such an election should be by them from amongst their own body.

"I have further provided that the Chancellor may give directions with a view to secure a fair representation of the Government, aided and unaided institutions, as also of different branches of study in the Senate. It may be conceded that the scheme is capable of improvement and may admit of

[18TH MARCH, 1904.] [*Dr. Asutosh Mukhopadhyaya ; Mr. Raleigh.*]

modification, but I find it impossible to persuade myself to believe that there is any real difficulty in working it in practice. If my scheme is accepted, we shall have—for instance, in the case of the University of Calcutta—an electorate of a possible maximum of 750, who will be permitted to elect ten amongst their own body. I do not entertain the slightest apprehension that an electorate like this, composed of Professors who are mostly Graduates of Indian or European Universities and who represent the interest of all the Colleges in the country, will in any way abuse the privilege conferred upon them. My Lord, I earnestly make an appeal on behalf of the teachers of this great Province and of the other Provinces over which the jurisdiction of the different Universities extends; and if my appeal to two such brilliant University men as Your Excellency and my Hon'ble friend in charge of the Bill prove ineffectual, it must be, not because the cause is weak, but because the advocate who has pleaded it is not equal to the occasion."

The Hon'ble MR. RALEIGH said :—" My Lord, I do not think that the case of College representation has lost anything by the advocacy of my Hon'ble friend; and I have listened to a great deal of what he said with a certain measure of sympathy. Our Universities are made up of Colleges, and it is very natural to suggest, and many people have suggested, that the University authorities should be constituted so as to represent the College. This is an idea, but it is an idea which, after the most careful reflection, I feel bound to leave to the future. It must be worked out more than my Hon'ble friend has been able to work it out in the amendments which are before Council. I feel bound to oppose this amendment for several reasons. The first is that we are already proposing in this Bill to give a very considerable scope to the elective principle. In response to demands which have been made upon us we have given elective rights to Graduates and to members of the Faculties. We have provided in that way for the election of four or of three Fellows in the year, as the case may be. Now we all know that while election in the Universities has yielded some good results, it has also been attended by some drawbacks, and I know by experience in Calcutta that even for the limited number of elections we have had it has not always been possible to secure suitable candidates. Moreover, my Hon'ble Colleague's proposal can only be worked out by providing a register of teachers. My Hon'ble friend will remember that this was a question which I raised when the Commission started its enquiry, and the question was suggested to my mind by the experience of the Commission which remodelled the constitution of the London University. I took the opinion of the leading men who gave evidence before the Commission on this point, and

[*Mr. Raleigh ; Mr. Bilderbeck.*] [18TH MARCH, 1904.]

the majority were of opinion that a register of teachers at the present moment is not practicable, that to draw up a register of teachers recognised by the University would raise so many disputes and create so many grievances that the advantage would not be worth the trouble it would cause. Even in the London University the greatest possible difficulty was found, and after endeavouring to lay down general principles the Commissioners found themselves constrained to deal with a large number of cases on their individual merits. Now until the thing has actually been done, until some University has taken up the question and has shown that a register of this kind can be formed, I do not think the scheme of my Hon'ble Colleague can be regarded as a practicable one. For these reasons I oppose this amendment."

The Hon'ble MR. BILDERBECK said :—"I agree in the abstract with the general suggestion made by Dr. Mukhopadhyaya, but I am in complete opposition to him as to the specific proposal made by him. As the Hon'ble Mr. Raleigh has pointed out, the scheme is practically unworkable, and as one with some knowledge of the practical working of a University, I hope I may be allowed to point out some particulars in which it is unworkable. Dr. Mukhopadhyaya lays down the proposition that the administration of a University should largely be placed in the hands of those actually engaged in the work of University teaching, *i.e.*, the Professors in the affiliated Colleges. Now this proposition unfortunately will not hold good, if the proposal is carried. To take the case of the University of Madras alone, we have twenty-one Colleges which are engaged in the full work of the University in preparing men for various degrees, and there are forty-one second grade Colleges. Now, Sir, I do not think that a second grade College can be described as an institution that is engaged, in the truest sense, in University work. I say nothing against those Colleges individually. Some of them are excellently conducted; very excellent discipline is maintained in them, and with regard to the staff very often individual members of the staff have academic qualifications quite as high as those of the gentlemen who find a place in full blown Colleges. But after all that can be said in favour of them, the second grade College is in my opinion nothing more nor less than a glorified high school. Then, again, among affiliated institutions, it is generally understood that there are some that are thoroughly inefficient and others that are very considerably below a proper standard of efficiency. Are these Colleges to be represented in the general administration of University affairs? It seems almost monstrous to suggest that they should be. There is another point. Dr. Mukhopadhyaya has said very truly that this proposal before us now can only be properly judged by a

[18TH MARCH, 1904.] [*Mr. Bilderbeck ; Mr. Morison.*]

reference to the complete set of proposals which are distributed in fragments in the amendments on the Agenda paper. However, the most important part of the provisions before the Council standing in the name of Dr. Mukhopadhyaya will be found in paragraph 39, and if Members will turn to the top of page 5 they will find the proposals embodied in these words :—

‘(a) The Syndicate shall maintain a register on which any person who is the Head of, or Professor in, an institution affiliated to the University or is a University Professor or Lecturer, shall, subject to the payment of an initial fee of such amount as may be prescribed under regulations made in this behalf, be entitled to have his name entered, upon application made within the period of three years from the commencement of this Act, or one year from the date on which, by reason of his appointment as Head or Professor or Lecturer, he becomes so entitled.’

“There are two main conditions here : first, a man must be a Professor in one of the affiliated Colleges ; secondly, he must pay a fee. Now it so happens, as is perfectly well known, that a large number of the Colleges, at all events in the Presidency of Madras, have high school departments attached to them, and it is a matter of common knowledge that a gentleman on the staff may be for two or three hours in the day a master in the school, and for the remainder of the day a Professor of mathematics or something in the College. Now it seems to me to be absurd to place a mere schoolmaster on a footing of equality with the true University Professor or perhaps a Professor with very long experience and of great eminence in a fully developed College. I do not wish to detain the Council by entering more fully into the details of the scheme before us which is open to various other objections, but I think I have said enough to show how unsatisfactory it must be in practice.”

The Hon'ble MR. MORISON said :—“No one feels more strongly than I do the importance of giving teachers a larger share in the government of the Universities ; but I cannot think that the device proposed by the Hon'ble Dr. Asutosh is the best means for attaining that end. The Heads and Professors of various Colleges scattered over a Province do not constitute a good electoral body, they have no opportunity of knowing each other or arriving at unanimity of opinion ; it is impossible for the Professors in Allahabad or Benares to know which member of the staff of the Agra College is most worthy of the honour of Fellowship. In practice we should be obliged to rely upon the statement of the Principal proposing one of his juniors ; and that practically comes to the same thing as appointment by the Chancellor from among educationalists. I don't think that this would be any improvement upon the proviso to section 10.”

The Hon'ble MR. PEDLER said :—"My Lord, I have some diffidence in opposing the motion of the Hon'ble Dr. Mukhopadhyaya, because it might be thought that I am acting against the interest of teachers. As a matter of fact, I believe I speak in the interest of all good teachers in opposing this motion. The Hon'ble Dr. Mukhopadhyaya's motion is good in theory ; but in India it is impossible in practice. The first essential of the working of this proposal is to introduce a register of Professors and Principals. The Indian idea as to what is meant by a professorship is exceedingly vague. Only within the last week or two as Director of Public Instruction I have received proposals from men in the Province of Bengal whose main occupation is only teaching in schools, and who may, perhaps, give lectures in a College department for an hour or two a week. These men have applied to be called Professors or Assistant Professors. I do not know whether they wish to be thought eligible for this proposed register.

"Again, I know of instances of men who go to various collegiate institutions, say, for half an hour a day, and such men are called Professors. I will give a specific instance within my own knowledge. For many years I was Meteorological Reporter to the Government of Bengal and of course had a considerable staff. I was asked on one occasion by one of my clerks for a week's casual leave, which I granted. About two months afterwards that clerk came to me and said, 'Sir, I have passed the B. A. Examination,' and I said, 'How is that—you are not attending any affiliated College?' 'Sir, I have gone up as a Lecturer or Teacher.' I said, 'What College has sent you up?' and he told me. Of course I made enquiries, and it turned out that this clerk used to go into this institution on his way to office, and after staying a short time there, he came on and did his day's work from 10-30 A.M. to 5 P.M. in the Meteorological Department. Such arrangements are, I believe, not an uncommon thing. Is such a man as that to be classed as a Professor? Is such a man to be put on the same register as the permanent head of a really first class College? Is a man who gives what are called lectures in second grade Colleges, or a man who may be a passed B. A. or a junior Sanskrit Pundit who may draw pay of from Rs. 30 or Rs. 50 a month, to be called a Professor, and are these to be put on this register and considered equal to a man who is a senior wrangler or a man like Professor Cowell who had a European reputation? The thing looked at in this way is to my mind absurd. Again, if you put all the Professors in Colleges in various parts of Bengal down in a register, the number would be extremely large, as there are 46 first grade Colleges and 32 second grade on the list of the Calcutta University. Some of these Collegés have

[18TH MARCH, 1904.] [Mr. Pedler ; Mr. Gokhale.]

say, 20 or 30 Professors, and some have only one or two. Are you going to put on the whole of these men or only a selection? Are you going to take only one or two, or the 20 or 30 from a College? All these are difficulties that are not met at all by the proposals made by Dr. Mukhopadhyaya. I may make another point—I know of certain Colleges where the Professors who have taken good degrees are engaged at the beginning of the session—that is in June—and when it comes to about the present time of the year, March or April, their services are dispensed with, while they may be re-engaged in June. I need not say that the object of this is to save their salaries for the three months. Are you going to place these men on the register—men who have no certainty of appointment, or continuity of work, are you prepared to consider all such men as equal in the list and to give them the same votes as the men who are permanently employed in first class Colleges and who spend their best energies working up to a high ideal of education? I think therefore that the proposal is good in theory, but that immediately you begin to work it out, immediately you begin to investigate the details with regard to its working in India, the proposal must fall to ground. I must, therefore, oppose the amendment."

The Hon'ble MR. GOKHALE said :—"I cordially support the amendment of my Hon'ble friend Dr. Asutosh Mukhopadhyaya. I think if there is any class of men who are entitled to representation in the University it is the class of Professors, and I would put them before the Graduates, because when the Graduates have once left the University their connection with that body is generally only sentimental, whereas the Professors are affected in the work of their daily life by the deliberations of the University.

"There is another reason why I want Professors to have representation. The Indian Professors are bound to be at a considerable disadvantage, if everything is left merely to Government nomination. This may not be intended, but it is likely to be the result of the practical operation of the measure.

"I see that Government are going to accept an amendment to restrict their powers to appoint Fellows and that two-fifths of the men nominated by Government will belong to the profession of teaching. My point, however, is that Indian Professors, except the most eminent among them, will have small chance of attracting the notice of Government. Let us not forget that when we talk of Government, very often that Government in actual practice means only the Secretary, in the Educational Department, and the range of his knowledge of men—especially of Indians—cannot but be limited. English Professors have

special facilities—social gatherings and so forth—for being known to the members of Government, but there is no such channel for Indian Professors, and this is an important reason why the Professors as a class should be allowed direct representation on the Senate.

"The Hon'ble Mr. Raleigh in opposing this motion said that he did not want to extend any further the elective principle at present, and that sufficient scope had been already given to the principle of election in this Bill. I beg to challenge the Hon'ble Member's statement on this point. So far as Allahabad is concerned, instead of expanding you have cut down the scope of the elective principle.

"You have cut down their right of election from 50 to 20 per cent. The same is the case with the Punjab.

"The Hon'ble Member speaks of the evil of canvassing being encouraged by the elective method. I believe, like all human institutions, the system of election has its weak points. But frankly, why should we allow ourselves to be so frightened by canvassing? Is canvassing so unknown in this country? Do not the elections to Municipal and Local Boards, to the Local and Supreme Legislative Councils, all involve a certain amount of canvassing? In the West, canvassing seems to be the one royal road to offices in the gift of the public, and, if they do not fight shy of canvassing there, why should we regard canvassing with so much horror in country? Moreover, the proposed constituency in the present case will be a small one—only a few hundred—and the voters will be men of more than average intelligence and education.

"The Hon'ble Mr. Bilderbeck points out that teachers in second grade Colleges are only High School teachers engaged for an hour or so a day in College teaching. I am prepared to meet this objection by excluding the teachers in second grade Colleges from the franchise at the start. The same objection about the Colleges being so unequal has been taken by the Hon'ble Mr. Morison, who tells us that he greatly sympathizes with the subject of the amendment but whose sympathy, as far as we can see, takes the form only of criticizing other people's proposals and not of bringing forward proposals of his own, and by the Hon'ble Mr. Pedler, who has tried to emphasize the general argument by telling the Council of an instance in which one of his clerks was permitted by a certain College to keep terms without practically attending it. My Lord, I am sure we all feel that such a state of things is very sad and very reprehensible; but has the Government no responsibility in this matter? Who sanctioned the affiliation of that particular College? Again, may I ask what steps the Hon'ble Member took to draw the attention of the University authorities to the delinquencies

[4TH MARCH, 1904.] [*Mr. Gokhale; Dr. Asutosh Mukhopadhyaya.*]

of that institution. Did he report the matter to the Syndicate? Or if he did not like to meddle in such matters when he was Meteorological Reporter, what course did he follow when he became Director of Public Instruction? My Lord, if we are to have such incidents mentioned, let each one accept his share of responsibility in the matter."

The Hon'ble MR. ASUTOSH MUKHOPADHYAYA said:—"Five of my Hon'ble Colleagues have addressed the Council on my motion. Every one of them has belonged to the profession of teaching at some period of his life, and so it is a source of unfeigned regret to me that four of them should have opposed my motion. I should like to say a few words in respect of the arguments advanced by each of them. I will first take my Hon'ble friend the Member in charge of the Bill. His arguments were twofold: first, that considerable scope has already been given to the elective principle and that it cannot, at the present moment, be further recognised; second, that it is extremely difficult, if not impracticable, to have a register of teachers, and therefore no workable scheme can be devised to give effect to my suggestion. As to the first of these arguments, I suppose it is a matter of taste whether you will have twenty or thirty elected Fellows out of a maximum of one hundred. I venture to point out that the real question is not whether the principle of election can be extended to this length or that length, but whether the constituency for whom I am pleading is qualified. Are our teachers throughout the country qualified to be trusted with the principle of election? If they are not, let us say so, in unmistakable terms; and I add without hesitation that if that be our decision and if our teachers really deserve this want of confidence, the sooner we throw this Bill into the waste-paper basket the better for every body concerned.

"I have not been able to discover what possible relation there is between the register of teachers which I propose and the register of teachers contemplated by the Universities Commission to which the Hon'ble Member in charge has referred. As I understand it, it was proposed at the time that a register of the teachers should be framed at each University containing names of persons who might be employed by the Colleges as Professors: that is to say, no person was entitled to be employed as Professor in any College affiliated to a University unless and until his name had been previously registered by the University authorities, and I admit that the preparation of such a register is attended with great and probably overwhelming difficulties. But it is obvious that the register I contemplate is a register of an altogether different character. It is a register of persons who are employed as Professors in our Colleges and who are willing to form themselves into a constituency for the purpose of returning Fellows to the

[*Dr. Asutosh Mukhopadhyaya.*] [18TH MARCH, 1904.]

University. The qualification which I insist upon is that every member of the constituency should be employed as a Professor in one of our Colleges, and surely it ought not to be difficult in practice to ascertain whether a particular individual is or is not so employed. But in case any such difficulty should arise I have expressly provided for it in my scheme.

"I next take the observations of my two friends, Mr. Bilderbeck and Mr. Pedler. Both of them admit that what I demand is good in principle but absolutely unworkable in practice, but the reasons which they give seem to me to be somewhat extraordinary. They say that there are Colleges good, Colleges bad. There are Professors who are entitled to be Professors, there are others who are only nominally so. Are all these to be joined together in one constituency? The Hon'ble Mr. Pedler said, are you going to rank Senior Wranglers and B. As. of the Calcutta University in the same category? Before answering this we might ask how many Senior Wranglers there are in the country. I do not know of any Senior Wrangler who is engaged in educational work in this country other than Mr. Paranjpe. But apart from that, if you follow that line of reasoning far enough, where will you be landed? Have you not already created a University constituency in which Graduates of distinction are lumped up with Graduates of no distinction whatever? Have you not said that your constituency is to be composed of people who have obtained the highest academic degrees and persons who have obtained a merely pass degree?

"Indeed, if you accept that doctrine you will be landed in this position, that you cannot have any constituency for the purpose of any election at all. You cannot, I say, have any constituency in which all the members will be equally qualified. The question is whether the member of the constituency who is least qualified is fit to be a member of that constituency; and therefore I maintain that we should begin with the question, is a Professor who has devoted himself to educational work, no matter how much or how little his qualification may be, entitled to be entrusted with the privilege of election? If he is, I hold it is quite possible and practicable to have a constituency who may be entrusted with the privilege of election.

"Mr. Morison said that you have teachers spread all over the country. They do not know each other and it is not likely that they will be able to return the very best man. Do not the same observations apply with equal force to the constituency of Graduates? Are they not probably even more widely spread than Professors? So far as the Calcutta University is concerned, our Graduates are spread all through India. Is it supposed for a moment that they know each

[18TH MARCH, 1904.] [*Dr. Asutosh Mukhopadhyaya ; Mr. Gokhale.*]

other intimately, and that they are qualified to judge of the qualifications of candidates for Fellowships in the University? If they are, and I must assume that they are when the privilege of election has been conferred upon them, then I do not see the need for assuming the very opposite in the case of the Professors. I adhere to the opinion that the practical objections which have been raised against my scheme are really of no weight and that the time has come when this experiment ought to be begun; and I add without any hesitation that if the present Government do not make this experiment, the time will come when some future Viceroy, such as Lord Lansdowne, will do so, and that the credit will belong to some future Viceroy of putting this measure upon the Statute-book."

The Council divided :—

<i>Ayes 5.</i>	<i>Noes 17.</i>
The Hon'ble Dr. Asutosh Mukhopadhyaya.	The Hon'ble Mr. D. M. Hamilton.
The Hon'ble Rai Bahadur Bipin Krishna Bose.	The Hon'ble Mr. J. B. Bilderbeck.
The Hon'ble Nawab Saiyid Muhammad.	The Hon'ble Dr. Ramkrishna Gopal Bhandarkar.
The Hon'ble Mr. Gopal Krishna Gokhale.	The Hon'ble Mr. T. Morison.
The Hon'ble Rai Sri Ram Bahadur.	The Hon'ble Mr. A. Pedler.
	The Hon'ble Mr. H. Adamson.
	The Hon'ble Mr. E. Cable.
	His Highness the Agha Khan.
	His Highness the Raja of Sirmur.
	The Hon'ble Mr. A. W. Cruickshank.
	The Hon'ble Sir Denzil Ibbetson.
	The Hon'ble Sir A. T. Arundel.
	The Hon'ble Major-General Sir E. R. Elles.
	The Hon'ble Sir E. FG. Law.
	The Hon'ble Mr. T. Raleigh.
	His Excellency the Commander-in-Chief.
	His Honour the Lieutenant-Governor of Bengal.

So the motion was negatived.

The Hon'ble MR. GOKHALE moved that in clause 4, sub-clause (1), head (e), sub-head (ii), for the words "the Faculties" the words "the registered Professors in affiliated Colleges" be substituted. He said :—"As Your Lordship has just now pointed out, the greater part of the arguments in favour of

[*Mr. Gokhale ; Mr. Raleigh ; Dr. Asutosh Mukhopadhyaya.*] [18TH MARCH, 1904.]

this motion have already been anticipated in connection with the amendment moved by the Hon'ble Dr. Mukhopadhyaya. There are one or two things, however, which I wish to say in connection with this amendment. I have no objection to the privilege of election being conferred on Faculties. These Faculties are no doubt important bodies, and, at the instance of the Hon'ble Member in charge of the Bill, they have been so expanded now as to include as members a certain proportion of persons who are not Fellows. It must be pointed out, however, that these Faculties will for the most part consist of Government nominees. We shall have in the older Universities eighty men appointed by Government as against ten men elected by Graduates. It is thus clear that the Faculties will be composed of eight Government nominees to one Fellow elected by Graduates. Representation given to these Faculties will therefore be representation given practically to Government nominees and the persons co-opted by them. And I would prefer the franchise to be conferred on Professors as a class to conferring it on these Faculties. It may be argued that in the London University the Faculties enjoy the franchise, and therefore we should confer it on them here. But the London Faculties consist exclusively of teachers, while with us they will consist of such persons as the Government may choose to nominate."

The Hon'ble MR. RALEIGH said :—" My Lord, I adhere to the scheme of the Bill as amended in Committee, and my reasons for doing so, I think, have been fully stated already. I oppose this amendment."

The motion was put and negatived.

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA moved that in clause 4, sub-clause (2) be omitted. He said :—" The object of this amendment is to secure the omission of that clause of the Bill which makes Fellowships tenable only for five years. Under the existing Acts of Incorporation in the Universities of Calcutta, Bombay and Madras, Fellowships are held during the pleasure of the Government, and practically they have been regarded as tenable for life or during residence in this country. In the case of the Universities of the Punjab and Allahabad, Fellowships are tenable practically for life, though a Fellow may be removed by the Government upon the recommendation of two-thirds of the members present at a meeting of the Senate. In the Bill as amended, it is proposed that every Ordinary Fellow of the University should hold office for five years. This rule will undoubtedly tend to impair the independence of nominated Fellows. It may no doubt be

[18TH MARCH, 1904.] [Dr. Asutosh Mukhopadhyaya.]

contended in theory that the Government, in considering the claims to re-appointment of Fellows who have vacated their office, will have regard only to their fitness irrespective of the fact that they might have opposed the views or the policy of the Government upon particular questions; on the other hand, it may be supposed that there may be persons of sterling independence who would fearlessly discharge their duties regardless of consequences. It seems to me, however, that these are extreme cases which it would be next to impossible to realise in practice, and in the vast majority of instances nominated members of the Senate, at least such of them as may be anxious to retain a seat on the Senate, will shape their conduct in conformity with the views expressed or supported by high officials. I venture to think that, if such be the actual result, no reasonable man can doubt for a moment that it would be disastrous to the best interests of the University. Then, again, it seems to me that the rule of terminable Fellowships would keep away from the elections quiet scholars who would hardly care to face a contested election once in every five years. Under the provisions of the Bill as amended the electorate in the case of my University may consist of a possible maximum of eight thousand; and it seems to me that with periodical elections by such a constituency, the candidate most likely to succeed will be, not the best qualified scholar, but the most strenuous organiser and the most persistent canvasser. The only plausible reason that may be urged against my suggestion is the tendency of life Fellowships to postpone the admission of new members who may be of exceptional distinction, till a vacancy occurs. But the obvious answer to this objection is that the number of persons of such distinction is extremely limited, and no practical difficulty need be apprehended, inasmuch as vacancies on the Senate must frequently arise by reason of death, resignation or retirement, as also by the operation of section 11, which provides that an Ordinary Fellow may vacate his office by reason of non-attendance at meetings of the Senate for the period of one year. I am not unmindful of the provisions of the London University Statute, under which no member of the Senate can retain his office for a longer period than five years. But I may be permitted to point out that the surrounding circumstances, both political and educational, are so radically distinct, that no fair comparison can be instituted between the constitutions of the London and Indian Universities. Indeed, if the Government would give us the constitution of the London University with all the safeguards provided by the system of election, I would, without hesitation, close with the offer at once. But it does seem to me to be not quite fair to single out one particular feature of the London Constitution, and to cite it as weighty authority against my position, when it is conceded that the Consti-

[*Dr. Asutosh Mukhopadhyaya; Mr. Raleigh.*] [18TH MARCH, 1904.]

tution of the Universities I am dealing with must necessarily differ in essential particulars from the London constitution. It seems to me, therefore, that the balance of convenience is in favour of my suggestion that the five years rule should be abolished, that exceptional care should be taken when a Fellow is appointed, but that, when a proper person has been appointed, he should be allowed to work."

The Hon'ble MR. RALEIGH said :—" My Lord, the arguments on both sides of this question are so familiar that I propose to state my views rather shortly. The objection which we have taken to life Fellowships is this, that the effect of the system is to fill up the senior ranks of our Senates with a number of gentlemen who are often among the most eminent, but seldom among the most efficient, members of the University, and it is obvious that that argument applies with much greater force when the Senate is limited in point of number, as we propose that it should be. We consider that a term of five years is suitable on the whole to the conditions of life in India, that it is the sort of term for which either an Indian or a European can be appointed to the Senate and may be willing to serve, and I wish to point out that in a limited Senate such as we propose everything would depend upon the balance of interests which the Chancellor is able to maintain, and that such balance can only be maintained by giving a comparatively short term to the Fellowships, so that there will be regular and recurring vacancies, which the Chancellor can fill up in such a way as to strengthen the interest or study which appears at the moment to require strengthening. Now one of the arguments used against the five years' Fellowship is, that a five years' Fellow will not be independent; but this is an argument which I confess has never made the smallest impression on my mind. It proceeds upon the assumption that the Government of this country is a suspicious body, constantly on the watch to do somebody harm, and that Government resents any show of independence on the part of its nominees. I venture to say that the whole record of our Government in India goes against this. The races and the individuals with whom we find it most easy to make friends are those who are most independent, and I will cite my Hon'ble Friend Mr. Gokhale as a strong example of that. Mr. Gokhale has made his name in this Council by delivering periodically tremendous attacks upon the Government and its policy, and the result is that we put Mr. Gokhale on almost every one of our Committees, and that we are not satisfied with any of our measures until it has passed through the ordeal of Mr. Gokhale's criticism. I think that the whole amendment is founded upon an apprehension for which there is no ground, and for that reason I would adhere to the limit as fixed in the Bill as amended."

[18TH MARCH, 1904.]

[Mr. Pedler.]

The Hon'ble MR. PEDLER said :—" I wish to add a few remarks as I am entirely opposed to this amendment. It appears to me that the Hon'ble Dr. Mukhopadhyaya's proposal in favour of life Fellowships is to entirely ignore the circumstances by which we are surrounded. Indian society is always changing. This is especially true with regard to the European and official part of it, but perhaps less true with regard to the Indian gentlemen. Now, the changes which take place from year to year amongst the Fellows of any Indian University are so great as to entirely throw out the balance of interests and of representation. There are also many cases where we want a special class of men on the University to carry on special work, and in the new Senate we are to be limited as to numbers, and if we have life Fellowships it will practically be almost impossible to add these special men.

" Now, as I have said, Dr. Mukhopadhyaya has entirely ignored the facts of experience. To prove this I should like just to give a few numbers showing actually what has happened in the Calcutta University and proving that the present system of life Fellowships works most inequitably. As the result of the working of the system of life Fellowships, while, in the year 1880, the majority of gentlemen representing what may be called Western education, that is to say, Europeans in the Senate, over Indian gentlemen was 77, in the year 1902, the majority of Indians over Europeans was 47. That is, in the course of a comparatively short space of time there had been an entire and complete reversal of the conditions of representation, and while up to a certain period of the history of the Calcutta University what may be called ' Western ideals of education and Western ideas of discipline ' were prominently kept in view, gradually from 1880 to 1890 a change took place, and now, more or less, the majority of the members of the Senate represent Eastern, rather than Western, education.

" I think I may also cite just a few cases occurring within the last few years of nominations to our University. In the last year in which any nominations were made, that is, in 1900, there were six European gentlemen and one Indian gentleman nominated by the Chancellor, and two elected by Graduates. Of these six Europeans, one was Sir James Bourdillon, who is now certainly not available for University work, one was Mr. Joscelyne who retired from the public service two years ago, and one, Major Dyson, who has been transferred from Bengal. Going back to the previous two years, we find exactly the same result. Out of six Europeans nominated in 1899, two have retired and one is not available. In 1898 four Europeans were nominated, and three of these have either gone on furlough with the intention of retiring or have retired. I have worked out the figures for the last few years, and I find in the years 1896

[*Mr. Pedler ; Mr. Gokhale.*] [18TH MARCH, 1904.]

to 1900 out of 24 representatives of what may be called Western education who have been nominated as Fellows only eleven are at present available, and I regret to say that of these eleven only five or six can be expected to regularly attend the University meetings. Another way of judging of the effect of life Fellowships is to take the history of the two classes of European and Indian Fellows as represented by the length of time they have served the University. I find that, out of 378 European Fellows, the average length of their Fellowship has been just over 10 years, while the average length of the Fellowship of 178 Indian gentlemen has been over 15 years, that is, half as much again. Then also taking the number of European Fellows who remained on the Senate in 1903, we had 53, and the average length that they had served as Fellows was 12·6 years. The number of Indian gentlemen who remained in 1903 was 100, and the average length of their Fellowship was 17·3 years. How can education in the Calcutta University be conducted on Western lines, how can Western education receive fair play and how can Western discipline be enforced if the management of the University is not entrusted to those who have themselves secured a Western education? The system of life Fellowship has been tried and has failed to secure the desired results.

"I would therefore oppose this amendment of the Hon'ble Dr. Mukhopadhyaya altogether."

The motion was put and negatived.

The Hon'ble MR. GOKHALE moved that in clause 4, sub-clause (2), for the word "five" the word "ten" be substituted. He said:—"The effect of this amendment would be to make the period of Fellowship one of ten instead of five years. I admit, my Lord, that once we make the Senate a limited body, we must have terminable Fellowships. The only question is what the period of these Fellowships should be. I also admit that the choice of this period is bound to be arbitrary, but I would submit that, considering the work that has got to be done by these Fellows, ten years will be better than five years. A new Fellow will take two or three years to be familiar with the methods and the work in the Senate. The Hon'ble Mr. Pedler gave us instances of the Government nominating a large number of European Fellows and a small number of Indian Fellows and yet the Europeans being reduced to a minority owing to their leaving the Province, while the Indians remained, once they were appointed. And he said that a five years' limit was necessary to prevent such a result. This means that the duration of Fellowships is to be determined, not for the purpose of securing for the University the services of the best men but for

[18TH MARCH, 1904.] [*Mr. Gokhale; Mr. Raleigh; Mr. Bilderbeck.*]

ensuring to European Fellows a standing majority—a view of the matter against which I beg leave to protest.

“In regard to what fell from the Hon'ble Mr. Raleigh in connection with the Hon'ble Dr. Mukhopadhyaya's amendment, I must still plead that a five years' duration would strike at the independence of the members. I quite admit that it is not right to say that Government will necessarily note those men who take a particular view of the questions that come before the Senate and carefully weed them out whenever an opportunity comes. At the same time let us not be carried away by too much faith as by too much distrust.

“The Hon'ble Member's faith is no doubt touching in its simplicity and its completeness. But he must forgive others if they are unable to share it. Of course Government in the abstract is incapable of doing anything wrong, but Government in the concrete means individuals, not always altogether free from passion or prejudice.

“As regards the Hon'ble Mr. Raleigh's reference to myself, I do not know whether to regard it as a compliment or a criticism. I was under the impression that Government put me on Select Committees, because it was thought that I understood a little of the matters referred to the Committees. I did not know that the function assigned to an interesting but not very agreeable character—the Devil's Advocate—at the Canonization of Saints was considered to be specially in my keeping in this Council.”

The Hon'ble MR. RALEIGH said:—“My Lord, in regard to what I ventured to say about the Hon'ble Member who has just spoken, I hope that he will consider it more or less in the nature of a joke, for certainly nothing at all disrespectful was intended. The proposal to substitute ten for five is one on which I find it difficult to say much. I have stated that the five years term is suitable having regard to all the conditions of official and academic life in this country. I really do not think I can say anything more: I still prefer five to ten, and I should advise the Council to adhere to the scheme of the Bill.”

“The Hon'ble MR. BILDERBECK said:—“I was prepared with an analysis to justify the choice of five years, but as the question has been dealt with in some detail by the Hon'ble Mr. Pedler in his remarks on a previous amendment, I shall not detain the Council by treating them to this analysis. I wish to address myself principally to the arguments advanced against the five years' tenure.

"I confess that I cannot see much force in the arguments that have been urged against the adoption of the five years limit. It is suggested that, with this limit, a man will barely have time fully to acquaint himself with the methods and needs of University administration, and that, when perhaps he is just beginning to make himself useful, his connection with the Senate is abruptly terminated. To such an argument the reply is obvious. The members of the Senate of the future will presumably be men of position and experience, who, even if on appointment they have had no previous experience of University administration, will not take long to understand what is required of them. If any Fellow during the period of his tenure has been unable to play a useful part in the University, there will be a presumption against him that his appointment to a Fellowship was a mistake. If, on the other hand, a Fellow should have proved himself particularly serviceable to the University, it may be presumed that he will be re-appointed on the termination of his tenure. Finally, in the case of a large number of administrative appointments, the principle of a five years tenure operates satisfactorily, and there seems to be no reason why the application of a similar principle should not be equally successful in the case of a Fellowship.

"Another argument that has been advanced against a five years tenure and in favour of a longer tenure is that the shorter period militates against independence. This argument, in which arithmetic and psychology seem to jostle one another, is difficult to follow. Are we asked to believe that a man whose moral fibre is such that he cannot show any independence of character in a period of five years may nevertheless develop strength of character if seven or ten years be allowed for its maturity? Plants of late growth are phenomena of some interest to the psychologist, but I submit that the Senates of our Universities in India are not the soil on which provision should be made for their experimental cultivation. But perhaps the meaning of the argument is that a man who knows he is to hold a Fellowship for a period of seven or ten years is likely to be inspired with greater confidence in himself than one who is to hold his appointment only for five years. I should have thought that to a man of ability and energy the knowledge that only a five years tenure of a Fellowship was assured to him would operate as a stimulus to self-assertion and strenuous effort. However, whatever may be the psychological facts of the case, the gain to the University by an inclusion of the former class in consequence of an extension of tenure of a Fellowship would, I believe, be more than counterbalanced by the inconveniences that would necessarily follow a neglect of the considerations which should control the recruitment of Europeans and of members of the teaching profession."

[18TH MARCH, 1904.] [*Nawab Saiyid Muhammad; the President.*]

The Hon'ble NAWAB SAIYID MUHAMMAD said :—" My Lord, the fixing of five years as the duration of a Fellowship is, I think, an arrangement that does not promise to work smoothly or with advantage to the University. The chances of the re-election of the few Fellows elected by registered Graduates will be more or less doubtful, the Faculties will be rather an uncertain electorate, and the renominations will rest entirely with the Chancellor. A period of five years of office will fail to inspire Fellows with a sense of sufficient zeal, for by the time they begin to acquire some experience and authority in University matters they will be liable to be thrown out. I therefore beg to support the amendment."

His Excellency THE PRESIDENT said :—" This is one of a series of amendments that seem to me to raise a principle so important, and so directly to impugn the conduct of high officers of Government, and more especially of those high officers who already fill, or who will fill in the future, the posts of Chancellors of the various Universities, that I should not like to give a silent vote upon it. The reasons in favour of fixing a five years' term seem to me to be overwhelming. First, there are the reasons of practical expediency which were summarised by my Hon'ble Colleague sitting upon my left. A short term is necessary in order to secure the due and proportionate representation of the various interests which we desire to see upon our Senates in the future. It is necessary, in order to effect the strengthening of an interest that has become unduly weak, or the reduction of one that has become unduly strong. As the Hon'ble Mr. Pedler remarked, it will be a task of the first importance to maintain a proper balance of interests, sections, and denominations upon the Senates. Life Fellowships would fail to effect this. A ten years' term of Fellowship would not effect it: even a seven years' term would, I believe, be ineffective. That is the reason why, on grounds of expediency, we have decided in favour of the five years' term. Then there is another point. Surely it should be of great importance in the future to keep a stream of new blood perpetually flowing through the veins of our new Senates, for two reasons, both in order to interest in the Senates the community at large, and, still more, to keep the Senates themselves in touch with public opinion. There is the further point that in adopting the five years' term we are after all only accepting that term which is familiar in the practice of almost all the high offices of Government in India and which is best suited to the conditions of Indian life. There can be no doubt that a longer term would be unduly unfavourable to the European and favourable to the Indian element.

"These are the practical reasons for which we have decided in favour of this term.

"I now come to the larger question of principle. It has been alleged by the Hon'ble Dr. Asutosh Mukhopadhyaya and the Hon'ble Mr. Gokhale in favour of their proposals, that the fixing of a short term must impair, if not destroy, the independence of the Senates of the future. I had imagined that this argument applied exclusively to those Fellows who will be nominated by the Chancellor, but I learn to my surprise from the Hon'ble Dr. Asutosh Mukhopadhyaya that in his view the argument applies also to those Fellows who under the new Bill will be elected by the large constituency of Graduates which we are going to set up. He told us just now that this provision will keep away the quiet scholarly men from the turmoil of a contested election liable to recur at intervals of five years. Now, will he tell me how many out of the 24 Fellows who have been elected for the present Calcutta University since the year 1890, with no quinquennial term of re-election to disturb their quietude, can be so described? With the exception of two doctors, two teachers, and one engineer, who were only elected because the Chancellor ordered them to be chosen from those categories, the whole of the rest of these gentlemen have been drawn from the profession of the law, and it is no disparagement to that profession, of which the Hon'ble gentleman is himself a most distinguished ornament, to say that quiet scholarship is not one of its principal characteristics. The quiet scholar argument is in fact a mere after-thought, and I do not hesitate to say that in the future the quiet scholar, if he wants to get on to the Senate, will not go to the constituency of Graduates which we are going to set up—he will get small mercy from them—but it will be to the Chancellor that he will have to look for protection and nomination.

"So much for the category of elected Fellows: but the argument of the Hon'ble Mr. Gokhale is rather different. As I understand him, it is confined to those Fellows who will be nominated by the Chancellor. The argument, as supported by the Hon'ble Dr. Asutosh, is that these Fellows will find it necessary to shape their conduct (those were his words) in a manner to suit the Government, in order to ensure the re-nomination which they may desire at the end of their term. As I said at the beginning, this seems to me most directly and explicitly to challenge the probable conduct of the Chancellors of the future. The Hon'ble Mr. Gokhale remarked, We may have very good Chancellors and very good Vice-Chancellors now, but we must not show too much

[18TH MARCH, 1904.]

[*The President.*]

faith in their successors: it may be that future Chancellors and future Vice-Chancellors will not be men of the mental elevation of the present occupants of those two posts. I am sure the Hon'ble Mr. Raleigh and I are very grateful for this compliment, but I cannot accept it to the detriment of our successors. They will act upon the principles which have actuated their predecessors, and to nobody are they better known than to the Hon'ble Member himself. If there is one thing that we welcome in this country, it is frank and fearless criticism, so long as that criticism is bestowed upon us with responsibility and without venom. Now, my Hon'ble Colleague on my left said that his reference to Mr. Gokhale was in the nature of a joke; but, if I may say so, it was a very forcible joke; and if this amendment does not come with a good grace from him, still less does it proceed with a good grace from the Hon'ble Dr. Asutosh. That Hon'ble Member was only the other day elected to this Council by the votes of the non-official Members of the Legislative Council of Bengal. No sooner did this news reach us here, than we at once placed him upon the Select Committee of this Bill, though we knew that it must add considerably to the length and contentiousness of these proceedings. But so anxious were we to give full scope to reasonable and competent criticism, that we at once took advantage of his services.

"Let me take another case, that of the Hon'ble Nawab Saiyid Muhammad, who spoke just now. The other day he delivered himself at this table of a speech against the Official Secrets Bill. Immediately, in the twinkling of an eye, we put him on the Select Committee to deal with that Bill. These are but typical cases; typical of others which are continually occurring in every aspect and sphere of administration in this country. For my own part, I think that at the end of a five years' term, the fearless critic of Government policy, provided that his criticism is honest, will stand a very much better chance of re-appointment than the time-server or the sycophant, and I should be very much more afraid that instead of proving servile in order to escape rejection, a man may develop an exaggerated independence in order to secure renewal. On these grounds I deprecate as extravagant and unreasonable the charges that have been brought against Government by both Hon'ble Members, as a ground for protesting against the term of tenure that is contained in this Bill; and I think the Council may, with confidence not only in the present occupants of high offices in this country, but in their successors, agree to the shorter term proposed."

[*Dr. Asutosh Mukhopadhyaya.*]

[18TH MARCH, 1904.]

The Council divided :—

Ayes 5.

The Hon'ble Dr. Asutosh Mukhopadhyaya.

The Hon'ble Rai Bahadur Bipin Krishna Bose.

The Hon'ble Nawab Saiyid Muhammad.

The Hon'ble Mr. Gopal Krishna Gokhale.

The Hon'ble Rai Sri Ram Bahadur.

Noes 16.

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

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

The Hon'ble Dr. Ram Krishna Gopal Bhandarkar.

The Hon'ble Mr. T. Morison.

The Hon'ble Mr. A. Pedler.

The Hon'ble Mr. H. Adamson.

The Hon'ble Mr. E. Cable.

His Highness the Agha Khan.

His Highness the Raja of Sirmur.

The Hon'ble Mr. A. W. Cruickshank.

The Hon'ble Sir Denzil Ibbetson.

The Hon'ble Sir A. T. Arundel.

The Hon'ble Major General Sir E. R. Elles.

The Hon'ble Mr. T. Raleigh.

His Excellency the Commander-in-Chief.

His Honour the Lieutenant-Governor of Bengal.

So the motion was negatived.

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA moved that in clause 4, sub-clause (2), for the word "five" the word "seven" be substituted. He said :—"My Lord, the amendment which I now move is more moderate than the one moved by my Hon'ble friend Mr. Gokhale and rejected by the Council. But I am afraid that all amendments in this direction, moderate or otherwise, will meet with the same fate. My suggestion is, now that the Council has accepted the principle of terminable Fellowships, that the term should be fixed at seven instead of five years. I confess I am unable to discover any special or particular virtue in a five years term, nor do I claim any such character for a seven years term; but it does certainly seem to me that a five years' term is too short. Under the operation of this rule, a Fellow may be removed from his office just when he has acquired some experience

[18TH MARCH, 1904.]

[*Dr. Asutosh Mukhopadhyaya; Mr. Raleigh;
Mr. Gokhale; Sir Denzil Ibbetson.*]

in the work of the administration of the University and is in a position to make himself useful. I would therefore suggest that the limit should be raised to seven years ; and I do so without much hesitation, as I believe that in English Universities, *e.g.*, in Cambridge Colleges, Fellowships are in many instances tenable for a longer term than five years. I do not overlook the distinction between a College Fellowship in England and a University Fellowship in this country ; but I do not see that the distinction is of such a character as to make the analogy wholly inapplicable."

The Hon'ble MR. RALEIGH said :—" My Lord, the reasons given for declining to accept Fellowships for life or for ten years are equally applicable to this proposal."

The Hon'ble MR. GOKHALE said :—" I wish to make only one observation, and that with reference to what fell from Your Excellency in connection with the last motion. My Lord, I never intended to imply that future Chancellors or Vice-Chancellors were not to be trusted to make their nominations in an absolutely conscientious manner. But we must look at facts, as they exist. A Chancellor in an Indian University is the Head of the Government, and it has happened in the past and may happen again that he takes little or no interest in University matters, especially in connection with the nomination of Fellows. In such cases the work is likely to be left to the Secretary who is in charge of the Education Department. Now, unless it is to be insisted that every member of the Civil Service and every officer of Government must be trusted absolutely, I really do not think that any exception need be taken to the argument that proper care may not be taken at times in the appointment of Fellows."

The Hon'ble SIR DENZIL IBBETSON said :—" I really think, my Lord, that it is time to protest against this bogey of the Secretary in one Department or another. We are constantly being told that the orders of Government are really the orders of a Secretary, or as often as not of an Under Secretary. Now I have always regarded this assertion somewhat in the light of the bogey which is held up by one naughty boy to frighten other naughty boys, and in which no one is expected to believe much, and least of all the boy who holds it up. I have always regarded it in that light, because I cannot conceive how any reasonable man can suppose that, on any subject of importance, an order can possibly be passed by a Secretary or Under Secretary without the approval of the Head of the Province under whom he is serving. Yet I can hardly think that the Hon'ble Mr. Gokhale would repeat this reference with

[Sir Denzil Ibbetson ; Dr. Bhandarkar ; Mr. Gokhale ; [18TH MARCH, 1904.]
Mr. Raleigh.]

respect to the Education Department three times, as he has already done this morning, unless he really does believe that what he says has something at the bottom of it. I speak with a considerable administrative experience, both as Secretary to Government and as Head of a Province. And I can assure the Hon'ble Member, and any other Hon'ble Members who may need the assurance, that the idea that any Secretary would dream of passing orders on a case of this importance without a reference to, and distinct orders from, the Head of the Government under whom he serves is both fantastic and absurd."

The Hon'ble DR. BHANDARKAR said :—"I should like to say a word on this question of making appointments to the Universities. I can say from my own experience that while I was Vice-Chancellor at Bombay and Lord Harris Chancellor, on the occasions of making appointments to Fellowships he consulted me and made the appointments himself. He did not leave anything to Secretaries or any body else."

The motion was put and negatived.

The Hon'ble MR. GOKHALE moved that in clause 5, sub-clause (2), the words "additions to or" be omitted, and in the proviso to the same sub-clause for the word 'ten' the words "the number specified in the said schedule" be substituted. He said :—"The effect of this amendment would be to take away from the Chancellor the power to make additions to the list of *ex officio* Fellows, though it leaves untouched his power to make alterations in the list, provided the present number is not exceeded. Already the Chancellor possesses the power to appoint directly eighty per cent. of the Senate, and ten per cent. more will be appointed at the instance of his nominees. There is thus ample margin for him to put whomsoever he pleases in the Senate, and the discretion to add to the list of *ex officio* Fellows, bestowed on him by the clause under consideration, is not required."

The Hon'ble MR. RALEIGH said :—"My Lord, it is quite obvious, and we have acknowledged more than once, that if the total number of the Senate is limited the number of non-official Fellows ought also to be limited. I submit that the scheme of the Bill in this respect is an eminently practicable and reasonable one. In no case is the number to exceed ten, and in the case where the scheduled list of officers does not attain to the number ten we have left to the Local Government a certain discretion in regard to the powers that they have under the Bill, and this I for one see no good reason to disturb. I oppose the amendment."

The motion was put and negatived.

[18TH MARCH, 1904.] [Mr. Gokhale; Mr. Raleigh.]

The Hon'ble MR. GOKHALE moved that in clause 6, sub-clause (r), for the words "shall not be less than fifty nor exceed one hundred" the words "shall be one hundred and fifty" be substituted. He said:—"I attach considerable importance to this amendment. Its effect will be to fix the number of Fellows in the three older Universities at 150 instead of a minimum of 50 and a maximum of 100 as is proposed in the Bill. In the remarks which I made this morning on the Bill as amended by the Committee, I observed that if the number is too small, there would not be much margin for the inclusion of any except the most prominent Indians in it. As regards European educationists, I think almost everyone of them will be a member of the Senate. I gathered from certain remarks that fell from the Hon'ble Member in charge of the Bill in Select Committee that even the whole of the maximum of one hundred laid down in the Bill will not be appointed at the commencement of the new Act, and that the Senates in the three older Universities will for some time to come consist of some sixty or seventy members only. Of these ten are to be elected by Graduates, and they will in all probability all be Indians. Then nearly all the European Professors will be appointed by Government. In the Bombay University, there are, in all the Colleges affiliated to it, between fifty and sixty European Fellows. If therefore the new Senate is to consist of, say, seventy—or even the maximum one hundred—it is clear that there will be hardly any room in the Government list for any except a few most prominent Indians—as European Professors, Civilians, Judges, Barristers, Engineers, Doctors and others will practically exhaust nearly all available space in the list."

The Hon'ble MR. RALEIGH said.—"My Lord, as this is the first amendment which attacks the figures of the Bill, I may as well say in general terms that I shall adhere to the scheme of the Bill, which has been very carefully considered and amended in Select Committee, and that I do not see my way to accept any of these amendments. As to the number which we fixed for the Senate, I would begin by saying that the qualifications for a member of the new Senate appear to me to be these—that, in the first place, he should be competent to give an authoritative opinion upon questions of University administration; and, in the second place, he should be able and willing to give regular attention to University business, that is, to attend all or nearly all meetings of the Senate. Now, if we leave the abstract principle for which the Hon'ble Mr. Gokhale has been contending, and come to the concrete facts, you will find that the difficulty is not in bringing our Senate within 100, but in getting anything like 100 persons, possessing both of these qualifications: I think it would be unwise to fix a larger number than 100, as a maximum that is: and also I think

[*Mr. Raleigh; Mr. Bilderbeck.*] [18TH MARCH, 1904.]

it would be unwise to insist that the maximum number named in the Bill shall in all cases be appointed. Either in the one case or in the other I think you run a great chance of including, in order to fill up the number, persons who are really not qualified to be members. A man may be extremely competent but he may be so far from the headquarters of the University, or he may be so situated as regards his business or his teaching work, that he is not able to attend the Senate. The great argument against the small Senate is that it cannot be made representative. Representative in the highest sense of the word I hope the Senate always will be. In the first place, I hope that it will represent the best opinion of the Province on academic questions; in the second place, I hope that the result of the working of the scheme of the Bill will be that the best men of each class with which the University has to deal will be able to find their way into the Senate; but perhaps those who wish to have a large Senate, and assume that it will always be perfectly easy to find a large number of gentlemen competent to be members of the Senate, are using the word in the sense in which it is applied to Municipalities and similar bodies. In that sense a Senate cannot be made representative. I will take an illustration from my own experience as Vice-Chancellor. I am constantly getting letters from outlying districts, saying that there is a body of students, say, from Behar or Orissa, that they have not been duly considered in making arrangements for a certain examination, and it is suggested that there is nobody in the Syndicate who understands what the circumstances of the Behar or Orissa students are. Suppose the complaint to be well founded, what is the inference to be drawn? Not surely that we must send for Syndics from Behar or Orissa, but that the Syndicate should be so composed and so careful in collecting all the necessary information before they come to a decision on questions of principle that Behar and Orissa and all other places that are subject to the University will each have its fair share of consideration. Those are the arguments which lead me to decline the proposal now made."

The Hon'ble MR. BILDERBECK said:—"I should like to enter into some detail on this matter, as it is one of great importance, and though most of the speeches have already traversed some of the ground, I do not propose to deal with the general question of the reconstruction of Senates, but I have no hesitation in saying that, in my opinion, the sections of the Bill which place statutory restrictions on the size of the Senates, and which limit the period of tenure of appointments to Fellowships, are among the most important in the Bill. I am convinced that if the question before the country were not the reorganisation of existing Universities, but the best form of constitution to be given to a Univer-

[18TH MARCH, 1904.]

[*Mr. Bilderbeck.*]

sity that it is proposed newly to establish in the light of the experience obtained from the work of the older Universities, the wisdom and propriety of the proposed measure would be recognized by many of those who now oppose the Bill.

"The proposals to reduce the size of the Senates and fix a maximum for the different Senates make, in my opinion, for efficiency. In the first place, it may be taken as axiomatic that smaller and more compact administrative bodies, provided they are adequately representative and large enough to insure a full and effective consideration of matters brought before them, are likely to discharge their duties more efficiently than larger corporations. In the former, we may expect to find a stronger sense of responsibility among individuals and a greater alertness and vigour in the mass. Larger corporations exhibit a tendency to develop dropsical habits of body. In the second place, if appointments to the Senates of the future are to be made, not in the interests of individuals, but in the interests of the Universities, it must follow that with a smaller Senate, limited in size to a fixed maximum, it will be absolutely necessary for a Chancellor to pay special attention to the qualifications of a person whom he may propose to appoint. The smaller the Senate, the greater must be the care exercised in the selection of its members: the greater the care in selection, the more efficient the Senate.

"But it is not only the requirements of efficiency that dictate the measure under discussion. It is absolutely necessary in view of the social, economical and political conditions of India, where it is, and it will be for many years, hardly practicable to get together 150 or 200 persons who, besides possessing the necessary academic qualifications, will also have the time and opportunities for taking an active and efficient part in the administration of Universities. The two-fold character of these qualifications must be carefully recognized. There may be men in the country who, though they have the necessary academic position to justify their appointment as Fellows, are not in a position to take any active or effective part in the deliberations of the Senate, and it is obvious that if such men were appointed to a Senate as mere dummies, a meeting of the Senate might be far from possessing a representative character. In this connection, I may mention that in 1901-2 there were 181 members on the rolls of the Senate of the Madras University; of these, 47 had not attended a single meeting for three years, while for the same period the average attendance at meetings was only 51. If deductions were made for those who only on rare occasions attended these meetings, it would appear that the effective working Senate of the Madras University practically consisted of about 40 members. The experience of Madras, which is perhaps not without analogy elsewhere, points

[*Mr. Bilderbeck ; Mr. Morison.*] [18TH MARCH, 1904.]

to the difficulty that must necessarily be experienced in forming Senates the members of which will be in a position to take an active part in University matters.

"I wish also in particular to point out that, while in some Universities there would, I believe, be little difficulty in finding a sufficient number of Indian graduates qualified in all respects to take a useful and effective part in the business of a Senate limited to 100 Fellows or even to 150 Fellows, considerable difficulty will, on the other hand, be experienced in providing in adequate measure, even in a Senate limited to 100, for that complement of men trained in the schools of Europe or America, which, in view of the requirements and higher interests of an educational system that has been almost entirely borrowed from the West, is absolutely essential to the well-being of an Indian University and is admitted to be essential by many educated members of the Indian community. In justification of this statement it is only necessary to point out that in consequence of leave taken out of India, official transfers and retirements, the available European academic material is subject to a larger proportionate drain than is the case with those who are permanently resident in India.

"I think, then, that the conditions of recruitment and the requirements of efficiency point clearly to the need for smaller Senates in which the number of members should be limited by statute.

"The chief argument advanced in favour of the creation of larger Senates is that Senates with the limitations proposed in the Bill cannot be adequately representative of the various interests and activities involved in the life and work of Universities. To this I must reply that the argument appears to overlook the subsidiary provision which limits the period of tenure of a Fellowship. This provision has practically the effect of amplifying the representative capacity of a Senate, inasmuch as interests that are unrepresented or inadequately represented one year may be provided for by re-adjustment in another year. Further, the argument is a mere statement of opinion and may fairly be countered by the opinion of those who think that smaller Senates such as those contemplated in the Bill will serve all the purposes required of them. The latter critics are in a position to fortify their opinion by instancing the case of the University of London, the Senate of which, though it has to deal with more complicated interests and more highly developed activities than any Indian University, consists of only 54 members."

The Hon'ble MR. MORISON said :—"It seems to me that if the Senates are to be working bodies, they must be small. There are two possible ways of

[18TH MARCH, 1904.] [*Mr. Morison; Mr. Pedler.*]

administering the University. Either the real control may be in the hands of the Syndicate, and the Senate be reduced to the level of a large debating society meeting once or twice a year, or the actual control of the University be placed in the hands of a Senate which meets frequently, possesses a definite policy and is intimately acquainted with the educational questions of the day. In my own University the effective control of the Senate has been lost, and all real power has passed into the hands of the Syndicate. This gives us in practice a very workable constitution, but it is not one which redounds greatly to the dignity of the Senate. The principle of this Bill is to make the Senates working bodies with real administrative control and to reduce the Syndicates to their original position of the committees of the Senate; if you accept that principle, it surely is almost a self-evident proposition that the Senates must be small bodies. Unless the majority of members can attend every meeting it is impossible for any assembly to maintain a continuity of policy; for when a considerable proportion of a deliberative body attends irregularly and at haphazard there is no guarantee that the decision of one meeting will not be reversed at the next, and the difficulty of securing a full attendance varies directly with the number of the assembly. The real question upon which we are voting is whether in practice the control of the University is to be with the Senate or the Syndicate."

The Hon'ble MR. PEDLER said:—"I should like to add a few words to what has fallen from the Hon'ble Member in charge of the Bill and the two last speakers. It appears to me the mover of the amendment has lost sight of the fact that the new Senates are to be totally different in character in some respects from the old.

"One of the fundamental points laid down in the Report of the Universities Commission was that the gentlemen to be appointed to the Senates were to attend and not to stay away. At the present time for instance on the Calcutta University Senate we rarely get an attendance of more than from forty to seventy, even when points of very considerable importance are to be discussed, though our Senate consists of more than 150 Fellows. Now if we are to accept the Hon'ble Mr. Gokhale's amendment to work our Senates up to 150, to my mind the question will resolve itself into whether we should have a large Senate, a considerable proportion of the members of which will be more or less undistinguished, or whether we should keep our Senates down to comparatively small numbers as shown in the Bill when we may have men who really understand their work, and who I won't say are distinguished—for very few people in this country are distinguished—but who will really understand the

[*Mr. Pedler ; Mr. Gokhale.*] [18TH MARCH, 1904.]

questions of education which are likely to come up. I should sum up this part of what I have to say by remarking that I prefer a small but distinguished—an academic—Senate to a large Senate of inefficient persons.

“Another point which seems to have been lost sight of both by the Hon'ble Mr. Gokhale and the gentlemen who followed him in the discussion is that there is one clause in the Bill which enables the Faculties to co-opt members up to the limit of half their number. Now practically every man on the Senate would be a member of one particular Faculty, and hence for all purposes of discussion—not of course of control—but for all questions of expert discussions, our Senates may in the case of the older Universities run between 75 and 150, and in the case of the newer Universities may run between 60 and 112. My own feeling is that, in the Bill if anything, the numbers have been fixed too high rather than too low. Now the Hon'ble Mr. Raleigh in his remarks has stated certain facts with reference to the difficulty of forming Senates—say in Bengal—of the full number of 100. I know the educational conditions of Bengal fairly well. I know most of the Colleges and the Professors, and personally I should say, if the future Senate is to consist of those who have been called distinguished members, it is likely it will be impossible to work up to the number of 100, and certainly quite impossible to work up to 150. I say this after due deliberation, and, as I have said, with a knowledge of the people in Bengal extending now over 31 years. I therefore wish to oppose the amendment.”

The Hon'ble MR. GOKHALE said:—“I will just say one word in reply. I fully recognise the force of the remarks made by the Hon'ble Member in charge of the Bill. If it is intended to fix the standard of Fellowship as high as he contemplates—the standard that he obviously has in view when he brings in the analogy of the London University—then I quite admit that it may not be possible to find 150 or even 100. But with that standard, will the Hon'ble Member tell me if he hopes to find, not to talk of one hundred, but fifty or forty or even thirty men in a Province? Since then it is a comparative question, and since you are going to work up to 70, 80, or 100, the question is whether you might not go further. I would allow the teaching element to be in a strong position, to be even in a preponderance; but I would certainly have others associated with the teaching element, because the interests to be considered in this country are so conflicting even in matters of education. Technical matters about education I would leave exclusively to experts. But in the present state of things in India, thoughtful Indians of sound education and broad views ought to be allowed an equal voice with the experts in shaping the larger educational policy of our Universities, as far as it rests with these bodies to shape that policy.

[18TH MARCH, 1904.]

[*Mr. Gokhale.*]

"The Hon'ble Mr. Bilderbeck said that after all what number the new Senate should consist of was a matter of opinion. That is perfectly true, and we are able in this matter to quote opinions that are of weight. In Madras, for instance, we have the Rev. Dr. Miller on our side, and his position nobody will dispute. We have also the Madras Government with us, for the Madras Government proposed 150 in their first letter to the Government of India. We have on the Bombay side a man like Mr. Selby, one of our foremost educationists in favour of 150. Sir Raymond West's draft Bill, to which I have already referred, proposed to fix the number at 200. Of course I quite recognise that the number has got to be arbitrary, and if the Government has made up its mind that it is not to exceed 100, well there is no help for it."

The Council divided :—

Ayes—4.

The Hon'ble Dr. Asutosh Mukhopadhyaya.

The Hon'ble Nawab Saiyid Muhammad.

The Hon'ble Mr. Gopal Krishna Gokhale.

The Hon'ble Rai Sri Ram Bahadur.

Noes—17.

The Hon'ble Rai Bahadur Bepin Krishna Bose.

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

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

The Hon'ble Dr. Ram Krishna Gopal Bhandarkar.

The Hon'ble Mr. T. Morison.

The Hon'ble Mr. A. Pedler.

The Hon'ble Mr. H. Adamson.

The Hon'ble Mr. E. Cable.

His Highness the Agha Khan.

His Highness the Raja of Sirmur.

The Hon'ble Mr. A. W. Cruickshank.

The Hon'ble Sir Denzil Ibbetson.

The Hon'ble Sir A. T. Arundel.

The Hon'ble Major-General Sir E. R. Elles.

The Hon'ble Mr. T. Raleigh.

His Excellency the Commander-in-Chief.

His Honour the Lieutenant-Governor of Bengal.

So the motion was negatived.

[*Dr. Asutosh Mukhopadhyaya.*] [18TH MARCH, 1904.]

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA moved that in clause 6, sub-clause (1), for the words "shall not be less than fifty nor exceed one hundred" the words "shall be one hundred" be substituted. He said :—"The object of this amendment is to fix the number of Ordinary Fellows, in the case of the Universities of Calcutta, Bombay and Madras, at one hundred. In the Bill as amended by the Select Committee it is provided that in the case of the Universities of Calcutta, Bombay and Madras, the number of Ordinary Fellows shall not be less than fifty nor exceed one hundred. This, I concede, is a slight improvement upon the Bill as introduced in Council which was silent about the minimum limit which had been fixed by the Act of Incorporation at thirty for the Universities of Calcutta and Madras and at twenty-six for the University of Bombay. In my opinion fifty as minimum limit is too low, and I believe that it would be found inadequate for proper representation of the various educational interests which ought to be represented on the Senate; to take one illustration, even if we confine our attention to the studies included within the scope of the Faculty of Arts, there must be adequate representation of Government, aided and unaided institutions. But we must not lose sight of the very important fact that besides this representation of what may not improperly be considered as personal or class interests there is a higher representation, namely, the full and adequate representation of every department of study included within the scope of the University. The field of education is so vast and varied, and educational problems often involve such complex and difficult matters, that the combined reason of even the best fifty men may not be a sufficient safeguard for that elimination of personal equations which is absolutely necessary for the proper solution of those problems. I do not overlook the fact that the University of London has, under the new statutes, a Senate of fifty-six, and I shall not be surprised if the question were asked when the University of London can work with a Senate of fifty-six why should not the Indian Universities be safely entrusted to and be efficiently managed by Senates of much smaller number. The answer is two-fold :—In the first place, we cannot get here in India experts of the eminence and distinction available in London; in the second place, if the Indian Universities are really to prosper, in addition to University and College teachers, we must have on the Senate persons distinguished for their attainments in any branch of learning who may not be actually engaged in the work of teaching, representative members of the learned professions, and representatives of Government. If these classes are not adequately represented on the Senates they will be found lacking in strength and representative character, and consequently must prove inadequate to the duties imposed upon them. I would, therefore, suggest, without any hesitation, that the number should be fixed at one hundred."

[18TH MARCH, 1904.] [Mr. Raleigh; Dr. Bhandarkar; Mr. Gokhale.]

The Hon'ble MR. RALEIGH said :—" My Lord, I have very frequently had occasion to consider the question of numbers, and I have considered it not on abstract principles but in a concrete and practical way. In doing so I have borne in mind that the Senate of a University ought not to be composed entirely of teachers. I quite agree that there ought to be representatives of the professional and the educated classes of the country if the Senate is to be really efficient. Keeping all these considerations in mind, when the Commission was making its enquiries, I took occasion to go through the Senate list in the case of each of the five Universities with some person having local knowledge, to see how many persons could be selected as suitable members of the kind of Senate which the Commission apparently at that time was going to recommend and which it has since in fact recommended; and the difficulty I always had was in getting up to anything like the smallest of the figures that was suggested for our consideration. Take for instance the case of Calcutta, the one with which the Hon'ble Dr. Mukhopadhyaya and I are most familiar. If you accept the tests for membership of the Senate which I have suggested, and if you insist on those tests, and especially on regular attention to University business, you can make out a list of the Calcutta Senate, but so far as I have gone yet I will not tell Dr. Mukhopadhyaya exactly what the figure is that I have reached, but it falls a considerable way short of 100. Now there are two ways of dealing with the situation. If you say that the number 100 must be fixed as a necessary number, the result will be that you will have to bring in people who have no particular claim to be there. On the other hand, you can put the 100 as a maximum, not absolutely requiring the Chancellor to work up to it, but allowing him, if he thinks fit, to appoint 70 or 80 at the start of the new constitution; and you may leave him thus a reserve of power which he can most usefully bring into play afterwards, if the balance of the Senate requires in any way to be altered. I would therefore adhere to the provisions of the Bill, and do not see my way to accept this amendment."

The Hon'ble DR. BHANDARKAR said :—" The amendment says that the number shall be 100; but if by some accident on an occasion the number becomes 99 by a member dying or retiring, would a Senate of 99 be legal? If not, then the Senate, being illegal, could not transact any business. If the phrase were to run 'shall not exceed 100', that would of course cover it."

The Hon'ble MR. GOKHALE said :—" There is a provision in this Bill which validates the acts of the Senate when by accident the number is not what it should be or any similar irregularity takes place, so that the Hon'ble Member's apprehensions are groundless."

The motion was put and negatived.

[*Dr. Asutosh Mukhopadhyaya*; *Mr. Raleigh*.] [18TH MARCH, 1904.]

The Hon'ble DR. MUKHOPADHYAYA moved that in clause 6, sub-clause (2), for the word "fifty" the word "seventy-five" be substituted. He said:—"I venture to move this amendment although I am fully impressed with the fact that we are not likely to obtain upon this point any concession whatever. I have already stated fully the reasons why in my opinion fifty is too small a number for a Senate in the case of the three older Universities, and I therefore venture to suggest that the minimum should be seventy-five. I think it will be found that seventy-five is the minimum number with which a truly representative Sénate can be constituted, that is to say, representative of the different educational interests, as also of the various departments of study included within the scope of the University."

The Hon'ble MR. RALEIGH said:—"My Lord, the minimum number fixed by the Act of Incorporation is thirty. It was suggested in Committee that we should raise the minimum to fifty and, as Member in charge of the Bill, I agreed to that. I do not think there is any necessity for going further as far as the minimum is concerned, and I propose to adhere to the Bill as amended."

The Council divided:—

Ayes 4.

The Hon'ble Dr. Asutosh Mukhopadhyaya.
The Hon'ble Nawab Saiyid Muhammad.
The Hon'ble Mr. Gopal Krishna Gokhale.
The Hon'ble Rai Sri Ram Bahadur.

Noes 17.

The Hon'ble Rai Bahadur Bepin Krishna Bose.
The Hon'ble Mr. D. M. Hamilton.
The Hon'ble Mr. J. B. Bilderbeck.
The Hon'ble Dr. Ram Krishna Gopal Bhandarkar.
The Hon'ble Mr. T. Morison.
The Hon'ble Mr. A. Pedler.
The Hon'ble Mr. H. Adamson.
The Hon'ble Mr. E. Cable.
His Highness the Agha Khan.
His Highness the Raja of Sirmur.
The Hon'ble Mr. A. W. Cruickshank.
The Hon'ble Sir Denzil Ibbetson.
The Hon'ble Sir A. T. Arundel.
The Hon'ble Major-General Sir E. R. Elles.
The Hon'ble Mr. T. Raleigh.
His Excellency the Commander-in-Chief.
His Honour the Lieutenant-Governor of Bengal.

So the motion was negatived.

[18TH MARCH, 1904.] [Mr. Gokhale; Mr. Raleigh; Mr. Pedler.]

"The Hon'ble MR. GOKHALE moved that in clause 6, sub-clause (1), head (a), for the word "ten" the words "not less than one-fourth and not more than one-third" be substituted. He said:—"The effect of this amendment will be to confer on the Graduates a larger franchise than what is proposed in the Bill. I have already more than once said in this Council that ten seats out of one hundred is too small a proportion to be thrown open to election by Graduates after fifty years of University education. In all other bodies—in Municipalities and Local Boards, in Local and Supreme Legislative Councils—a much larger proportion is thrown open to election. I think between one-third and one-fourth will be quite a safe proportion in the present case and should be accepted."

The Hon'ble MR. RALEIGH said:—"My Lord, we propose an election of Graduates under which there will be, when the Bill comes into force, regular elections every year. I have already had occasion to say that while I think the exercise of elective rights in the past has had good results, it has also been attended with some drawbacks. I think that under the present conditions two elections a year, so far at least as Calcutta is concerned, are sufficient, and therefore, I oppose this amendment."

The Hon'ble MR. PEDLER said:—"I wish to ask in the first instance what the Hon'ble Mr. Gokhale really means by this amendment. He uses the words 'not less than one-fourth or more than one-third'. Does he mean one-fourth to one-third of the minimum of 50, or one-fourth to one-third of the maximum of 100. As the amendment stands it seems to me difficult to deal with it. If he wishes to apply his fraction to the maximum or minimum, it might provide for nominating 33 out of a Senate of 50, or it might provide for nominating 33 out of a Senate of 100. Passing away from that particular point, I should like to say that previous experience in Calcutta has not been of so gratifying a nature as would make it desirable to extend the proportion of elected Fellows. As Your Excellency yourself said, out of about 24 of these gentlemen who have been elected since the year 1890 to be Fellows of the Calcutta University about 20 have belonged entirely to one profession. If I were also to be asked to characterise the proceedings at these elections, so far as I am acquainted with them, I should say that the power of canvassing is synonymous with the probability of election. I believe that it is not because any one particular man has been distinguished for academic learning or distinguished in any other way that he has been elected but rather that he has been an extremely good canvasser. Practically almost all or at all events a very

[*Mr. Pedler ; Mr. Gokhale ; the President ; Nawab [18TH MARCH, 1904.] Saiyid Muhammad.*]

large number of the witnesses who were examined before the Universities Commission complained of the results of these elections. Some witnesses went so far as to say that the method of election is almost dangerous. It appears to me to be a very great concession looking at these former results that statutory sanction has now been given by Government to this method of election. I would also remark in the case of the Calcutta University that up till a few years ago we had a Senate of about 200 or upwards; and in that Senate, leaving out about 3 or 4 of the elected Graduates who have died, we had I think 20 of these men. Now 20 to 200 is exactly the proportion which is laid down in the Bill, where we have 10 with a maximum of 100. I cannot see where the grievance comes in. The Bill practically reproduces the existing conditions only with the very important condition that instead of the elections being granted as a favour, now statutory provision is being made for it. I therefore oppose the extension of the privilege to the numbers given by the Hon'ble Mr. Gokhale."

The Hon'ble MR. GOKHALE said :—"I should like to say one word. The Hon'ble Member says he is in doubt as to the meaning of my amendment. I should have thought that there was no room for doubt. In the first place, my amendment was part of a complete scheme in which the Senate was to consist of 150, and one-fourth to one-third of that number was to be assigned to election by Graduates. Perhaps the Hon'ble Mr. Pedler will tell me what is meant by the expression 'any such number'. Is 'any such number' intended to mean 50 or 100, or any other number between the two? I think the meaning is that whatever the number of the Senate may be as determined by Government, out of that number not less than one-fourth and not more than one-third should be elected by Graduates. The Graduates will have the right of electing 12 if the number of the Senate is 50, and they are allowed to elect one-fourth of that, and that is better than 10. If the number is 100 then they will have the right of electing between 25 and 33; I think that the point is perfectly clear."

His Excellency THE PRESIDENT :—"I think the Hon'ble Mr. Gokhale is quite right in his interpretation."

The motion was put and negatived.

The Hon'ble NAWAB SAIYID MUHAMMAD moved that in clause 6, sub-clause (1), head (a), for the word "ten" the word "twenty" be substituted. He said :—"My Lord, the statutory recognition of the right of some Graduates to elect a small number of Fellows is an improvement upon a mere discretion now resting with the Chancellor for which I feel

[18TH MARCH, 1904.] [*Nawab Saiyid Muhammad; Mr. Raleigh; Dr. Asutosh Mukhopadhyaya.*]

thankful. But it does not appear that Fellows so elected will have any considerable share in the affairs of the University on account of their number having been fixed so low as ten out of 100—the maximum number in the Senate. Considering that the Graduates of a University have a large and close interest in its affairs they should be adequately represented in the governing body, and the proportion should accordingly be fixed in relation to the maximum number of Fellows that may be sanctioned by the law. In proposing that the number of Ordinary Fellows elected by registered Graduates be raised from ten to twenty, I do not lose sight of the fact that in a body of one hundred members they will make only a *fifth*, and the modicum of representation claimed for them will not, in reality, affect the assured majority of nominated Fellows."

The Hon'ble MR. RALEIGH said :—" My Lord, after declining to accept the amendment of the Hon'ble Mr. Gokhale, of course I cannot accept the amendment of my Hon'ble Colleague from Madras."

The motion was put and negatived.

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA moved that in clause 6, sub-clause (1), head (a), for the word "ten" the word "fifteen" be substituted. He said :—" The object of this amendment is to secure a larger number of elected Fellows than is provided for in the Bill. In the Bill as introduced in Council, it was provided that with a Senate of one hundred, ten of the Fellows were to be elected by registered Graduates, and any number, not exceeding ten, might at the discretion of the Chancellor be elected by the Faculties. In the Bill as amended by the Select Committee, the number of Fellows to be elected by registered Graduates is retained at ten, while the election by the Faculties is made obligatory and the number of Fellows to be so elected is also fixed at ten. This is a substantial improvement upon the Bill as introduced in Council, and I thankfully acknowledge the concession thus made. But I trust the Hon'ble Member in charge will not consider me unreasonable if I ask for a further concession. My suggestion is that with a Senate of one hundred, thirty seats may be thrown open to election, fifteen to be filled up by election by registered Graduates and fifteen by election by the Faculties. I concede that the system of election has to be slowly and cautiously introduced, but I venture to think that the extent to which I am asking for the recognition of the elective system is not by any means extravagant. It will be remembered by my Hon'ble Colleagues that the system of election by Graduates was tentatively introduced here as an

[*Dr. Asutosh Mukhopadhyaya ; Mr. Raleigh.*] [18TH MARCH, 1904.]

experimental measure in 1890 by Lord Lansdowne upon the recommendation of the first Indian Vice-Chancellor of the Calcutta University. The system was in operation for a period of ten years, and whatever criticisms may be levelled against it, it must be conceded by the most unfriendly critic that the qualifications of the persons returned by the Graduates will compare very favourably with the qualifications of persons ordinarily appointed as Fellows by the Government. It would be idle to contend that the result of the election in every instance was entirely satisfactory and absolutely beyond criticism. I am quite prepared to admit that although in three or four instances my fellow Graduates returned persons of great distinction whose claims had been most unjustly overlooked by the Government, yet in other instances the result of the elections was open to criticism and better results might have been obtained if suitable safeguards had been provided. But I have no sympathy with unfriendly critics who are narrow-minded enough to be in constant dread of the elective system and who apply to the results of election in this country a standard of criticism which they would not venture to apply in Western countries. I maintain that in determining whether the elective system is to be continued or extended, the real test to be applied is, not whether in every instance the Graduates have returned the very best man available, but whether the men whom they have actually returned are well qualified to be members of the Senate and quite as competent as the majority of Fellows nominated by the Government. If this test is applied, I state without hesitation that the results of past experience have been on the whole encouraging, that the statutory recognition of the elective system is not merely justifiable, but necessary and desirable, and that there are good grounds for raising the number of elected Fellows in the manner I have suggested. I would only add that, so far as the election by the Faculties is concerned, having regard to the position and attainments of the persons who will presumably constitute the Faculties, they may safely be entrusted with the privilege of electing a larger number of Fellows than is provided in the Bill."

The Hon'ble MR. RALEIGH said :—" My Lord, our experience of election in the Universities has been a short one. As the debate shows, we are not able to speak as to the result unless in qualified terms. Some day in the future Government may say election has been an unequivocal success and may on that ground propose to extend the operation of the principle, but in present conditions I think the provisions of the amended Bill are sufficient and I propose to adhere to the principle."

[18TH MARCH, 1904.] *Mr. Raleigh; Dr. Asutosh Mukhopadhyaya; Mr. Gokhale.*

The Council divided :—

Ayes 5.

The Hon'ble Dr. Asutosh Mukhopadhyaya.
The Hon'ble Rai Bahadur Bipin Krishna Bose.
The Hon'ble Nawab Sayid Muhammad.
The Hon'ble Mr. Gopal Krishna Gokhale.
The Hon'ble Rai Sri Ram Bahadur.

Noes 16.

The Hon'ble Mr. D. M. Hamilton.
The Hon'ble Mr. J. B. Bilderbeck.
The Hon'ble Dr. Ramkrishna Gopal Bhandarkar.
The Hon'ble Mr. T. Morison.
The Hon'ble Mr. A. Pedler.
The Hon'ble Mr. Adamson.
The Hon'ble Mr. E. Cable.
His Highness the Agha Khan.
His Highness the Raja of Sirmur.
The Hon'ble Mr. A. W. Cruickshank.
The Hon'ble Sir Denzil Ibbetson.
The Hon'ble Sir A. T. Arundel.
The Hon'ble Major-General Sir E. R. Elles.
The Hon'ble Mr. T. Raleigh.
His Excellency the Commander-in-Chief.
His Honour the Lieutenant-Governor.

So the motion was negatived.

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA moved that in clause 6, sub-clause (1), head (b), for the word "ten" the word "fifteen" be substituted. He said :—"I have fully stated, in connection with the motion for an increase in the number of Fellows to be elected by registered Graduates, my reasons for an increase in the number of Fellows to be elected by the Faculties, and I have nothing further to add."

The motion was put and negatived.

The Hon'ble MR. GOKHALE moved that in clause 6, sub-clause (2), for the words "not be less than forty nor exceed seventy-five" the words "be one hundred" be substituted. He said :—"The effect of this amendment will be to fix the numbers of the Senates of the Allahabad and Punjab Universities at 100. The Punjab University began with 119 Fellows. The Allahabad University began with 32 ordinary and a large number of *ex officio* Fellows. They have, I believe, now over 100. I think, my Lord, that 100 is a reasonable figure and there is no reason why Government should cut it down."

[*Mr. Raleigh ; Mr. Morison ; Dr. Asutosh Mukhō- padhayaya.*] [18TH MARCH, 1904.]

The Hon'ble MR. RALEIGH said :—" My Lord, I do not think that in Committee any one denied that there must be a certain difference between the three older and the two junior Universities. The figures were settled in Committee as they stand in the Bill, and I propose to adhere to them."

The Hon'ble MR. MORISON said :—" The figure was accepted by the Syndicate of Allahabad University upon the ground which we arrived at by looking through the list that there were about 30 Fellows out of 108 still on the Allahabad University either incapable of attending the meetings of the Senate or who had never in the past attended any University, and we came to the conclusion that in practice it would make no difference to our Senate if we accepted the numbers suggested by the Universities Commission and in the draft Bill. It would merely have the result of improving our Senate by getting rid of the sleeping partners."

The motion was put and negatived.

The Hon'ble DR. ASUTOSH MUKHOPADHAYAYA moved that in clause 6, sub-clause (2), for the words " shall not be less than forty nor exceed seventy-five " the words " shall be seventy-five " be substituted. He said :—" The object of this amendment is to fix the number of ordinary Fellows in the case of the Universities of the Punjab and Allahabad at seventy-five. When I asked the Council to accept my motion that in the case of the Universities of Calcutta, Bombay, and Madras, the number of Ordinary Fellows should be fixed at one hundred, I pointed out as fully as I could the inconvenience and to some extent the danger of having too small a Senate; with a Senate so restricted, the chances of its being officialised are by no means too remote, and I venture to suggest that the numbers in any event should be fixed at seventy-five."

The Hon'ble MR. RALEIGH said :—" My Lord, the Council has already rejected the principle of this amendment, and therefore I oppose it."

The motion was put and negatived.

The Hon'ble DR. ASUTOSH MUKHOPADHAYAYA moved that in clause 6, sub-clause (2), for the word " forty " the word " sixty " be substituted. He said :—" The object of this amendment is to raise the minimum from forty to sixty in the case of the number of Ordinary Fellows for the Universities of the Punjab and Allahabad. The Bill, as originally introduced into Council, was silent upon this point. Consequently the minimum for the University of the Punjab was fifty as fixed by the Act of Incorporation of 1882, and the minimum for the

[18TH MARCH, 1904.] [*Dr. Asutosh Mukhopadhyaya; Mr. Raleigh; Mr. Gokhale.*]

University of Allahabad was thirty as fixed by the Act of Incorporation of 1887. If in 1882 it was thought necessary and practicable that the University of the Punjab should have a Senate of at least fifty, it is a singular commentary upon the spread of education in that Province during the last twenty-two years that in 1904 it should be thought necessary to prescribe a minimum of forty. Moreover, if in November 1903, when this Bill was introduced, the Punjab University was left with a minimum of fifty Fellows, it does seem extraordinary that in February 1904 it should be thought necessary to reduce the number to thirty. Indeed, if I may say so without impropriety, there is no intelligible reason why in the case of any of the Indian Universities the number of Ordinary Fellows should be fixed so low as forty. I would consequently suggest that the number should be sixty."

The Hon'ble Mr. RALBIGH said :—"The supposed inconsistency of Government has nothing in it, I think. The suggestion to deal with the minimum number of Fellows was made in Committee, and I think by a non-official member of the Committee. The Committee has fixed in the case of Allahabad and the Punjab as the number answering to fifty in the scheme of the older Universities. I think that the reasons for this are tolerably clear, and I need not offer an elaborate argument to induce the Council to reject this amendment."

The motion was put and negatived. *

The Hon'ble MR. GOKHALE moved that in clause 6, sub-clause (a), for heads (a) and (b) the following head be substituted, head (c) being re-lettered (b), namely :—

"(a) not less than one-half shall be elected by the Senate and by registered Graduates in such proportions as the Chancellor may from time to time determine."

He said :—"The object of this amendment is two-fold—first, to prevent the proportion of seats known open to election being cut down from 50 per cent. to 20 per cent. as is proposed; and, secondly, to ensure that election by Graduates, to however limited an extent, should be introduced at once in the two Provinces. I submit, my Lord, that no case has been made out for the retrogression involved in reducing the proportion of elected members from one-half to one-fifth in the two Senates. Also, as there is a considerable constituency of qualified Graduates available, there is no reason why that constituency should not be permitted to exercise the franchise at once."

[*Mr. Raleigh ; Rai Sri Ram Bahadur.*] [18TH MARCH, 1904.]

The Hon'ble MR. RALEIGH said :—" My Lord, the whole scheme of this Bill is meant to be consistent. The two junior Universities are dealt with on the same principle as the three older Universities, and I must decline an amendment of this kind which makes so large a breach in the scheme presented to Council by the Select Committee. I may point out that one effect of the rules proposed by Mr. Gokhale is that it would immediately introduce election by Graduates in Allahabad and Lahore; and it does not appear that this form of election is demanded by any preponderating body of local opinion in either case."

The Hon'ble RAI SRI RAM BAHADUR said :—" My Lord, I support this amendment as it is in effect the same as No. 41 standing against my name in the agenda paper. The principle that the Graduates of the two Universities should have the right of election of Fellows is recognised in the Bill. It is only the exercise of this right which is postponed. I do not advocate that the right of election should be exercised solely by the Graduates to the exclusion of the Senate. It should be exercised by both the Senate and Graduates concurrently. The proportion of the numbers in which the Fellows should be elected by the two bodies should be fixed by the Chancellor from time to time. The University of Allahabad has now been in existence for a period of more than 16 years. It has conferred the M. A. degree on 260 persons, whilst the University of Bombay has only 231 and that of Madras 141 Masters of Arts. There does not appear, my Lord, to be any reason for postponing the exercise of this privilege by the Graduates of the Allahabad University. The Hon'ble Law Member, has been pleased to remark that the only man who demands this right is Pandit Sundar Lal. My Lord, that gentleman does not ask for this right personally. He is President of the Graduates' Association and the memorial which has come over his signature comes from the Graduates' Association and represents the views of the entire educated community of the United Provinces."

The motion was put and negatived.

The Hon'ble RAI SRI RAM BAHADUR moved that in clause 5, sub-clause (2), for the word "Universities" the word "University" be substituted and the words "and Allahabad" be omitted. He said :—" My Lord, the amendments Nos. 29 and 30 in the agenda paper are parts of one proposal. Therefore, with Your Lordship's permission, I shall offer my remarks on both these amendments in one. The scope of these amendments is, of course, confined to the Allahabad University."

[18TH MARCH, 1904.] [Rai Sri Ram Bahadur.]

"In the first part of the amendment I propose that the constitution of the Senate of the Allahabad University should be on the principles indicated in the next part of the amendment.

"Instead of a maximum of 75 there should be no limit in the number of Fellows and the minimum should be fixed at 80 instead of 40. My Lord, at the first blush it might appear that the proposal is open to the objection that it does away with the fixing of a maximum; but against this a safeguard is provided in the next part of the amendment proposed by me, that half the number of Ordinary Fellows should be appointed by the Chancellor, or in other words by the Government; the other half should be elected by the Senate and the registered Graduates in such numbers as may be fixed by the Chancellor. Therefore, if the Government will take care not to exercise its power of appointment to a larger extent than is necessary, there is no danger of the Senate growing into an unwieldy body. As the number of elected Fellows will be equal to that of the appointed ones, the latter class together with the *ex-officio* Fellows will always give a majority to Government. No apprehension should be entertained of the preponderance of the non-official element in the Senate. This position of mine is further strengthened by the experience of past elections made by the Senate of the Allahabad University, which shows that this privilege has been exercised with great discrimination. Of the 42 elected Fellows now on the rolls, 11 are Government servants, of whom 9 belong to the Educational Service of the Province. Of the remaining 31 no less than 21 are Principals and Professors of collegiate institutions not managed by Government. Thus in making elections in the past great consideration was given to the educational interest being very adequately represented. We find that no less than 30 men of that class were elected.

"The Local Government hold a very strong view on this subject. In their letter addressed to the Government of India they say as follows :—

"The Lieutenant-Governor agrees with the Syndicate that owing to the peculiar condition of education in these Provinces and the past history of the University special provisions are required as regards both the Senate and Syndicate. The present constitution has worked well in the past, and it should in His Honour's opinion be maintained at least in essentials Opinion in these Provinces is strongly in favour of the retention of the right of the Senate to elect a larger proportion of the Fellows than that laid down in the Bill, and in the case of the Allahabad University no useful purpose will be served by devolving part of this right upon the Faculties. Hitherto the Senate has elected half the Fellows. As the Hon'ble Mr. Raleigh said in his speech, there have been no complaint as to the result. It is proposed in different

[*Rai Sri Ram Bahadur ; Mr. Raleigh.*] [18TH MARCH, 1904.]

quarters and by the Syndicate that 35 Fellows should be elected by the Senate and 40 should be nominated by the Chancellor It is undesirable to break suddenly with the past or to take away from the Senate a privilege which it has used on the whole very well.

"As regards the nature of representation on the Senate I cannot describe them in more forcible or better language than that of His Honour the Lieutenant-Governor, who in the last Convocation address observed as follows:—

'The University is an independent body' and 'its Senate should contain men of practical wisdom and broad views as well as learned experts. I welcome,' continued His Honour, 'the co-operation of thoughtful and educated men; they know best the wishes of parents, the capacity of pupils, the directions in which effort is most likely to succeed.'

"My Lord, the Head of the Government of the United Provinces in no equivocal words expresses the lines on which the Senate of that University should be constituted. It is only by the recognition of the elective principle more largely that the independence of the University can be maintained and the co-operation of 'expert and practical minds' secured.

"My Lord, the effect of the second portion of my amendment will be to retain the existing law on the subject of the constitution of the Senate, which in fact gives a more extensive power for election than the one proposed to be given by the Bill."

The Hon'ble Mr. RALEIGH said:—"My Lord, the scheme now before us departs in so many points from those principles which guided the Government and the Committee in settling these provisions, that I find myself unable to accept the amendment."

The motion was put and negatived.

The Hon'ble Mr. RALEIGH moved that in clause 6 of the Bill as amended, the following be added as sub-clause (4), namely:—

"(4) Elections of Ordinary Fellows by the Faculties and nominations of such Fellows by the Chancellor under this section shall be made in such manner as to secure that not less than two-fifths of the Fellows so elected and so nominated respectively shall be persons following the profession of education."

He said:—"The proposed sub-clause embodies the result of a long discussion. The Government has been asked to consider more than once and

[18TH MARCH, 1904.]

[*Mr. Raleigh.*]

in various forms the proposal that a certain proportion of the new Senates should be reserved for teachers. It is a part of our avowed policy that the teachers in the University should have a larger share of influence in the Senate and a larger number of places there than they have succeeded in securing under the old constitution: and we have been asked, and it is our intention, to agree to certain provisions by which a certain proportion of the Senate should be secured. Personally I have always contended against proposals of that kind, because I have, in some cases, found them embarrassing to work out; and though I quite admit that an unqualified discretion vested in the Chancellor may not be certain to produce a good result, the discretion of the Chancellor will work better if unfettered by rule. At the same time I have to take account of the fact that University teachers—a large proportion of them at all events—do desire to have some safeguard of this kind in the Bill, and that a majority of the Select Committee have adhered to that view by accepting the proviso now attached to clause 10 of the Bill as amended. That proviso required that not less than half of the Ordinary Fellows nominated by the Chancellor should be persons following the profession of education. If a proportion of the places in the Senate be reserved, it does not appear at first sight why the rules should be limited to the nominated Fellows, and in the case of Faculties there is no difficulty in adopting similar rules, because we have empowered the Chancellor to give directions touching the qualifications of the persons to be elected. We might with logical consistency have gone on to suggest that the same rules should be applied to the election by Graduates. We were deterred from taking that course for two reasons. In the first place, we have, rightly or wrongly, made a concession to public opinion by leaving the election by Graduates entirely open, and any restriction would probably have been opposed in Council and might have added considerably to the length of these debates: and, in the second place, as we had omitted to give the Chancellor any power such as would be necessary in the case of the election by Graduates, more redrafting would be required than we thought advisable at this stage of the Bill. We propose, therefore, a rule (to be substituted for the rule attached to the proviso for clause 10) under which two-fifths of the elections by Faculties and two-fifths of the nominations by the Chancellor should be reserved for persons following the profession of education. I have omitted the words which stood as part of the proviso in clause 10 about territorial limits as they do not seem to be necessary. The other provisions of the Bill make it tolerably certain that the members of the Senate must be drawn from the territories in which the University exercises its jurisdiction.

"His Excellency has asked me to state that, if the sub-clause be accepted, the numbers would work out in this way—that in a Senate of 100, if the Senate

[*Mr. Raleigh ; Dr. Asutosh Mukhopadhyaya ; Dr. [18TH MARCH, 1904.] Bhandarkar ; Mr. Morison.*]

were filled up to its maximum number there would be 10 elected by Graduates : that leaves 90 : two-fifths of that would be 36, and that would be the number that would be secured as a minimum. Of course there is nothing to prevent the whole Senate from being teachers, but our proposal secures a certain minimum."

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA said:—"My Lord, I desire to support this motion, which is completely included in an amendment which I had unsuccessfully moved in the Select Committee, which I had dealt with in my note of dissent, and which now forms paragraph 2 of amendment No. 32 standing against my name. My suggestion was that two-fifths of the total number of Ordinary Fellows should be Professors in Colleges ; the Hon'ble Member in charge proposes that this rule should apply only to two out of the three classes of Ordinary Fellows, *viz.*, to those elected by the Faculties and to those nominated by the Chancellor. He leaves unfettered the discretion of the Graduates who will be free to return whom they choose ; to this course I have not the slightest objection to offer. I would have been completely satisfied if my Hon'ble friend had found it possible to accept the other portion of my amendment, the object of which was to secure adequate representation of teachers from non-Government Colleges, whether aided or unaided."

The Hon'ble DR. BHANDARKAR said:—"I speak simply to express my thanks to the Government for having accepted this amendment ; for I was keen about it. Though it is an obvious matter that educationists should be largely represented on such an educational body as the Senate, from our past experience we have seen that somehow Government forgets it. Now that one of the objects of the Bill is to secure such a representation, it will be remembered for some time, but there is no guarantee that it will not be forgotten at some future time when the memory of the present occasion fades away. I am therefore glad that the new clause had been introduced, if for nothing else, simply to remind Government of appointing educationists as Fellows. I was in great fear that the proviso added by the Select Committee would be entirely thrown out by Government. I thank Government cordially for having accepted it in the form of the new clause."

The Hon'ble MR. MORISON said:—"I accept the compromise and am much obliged to the Hon'ble Member in charge of the Bill for having made so considerable a concession to our views. We all felt very strongly that the Government or Local Government of a province was not in a position to know educational opinion, that it never comes into contact with educational men or sees reports upon them, and I think this is particularly the case of Professors on the staff of aided and private Colleges. A Chancellor may serve his full term of five

[18TH MARCH, 1904.] [*Mr. Morison ; Mr. Pedler ; Mr. Gokhale*]

years and may never come to know the most eminent Professors in such institutions, and this is particularly the case with Indian Professors. Such a one may have grown gray in teaching, and unless he has enlivened the sober work of education by political agitation, he would never become known to the Head of the Government, I cannot conceive how under the old dispensation a Chancellor could possibly come to know the Indian Professors. I want therefore to *compel* a Chancellor to seek proper persons within a particular area to which otherwise his attention would not have been directed."

The Hon'ble MR. PEDLER said :—"As one of the members signing the Minute of Dissent in connection with clause 10 of the Bill, I should like to add two or three words. I think that the Dissent made it clear that there was no particular intention of excluding teachers from the Senate on the nomination of the Chancellor, but the difficulty of course came in that by adding the proviso to clause 10 the Select Committee were fettering the discretion of the Chancellor, while the discretion of the Faculties and Graduates was not being so fettered. Personally I think perhaps it is desirable that some such amendment as this should be adopted, especially in consideration of the strong feeling that has been expressed on all sides by the teachers that they should have some definite representation. I do not think there is any wish on the part of any of those who signed the Minute of Dissent to do anything to prevent this, but the difficulty was to provide for anything like definite numerical or fractional representation. I therefore am prepared to support the amendment."

The Hon'ble MR. GOKHALE said :—"I also beg to support this amendment. After the objection that was taken this morning to my suggesting some fear as to what the authorities might do in certain circumstances, I am glad that Dr. Bhandarkar and Mr. Morison have relieved me of the necessity of making another such reference. The Hon'ble Mr. Pedler has also, I am glad to see, supported this amendment. I have not been able to understand the Hon'ble Member's position in this matter. I have looked at the opinions of the officers of the Bengal Government, and I find therein an opinion recorded by the Hon'ble Member, in which he expresses himself in favour of a statutory proportion of one-half being reserved for teachers. When therefore I saw that he had signed the Minute of Dissent of the Hon'ble Mr. Raleigh and the Hon'ble Sir Denzil Ibbetson, I concluded that he had probably changed his opinion on that point. However, I see now that he is again prepared to stand by his first opinion. There is, however, one difficulty, my Lord, which I would like to point out in connection with this amendment. As it is put here it is provided that two-fifths of the men elected by Faculties should

[*Mr. Gokhale; Mr. Bilderbeck; Mr. Raleigh; [18TH MARCH, 1904.]*
the President; Dr. Asutosh Mukhopadhyaya.]

consist of men following the profession of education. That would be four out of ten. Now the Hon'ble Mr. Raleigh will remember that in Select Committee we carefully omitted all figures which were not multiples of five. The original proposal in the case of Allahabad and the Punjab was that eight members were to be elected by the Senate and seven by the Faculties. But after some discussion we changed that into ten by the Senate and five by the Faculties, so as to make the figures multiples of five. For purposes of election, the teaching and non-teaching Fellows elected by Faculties will have to be shown in separate lists. How then are five men on the one hand and six men on the other to go out in five years? The difficulty will be specially experienced in enforcing the transitory provision."

[The Hon'ble MR. BILDERBECK interpellated the remark that, as he understood the amendment, the minimum of two-fifths was applicable to the total of the nominated Fellows and Fellows elected by the Faculties; and the Hon'ble MR. RALEIGH assented to this explanation, the Hon'ble MR. GOKHALE making no further remark.]

The motion was then put and agreed to.

His Excellency THE PRESIDENT said:—"The Hon'ble Dr. Asutosh Mukhopadhyaya has asked my leave to move a proviso to this new sub-clause provided it was accepted, and I have much pleasure in giving him permission."

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA said:—"My Lord, I beg to move that the following proviso be added to clause 6, sub-clause (4), namely:—

"Provided that, in the case of the University of Calcutta, not less than one-half of the members of the profession of education so elected and so nominated shall belong to Colleges not owned or managed by the Local Government."

"My Lord, I had given notice of an amendment to this effect which stands No. 46 on the agenda. My original suggestion was that this should be added as a proviso to clause 10, but as now upon the motion of the Hon'ble Member in charge of the Bill the proviso to clause 10 itself is to be omitted, I have been am obliged to ask Your Excellency's permission to move that this proviso be added to what has just been added to clause 6.

"My Lord, I venture to point out that if the proviso just added by the Council to clause 6 is to be productive of any real good in practice, it ought to be coupled with a qualifying clause securing the adequate representation of Professors in Colleges not owned or managed by the Government; these form pre-

[18TH] MARCH, 1904.] [*Dr. Asutosh Mukhopadhyaya ; Mr. Raleigh.*]

cisely the class of people who, for obvious reasons, may find it extremely difficult to have their just claims readily recognised by the Government. I therefore venture to suggest that, in the case of the University of Calcutta, not less than one-half of the members of the profession of education, nominated or elected as Ordinary Fellows, shall belong to Colleges not owned or managed by the Local Government. That I am not placing too high the claims of the Professors of Institutions not owned or managed by the Government, will be evident if we remember the extent of the educational work carried on by these Institutions. During the five years ending with 1903, the Government Colleges affiliated to the Calcutta University sent up 3,795 candidates for the F. A. Examination, while aided Colleges sent up 2,544 and unaided private Colleges 11,506. During the same period, Government Colleges sent up 2,720 candidates for the B. A. Examination, aided Colleges sent up 2,036 and unaided private Colleges sent up 4,380. For the M. A. Examination, for which the total number of candidates is comparatively very much smaller, being on an average about 200 a year, about half the number of candidates come up from Government Colleges. For the B. L. Examination the vast majority of candidates come up from private Colleges, only an insignificant minority being sent up by Government Colleges. As to instruction in the Faculties of Medicine and Engineering, it is imparted solely in Government Institutions. I trust these figures prove conclusively that private Colleges, whether aided or unaided, do fill an important place in the educational machinery of the Provinces within the jurisdiction of the Calcutta University, and the claim to be represented in the Senate, which I advance on behalf of the Professors of these Institutions, is by no means exaggerated. They have been brought into existence as a result of the avowed policy of the Government for the last twenty years—a policy of encouragement of private effort for the promotion of high education—and Government ought not to be slow or unwilling to recognise their just claims."

The Hon'ble MR. RALEIGH said :—" My Lord, I fully admit the truth of much that the Hon'ble Dr. Asutosh Mukhopadhyaya has said in regard to the importance of unaided Colleges. I trust that the interests of those Colleges will always be carefully considered in everything that relates to University administration. But I find it difficult to accept his amendment, because in the first place it is so worded that I am not at all sure how it will apply. He speaks of Colleges owned or managed by the Local Government. Now the Local Government, strictly and legally speaking, does not own anything at all. Public property in this country is vested in His Majesty. Then when can we say that a College is managed by a Local Government? A College is managed by its Principal and Professors. The Hon'ble Mr. Pedler will

[*Mr. Raleigh; Mr. Morison; Mr. Pedler.*] [18TH MARCH, 1904.]

be able to advise us on this point, but I really do not know what a Court of Law would say as to the class of Colleges to which this law would apply. These, however, are lawyers' points and I merely mention them. But what I really object to is the policy of this amendment. If we introduce distinctions between classes of Colleges, we complicate the whole scheme of the Bill, and we run the risk of making our Senates less efficient. My great desire is that in their relation to the University all Colleges should be treated alike.

"There are Government Colleges which may perhaps be rather stringently dealt with under the provisions of this Bill. I wish the same treatment measured out to some unaided Colleges, with this difference, that I would if anything treat them with more leniency than the Government Colleges, because they may have more difficulty in rising to the demands of the new system. Speaking on behalf of Government I would say with emphasis that we all recognise the necessity of treating unaided Colleges with consideration. The Government is to a great extent responsible for the existence of these institutions, and I think that the Government should see that under the powers which are given under this Bill they are not in any way unfairly treated. I cannot help feeling that the proposal to introduce a distinction between the Government and the private College by this Bill is suggested by an apprehension that they may be unfairly dealt with, and that has led me to make these remarks; but I deprecate the distinction which this amendment draws and I am afraid I cannot accept it."

The Hon'ble MR. MORISON said :—" I quite agree with the spirit of this amendment. But I doubt whether it is necessary, for I think that the Chancellor who filled up all the educational Fellowships with Government servants would be monstrously unjust. So far I quite agree with what the Hon'ble Dr. Mukhopadhyaya said: but the question now is really this. We have a proviso that the Chancellor shall appoint a certain number of educational men: is there any reason to suppose that he will be intentionally unjust? The difference between myself and my Hon'ble Colleagues is this, that I do not accuse the Chancellor of deliberate injustice, though I do think that he has very often been ignorant of the *personnel* of the Educational Service."

The Hon'ble MR. PEDLER said :—" I am rather sorry that the Hon'ble Dr. Mukhopadhyaya has thought it desirable to move an amendment of this kind. It almost implies a reflection that Colleges other than those belonging to the Government do not receive their fair share of consideration in Bengal from the Calcutta University, and possibly at the hands of the Department of Education under the Government. I only desire to say that it is always my wish to help

[18TH MARCH, 1904.]

[*Mr. Pedler.*]

forward education provided that education is of the proper kind, but I do not wish to help forward or assist in any way education which is more or less a sham. This amendment almost suggests that in the past these aided Colleges and Native Colleges have not been given fair treatment. I do not wish to speak with regard to myself, but I think the history of education in Bengal especially as shown in the Report of the Education Commission of 1882 proves that every possible encouragement has been given to private enterprise in the matter of higher and university education. Indeed, there is abundant evidence to show that Government is still continuing this policy of aiding local efforts in this matter. High Schools at some places have been handed over to District and other Boards, and no less than two Colleges, one at Midnapore and one at Berhampur, have been transferred from Government management. Everything is done, so far as I am aware, in Bengal to help forward this form of education, provided only that Government is assured that the education is of the right kind.

"Passing away from that general consideration, I think, as the Hon'ble Mr. Raleigh said, the definition of Colleges managed by Government or 'maintained by Government' would be liable to give rise to a little trouble. I do not know whether Government does manage Colleges. The Colleges are practically worked by their Principals with of course certain general directions given by the Government. Each Principal manages his own courses of lectures, gives the work to the various Professors and guides his actions by the requirements of the University, and hence I do not consider Government manages any particular College any more than the University does. As Director of Public Instruction I certainly do not manage the Engineering College, the Presidency College, and so on.

"Now I should oppose the amendment not only from that point of view, but from the point of view which was taken by the Hon'ble Mr. Raleigh. It is most undesirable to in any way set up one class of Professors against another class of Professors. What I imagine is always looked to by the Chancellor in making his selection of Fellows for any University, and what I hope will be looked to by the Faculties in making their selections, is whether such and such an individual is one who will advance education or not, and not whether he is a man drawn from one kind of College or another. In making such selections all that should be asked is whether the proposed Fellow is one who has high ideals of education, high qualifications, and high standards. Is he a man who would cause the University of Calcutta to be respected? We do not want to divide our Professors into officials and non-officials; we

[*Mr. Pedler ; Rai Sri Ram Bahadur : Dr. Asutosh* [18TH MARCH, 1904.]
Mukhopadhyaya.]

want to divide them into educationists and non-educationists; and I am afraid that if Dr. Mukhopadhyaya's amendment were carried it would be the source of endless trouble. I therefore oppose it."

The Hon'ble RAI SRI RAM BAHADUR said :—" It has been said by the Hon'ble the Law Member that the amendment proposed by the Hon'ble Dr. Mukhopadhyaya contained the words 'managed by Government' which are open to objection. Here I have in my hands, my Lord, the Report of the Director of Public Instruction of the United Provinces for the year ending 31st March 1903. We find that in this Report the Colleges which are owned by Government or are entirely supported by Government are described as 'managed by Government.' Now I suppose that the form for these returns is prescribed by the Imperial Government, and that the Educational Departments of the various Provinces submit their returns according to the prescribed form."

The Hon'ble DR. ASUTOSH MUKHOPADHYAYA said :—" I desire to say a few words in reply. I shall make no reference to the verbal criticism not merely because it is hypercritical, but because the question has been discussed upon principle. The Hon'ble Member in charge of the Bill has said that we ought not to recognise classes of Colleges. That may be excellent theory, but it is not consistent with facts. There are two classes of Colleges, perhaps three. The distinction is recognised by Government for other purposes, and I am only asking the Government to recognise the distinction for our present purposes. My Hon'ble Friend says that my motion is really based upon an apprehension that private Colleges may be intentionally unfairly dealt with. I emphatically repudiate the suggestion. I do not suggest for a moment that there is any intention on the part of the Government to deal unfairly with private Colleges. But the position of the Chancellor is so dignified or elevated that he does not come into contact with teachers at all whether they belong to private Colleges or whether they belong to Government Colleges. When, therefore, an appointment to a Fellowship has to be made, he consults his official advisers. They naturally recommend the men whom they know: there is nothing wrong in that. If a Vice-Chancellor or Director of Public Instruction is asked to recommend a man, he is in fact perfectly justified in recommending one whom he knows personally. He has never come across the distinguished Professors who do their work in private Colleges and he has probably never heard of them. Therefore I think it desirable that the Statute should provide expressly that the Chancellor is to look not only to the Government Colleges but, also to the private Colleges when he is making appointments to the Fellowships.

[18TH MARCH, 1904.] [*Dr. Asutosh Mukhopadhyaya.*]

I cannot imagine how the most captious critic can suggest that there is anything wrong or unfair in that."

The motion was put and negatived.

The Council adjourned to Saturday, the 19th March, 1904.

CALCUTTA;
The 29th March, 1904. }

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