

*Thursday,  
16th March, 1911*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

**LAWS AND REGULATIONS**

Vol. XLIX

**April 1910 - March 1911**

ABSTRACT OF PROCEEDING  
OF  
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS,

April 1910 - March 1911

**VOLUME XLIX**



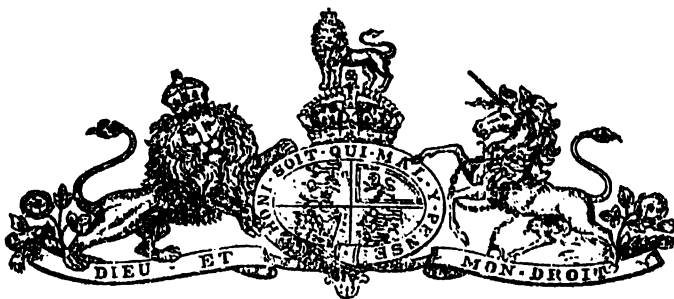
Published by Authority of the Governor General.



---

CALCUTTA :  
OFFICE OF THE SUPERINTENDENT OF GOVERNMENT PRINTING, INDIA.

1911



GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

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 TO  
1909 (24 & 25 VICT., c. 67, 55 & 56 VICT., c. 14, AND 9 EDW. VII, c. 4).

The Council met at Government House, Calcutta, on Thursday, the 16th  
March 1911.

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, P.C., G.C.B., G.C.M.G., G.C.V.O.,  
G.M.S.I., G.M.I.E., Viceroy and Governor General of India, *presiding*,  
and 61 Members, of whom 54 were Additional Members.

QUESTIONS AND ANSWERS.

The Honble Mr. Gokhale asked :—

“ I. (a) Will the Government be pleased to lay on the table a return, showing, year by year, the number of indentured emigrants from India to Mauritius during the last five years ?

“ (b) Has the attention of the Government been drawn to the following opinion, expressed by the ‘ Committee on Emigration from India to the Crown Colonies and Protectorates ’ in paragraph 408 of their report, issued in 1910 :

‘ The population (of Mauritius) has risen to a density of 550 to the square mile ; poverty is increasing ; the demand for fresh immigrants has ceased for the last two years, and it does not appear likely that further artificial addition to the population could be to the real advantage of the Colony or of the immigrants.’

“ (c) Will the Government be pleased to state what steps, if any, they propose to take in view of this opinion ?

“ II. (a) Are the Government aware that marriage according to Hindu or Muhammadan rites is not recognised as valid in law in Mauritius, and that Indian settlers in that Colony are placed under the French law of marriage and succession, and that this is regarded by the Hindu and Muhammadan settlers as a grievance ?

[*Mr. Gokhale ; Mr. Clark ; Mr. Sachchidananda Sinha ; Mr. Jenkins.*] [16TH MARCH 1911.]

"(b) If so, will the Government be pleased to state if they will urge on the Colonial authorities the necessity of removing this grievance of the Hindu and Muhammadan settlers in Mauritius by recognising in their case the validity of Hindu and Muhammadan laws of marriage and succession?"

**The Hon'ble Mr. Clark replied :—**

"The number of indentured emigrants who proceeded from India to Mauritius during the five years 1905 to 1909 is as follows :—

Year.	Number of emigrants.
1905	601
1906	585
1907	572
1908	Nil
1909	Nil

"The Government of India have received a copy of the Report of the Committee on Emigration from India to the Crown Colonies and Protectorates referred to by the Hon'ble Member, and it is at present under their consideration. No decision has yet been come to on the recommendation of the Committee in regard to emigration to Mauritius.

"The reply to the first part of the second question is in the affirmative. The marriage law formed the subject of correspondence between the Government of India, Her Majesty's Government and the Colonial Government in 1897, but the law has remained unaltered for reasons of which the Government of India are not aware. The question of the application to Indians of the Colonial law as regards marriage and succession has now been raised in the Report of the Mauritius Royal Commission, 1909. The Government of India will take the matter into consideration in connection with the Emigration Committee's Report."

**The Hon'ble Mr. Sachchidananda Sinha asked :—**

"(a) Is it a fact that in the North-West Frontier Province legal practitioners (including Barristers) are under the necessity of taking out an annual license on payment of Rs. 20, besides paying an admission fee of Rs. 50, and that these rules apply even to Barristers already enrolled (on payment of Rs. 500) as advocates of a High Court or a Chief Court?"

"(b) Will the Government be pleased to state how many applications of Barristers for enrolment as 'legal practitioners' were made to the Judicial Commissioner, and how many of these were rejected, since the creation of the North-West Frontier Province?"

"(c) Will the Government be pleased to state the number of applications which were made for special licenses (i.e., for permission to appear in particular cases) to the Judicial Commissioner during the same period, and how many of these have been rejected?"

"(d) Is it a fact that the Judicial Commissioner has fixed a maximum number of legal practitioners for his own Court and also for the Courts subordinate to him?"

"(e) If so, what are the numbers so fixed and under whose authority has it been so done?"

"(f) Are the Government aware that the rules regulating the enrolment of legal practitioners in the Courts of the North-West Frontier Province have caused great dissatisfaction amongst lawyers, as also among the litigant public in that province?"

"(g) Do the Government propose to bring the said rules in conformity with those in force in the Judicial Commissioners' Courts in other provinces?"

**The Hon'ble Mr. Jenkins replied :—**

"A report has been called for."

[16TH MARCH 1911.] [*Mr. Sachchidananda Sinha; the Commander-in-Chief; Mr. Butler.*]

**The Hon'ble Mr. Sachchidananda Sinha asked :—**

"(a) Are the Government aware that in manœuvres carried out by troops in the winter months in the different provinces in India heavy field firing is practised and villages have to be evacuated for that purpose?

"(b) Are the Government aware that the evacuation of the villages is attended with great discomfort and trouble to the villagers?

"(c) Are the Government aware that standing crops are injured by the movements of the troops?

"(d) Under what law, if any, is the evacuation of villages enforced?

"(e) Is there any similar practice in the United Kingdom?

**His Excellency the Commander-in-Chief replied :—**

"(a) Yes, such practice being essential for the training of the troops. In some instances it is arranged that villages should be evacuated, but this is only resorted to in the interests of the inhabitants as a precaution against the possibility of accidents, and every endeavour is made to inconvenience the inhabitants as little as possible.

"(b) The evacuation is only for a few hours.

"(c) Under the orders in paragraphs 212 and 213, Army Regulations, India, Volume X, when such damage does occur, compensation is paid as assessed by the Civil Authorities.

"(d) There is no law on the subject, but it has been the custom for many years to arrange with the villagers to leave their villages during firing when there is any risk of accident.

"(e) The Military Manœuvres Act, 1897, gives much more extensive powers to prevent interference with the execution of manœuvres than are exercised in India. The Commander-in-Chief fully realises that the rules on this subject require amplification in order that the necessary training of the Army for war may be carried out with the minimum of inconvenience to the rural population. This question has been under discussion for some years and proposals are now before Local Governments."

**The Hon'ble Mr. Sachchidananda Sinha asked :—**

"Will the Government be pleased to state the number and names of the officers appointed in the Indian Educational Service between the years 1898 and 1904, and also between 1905 and 1911, respectively, as also the provinces in which they have been posted?"

**The Hon'ble Mr. Butler replied :—**

"The number of officers appointed to the Indian Educational Service (a) between the years 1898 (exclusive) and 1904 (inclusive) and (b) between the years 1905 (inclusive) and 1911 (exclusive) are respectively 68 and 111. A statement\* showing the names of the officers appointed during these periods is attached and will be laid on the table."

**The Hon'ble Mr. Sachchidananda Sinha asked :—**

"(a) Has the attention of the Government been drawn to the following editorial observations of an Anglo-Indian daily of Bombay, the *Advocate of India*, in its issue of January 28th, 1911 :—

'These pledges were fully carried out notwithstanding a good deal of opposition from the predominant Hindu partner, and the Muhammadans to-day are proportionately as well represented on the Councils and in the distribution of State patronage as other classes of our subjects.' (The italics are mine.)

"(b) Are the Government aware that on previous occasions also the said and some other Anglo-Indian papers have referred to the people of British India as 'our subjects.'"

[Mr. Sachchidananda Sinha; Mr. Jenkins; [16TH MARCH 1911.]  
Mr. Chitnavis; Pandit Madan Mohan Malaviya; Sir T. R. Wynne.]

"(c) Is it not a fact that the people of British India are the subjects of His Most Gracious Majesty King-Emperor George V to the absolute exclusion of anyone else ?

"(d) If so, what steps do the Government propose to take to prevent the repetition or the recurrence of the use of expressions like that used by the *Advocate of India* and some other Anglo-Indian papers ?

**The Hon'ble Mr. Jenkins replied :—**

"(a) Government have referred to the expression objected to, which occurs in an article in the issue of the *Advocate of India* of the 28th January 1911. It would appear that the word 'fellow' has unintentionally been omitted between the word 'our' and the word 'subjects'.

"(b) Government have not noticed any similar expression in the same or any other Anglo-Indian newspaper and have no responsibility in the matter.

"(c) & (d) In view of the answers returned above, replies to the last two questions do not seem to be called for."

**The Hon'ble Mr. Chitnavis asked :—**

"(a) Has the attention of the Government been drawn to complaints in the Press about the time of this Council being taken up by provincial Central Provinces matters ?

"(b) Do the Government intend to consult the Hon'ble Chief Commissioner if provision could be made for the proper discussion of provincial subjects by the formation of a Legislative Council for the Central Provinces under section 46 of the Indian Councils Act of 1861 ?

"(c) Has there been any correspondence on the subject between the Imperial Government and the Hon'ble the Chief Commissioner of the Central Provinces ?

"(d) If so, will the Government be pleased to state if any, and what, decision has been come to ?"

**The Hon'ble Mr. Jenkins replied :—**

"(a) The attention of the Government of India has not been drawn to specific complaints in the Press on the subject.

"(b) & (c) The Government of India have received a communication from the Hon'ble the Chief Commissioner of the Central Provinces as regards the constitution of a local Council for the Central Provinces, and the matter is now under their consideration.

"(d) No decision has as yet been arrived at."

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

"Has the attention of Government been drawn to the remarks of Mr. R. N. Mukerji in his Presidential address at the last Indian Industrial Conference to the effect that the new branch line terms would have a discouraging effect on the promotion of District Board lines? Will the Government be pleased to say whether it will reconsider the matter in order to facilitate the construction of light narrow gauge Railways by District Boards? "

**The Hon'ble Sir T. R. Wynne replied :—**

"A reference has been made to Government in this matter and is under consideration; but, as at present advised, it does not seem to them that any action is necessary in the direction suggested by the question. I may point out that at the present time branch line terms permit of a  $3\frac{1}{2}$  per cent. guarantee, while the terms usually given by District Boards provide a 4 per cent. guarantee; and it should also be remembered that it is open to promoters, if they consider the branch line terms more favourable, to ask for the application of those terms instead of District Board terms to any feeder lines they may be desirous of taking up."

[16TH MARCH 1911.] [*Pandit Madan Mohan Malaviya ; Sir T. R. Wynne ; Babu Bhupendranath Basu ; Mr. Jenkins ; Mr. Gokhale ; Mr. Clark.*]

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

"Has the attention of Government been drawn to the following remarks of Mr. R. N. Mukerji in his Presidential address at the last Indian Industrial Conference :

'Talking about the Railway Board as a commercial man, I would like to see a commercial or financial expert as one of the members. As at present constituted the Board is what I may call a technical one. Each member has a wide and expert experience and knowledge in the construction and working of Railways, but inasmuch as Railways are inseparably connected with the commercial interests and development of the country, what is wanted, in my humble opinion, is an additional member who should be a commercial and financial expert.'

"Will the Government be pleased to say whether they will consider the advisability of giving effect to the suggestion contained in the above remark?"

**The Hon'ble Sir T. R. Wynne replied :**

"Government do not consider it desirable or necessary to adopt the suggestion made by Mr. Mukerji. It is conceded that the Railway Board have wide and expert knowledge of the working of Railways, which knowledge necessarily includes an intimate acquaintance with the commercial needs of the country. They are in constant communication and close touch with the various Chambers of Commerce in all parts of India, the meetings of which they frequently attend. Individual merchants and others communicate direct with the Board upon subjects in which they are interested, and in every way the Board are in a position to deal broadly and impartially with the various commercial propositions for trade development. It may be that they are at times unable to agree with particular proposals made in the interests of individuals or a particular trade without regard to other existing interests ; but this is not a reason for additions being made to the membership of the Board as suggested by Mr. Mukerji."

**The Hon'ble Babu Bhupendranath Basu asked :—**

"Will the Government be pleased to lay on the table the figures showing expenditure in political trials, civil and criminal, in the provinces of Bengal, Eastern Bengal and Assam, Bombay and the Punjab during the last three years, including the year 1910-1911?"

**The Hon'ble Mr. Jenkins replied :—**

"Inquiries are being made."

**The Hon'ble Mr. Gokhale asked :—**

"(a) Has the attention of the Government been drawn to the report, which has appeared in the newspapers, that 90 sirdars, deputed to India by the planters in Natal to recruit, on an extensive scale, indentured labour for their estates, before the notification prohibiting indentured emigration to Natal comes into force on 30th June next, have started for this country by the steamship *Umfuli*?"

"(b) Will the Government be pleased to say whether they intend to take early and effective steps to make their decision, to prohibit indentured emigration to Natal after the 30th of June, widely known throughout those areas where indentured labour for that colony is usually recruited?"

**The Hon'ble Mr. Clark replied :—**

"The Government of India have seen the newspaper report referred to.

"The decision to prohibit emigration to Natal was, as the Hon'ble Member is aware, announced at a meeting of this Council held on the 3rd January last. The Government of India believe that this decision is now widely known, and they do not consider it necessary to take any special steps in the direction indicated by the Hon'ble gentleman, pending the publication on April 1st of the notification prohibiting emigration."

[*Sir Guy Fleetwood Wilson; the Commander-in-Chief; Mr. Butler; Mr. Jenkins.*] [16TH MARCH 1911.]

#### INDIAN PAPER CURRENCY (AMENDMENT) BILL.

The Hon'ble SIR GUY FLEETWOOD WILSON: "My Lord, I move that the Bill to amend the Indian Paper Currency Act of 1910 be taken into consideration. This Bill has been published in the Gazettes and the reasons for this legislative enactment and the objects of it are stated in the memorandum attached to the Bill, and no opposition to it has been raised in any quarter after publication. I therefore propose to offer no remarks."

The motion was put and agreed to.

The Hon'ble SIR GUY FLEETWOOD WILSON moved that the Bill be passed.

The motion was put and agreed to.

#### ARMY BILL.

His Excellency THE COMMANDER-IN-CHIEF: "My Lord, I beg to move that the Report of the Select Committee on the Bill to consolidate and amend the law relating to the government of His Majesty's Native Indian Forces be taken into consideration.

"The Hon'ble Major General Sir Robert Scallon, when presenting the Report of the Select Committee at the Council meeting of the 24th January, during my absence in Burma, called attention to the chief changes which the Bill as amended by the Select Committee makes in the existing military Code. To the remarks then made by him I have nothing further to add."

The motion was put and agreed to.

His Excellency THE COMMANDER-IN-CHIEF moved that the Bill, as amended, be passed.

The motion was put and agreed to.

#### BIRTHS, DEATHS AND MARRIAGES REGISTRATION (AMENDMENT) BILL.

The Hon'ble MR. BUTLER: "My Lord, I beg to move that the Bill further to amend the Births, Deaths and Marriages Registration Act of 1886 be taken into consideration.

"This, my Lord, is a non-contentious measure to facilitate registration. I explained the objects of the Bill when I introduced it in this Council. It has since been published in the Gazette and no criticisms have been received; I therefore do not think that I need take the time of the Council in saying anything further on the subject."

The motion was put and agreed to.

The Hon'ble MR. BUTLER moved that the Bill be passed.

The motion was put and agreed to.

#### PREVENTION OF SEDITION MEETINGS BILL.

The Hon'ble MR. JENKINS: "My Lord, I rise to move for leave to introduce a Bill to consolidate and amend the law relating to the prevention of public meetings likely to promote sedition or to cause a disturbance of the public tranquillity.

"This Bill is intended to take the place of the Seditious Meetings Act of 1907, which, in ordinary course, would expire on the 31st of this month. This is the third time that the Act has been before the Council, and I think we may reasonably hope that it will be the last. Since the duration of the Act was



[16TH MARCH 1911.]

[Mr. Jenkins.]

extended last year, there has been a new Secretary of State and a new Viceroy. The composition of the Government of India has undergone a very considerable change, and a Council has been given to the Bengal Government, one Member of which is an Indian. Yet the decision upon the subject is still the same and is still unanimous, that we ought to have an Act upon the Statute-book for the prevention of seditious meetings which may be applied in case of need. It may further be considered that there is not one Member of the Government of India and not one of the many persons whose advice has governed the decision of the Government of India who has not approached this subject with a most sincere desire to dispense with any legislation of the kind if it were possible to do so. I think, my Lord, that that fact should weigh with those who are prepared to bring to the consideration of the question an unprejudiced mind. As it is intended to refer the Bill to Select Committee, I will not in these introductory remarks anticipate any of those arguments which may be used against the Bill. Everything that can be said against the principle of legislation of this kind has been said many times over, and some of the arguments which were urged against the details of the existing Act have no application to this Bill. In dealing with the Bill I propose, in the first instance, to give a brief account of the history of the case down to the present time, showing how the necessity for the existing Act arose and why there is still a need that its effective provisions should be incorporated in this Bill. I will then take up the existing Act and explain its provisions regarding which there has been much misconception and much misrepresentation, partly ignorant and partly, I am afraid, intentional. Finally, I will explain the provisions of the Bill and show in what respects they differ from those of the existing Act.

“In dealing with the history of the case I will not go back beyond 1905, although the seeds of the mischief had been sown long before that time and had already produced a rank and noxious growth. It is a mistake to think that the partition of Bengal was the origin of the agitation which reached its greatest height in the year subsequent to the partition. Revolutionary ideas and revolutionary organisations had been in existence long before that time. The partition no doubt brought to the front men who would otherwise have held aloof, and it also afforded a magnificent opportunity to the leaders of the movement to develop and mature schemes which had already been conceived. In 1905, certain gentlemen went down to Eastern Bengal and Assam and opened a campaign of sedition. Their precepts were only too faithfully followed by those to whom they were addressed. Many meetings were held all over the country and there were serious disturbances, until in 1907 matters reached a climax. About the same time harangues addressed to mobs in the Punjab were followed by very serious rioting in Lahore and Rawalpindi. Itinerant preachers of sedition visited the Madras Presidency, and there followed riots at Coconada and Kajahmundry. In fact, the connection between violent action and violent speaking became so obvious, that Government could no longer afford to overlook it, and the Ordinance No. 1 of 1907 was issued. The object of this Ordinance was rather to enable Government to obtain information as to what was said and done at meetings than to suppress them, and although the District Magistrate was given power to prohibit meetings, yet his powers in that respect were not much in excess of those which he may exercise under section 144 of the Code of Criminal Procedure. The Ordinance was applied, in the first instance, to Eastern Bengal and Assam and the Punjab. In the former, 9 districts or parts of districts were notified, and in the latter 7. The effect of the Ordinance was salutary, but it had one serious fault, in that there was no definition of the term ‘public meeting’, and the agitators were not slow to take advantage of that defect. The defect was removed when the Ordinance was converted into the Seditious Meetings Act, which came into force in November 1907. The Act was, in the first instance, extended only to Eastern Bengal and Assam, and only one district, Bakarganj, was proclaimed under it. It was in fact used most sparingly although dangerous meetings continued to be held in different parts of the country. To take a few instances of many: itinerant lecturers held meetings in Madras, and we had the very serious riot which took place at Tuticorin; in Eastern Bengal and Assam there were

[Mr. Jenkins.]

[16TH MARCH 1911.]

grave breaches of public peace, of which the most notable was the riot which took place at Baira. Even in Calcutta itself disturbances were rife, and to deal with them strained all the resources of the ordinary law. The temptation to make free use of the Act must have been very great, but the temptation was withstood until, after the murder of Mr. Jackson and Shams-ul Alum, the Act was extended to all the major provinces in India. But from first to last, the Act has been in force only in 5 districts in the whole of India, and I think I may reasonably claim that Government have exercised the powers conferred on them by the Act with great moderation. I have shown, my Lord, that in many cases serious disturbances followed close upon violent speaking. If the results of seditious utterances were limited to transitory tumults, they would not be so dangerous; but unfortunately this is not the case, especially in Eastern Bengal and Assam. Bands of national volunteers were enrolled; seditious societies were established; the boycott was enforced by the most violent measures, sometimes extending to the burning of goods, houses and warehouses of those who were recalcitrant; subsidies were levied by threats from well-to-do people; dacoities were committed in order to secure funds; and assassinations were planned and executed. In fact, it is not too much to say that in many localities a reign of terror was established. I will now come to the existing state of affairs. That there has been an improvement—a very great improvement—in the general situation we all gladly acknowledge. The atmosphere is entirely different from what it was two or three years ago; but, my Lord, it would be folly to allow ourselves to be lulled into a false sense of security on that account. It is necessary to realise that there is a revolutionary party still in existence with which we have to reckon. The results of their activity are in some part—and only in some part—known to the public, for sometimes they become evident even in the streets of Calcutta. But their methods are not so well known; they are known only to those who take pains to discover them. They introduce into India and produce in India large quantities of seditious literature which are circulated on a great scale. They write threatening letters, some of which have been received, even at a comparatively recent period, by Members of this Council. They post up seditious placards in public places; they lay plans for the importation of arms, fortunately so far without any great results. They plan and execute robberies and assassinations. My Lord, I have not the least desire to exaggerate to or say anything which may give rise to feelings of alarm or disquietude, but I do wish to impress upon the Council that the revolutionary party is not dead; it is alert, vigorous and well organised. Their numbers are not, in comparison with the whole population, very great; they may almost be said to be insignificant. Nevertheless, the actual numbers of the party and those who sympathise with them in a greater or less degree are sufficiently numerous to be formidable. It is incredible that they who have used the weapon of seditious oratory with so much effect in the past should refrain from using it if they are ever left free to do so. The danger, my Lord, is not distant or doubtful, it is near and certain, and I think that we ought to be placed in a position to deal with it without delay and without hesitation.

“I now come to a consideration of the existing Act. The Act cannot be extended to any province in India without the consent of the Governor General in Council. Even when it is so extended, none of its provisions can come into force anywhere except in areas which have been notified as proclaimed areas by the Local Government. Then we come, after those preliminary provisions, to the definition of public meetings. The definition of a public meeting is notoriously a very difficult thing, and this definition has been taken from English precedents. The one part of the definition to which great exception has been taken is contained in sub-section (iii) of section 3, which provides that any meeting of more than twenty people shall be held to be a public meeting. Now, the sole intention of that provision was to throw the burden of proof, that a meeting of more than twenty is not a public meeting, upon the organisers of that meeting, and I think that there is no ground whatever for the fables that have been set in circulation that a dinner party or social gathering would come within the purview of the Act. In the next place, the Act only applies to public meetings of a certain kind—public meetings which are

[16TH MARCH 1911.]

[Mr. Jenkins.]

like to lead to disturbances of the peace or the public tranquillity or which deal with any political subject. I will describe those meetings as meetings of a dangerous class; considering the state in which a proclaimed area must be presumed to be, any meetings of the kind may and are very likely to become dangerous.

"Then we have a section which requires notice of a public meeting to be given. There is a penalty section: the District Magistrate is empowered, under section 144 of the Criminal Procedure Code, to prohibit any public meeting of what I have called the dangerous class, and there is also special power to deal with meetings in public places or in places of public resort. The points which I wish to make perfectly clear are these: in the first place, the provisions of the Act cannot come into operation anywhere until it is extended by an order of the Governor General in Council; in the next place, the provisions of the Act do not come into force in any area except a proclaimed area; and thirdly, the Act only applies to meetings of a specific class and all meetings of any other kind are perfectly free.

"I think, my Lord, that it cannot reasonably be maintained that an Act of this description is unduly oppressive, and I think it will be generally agreed, from what I have said, that the Act has been used very sparingly and with great caution. We have, however, decided to repeal this Act. It would naturally, as I have said, lapse on the 31st March, and we propose to replace it by the Bill which is now before the Council. The provisions of the existing Act which have been modified by the Bill are as follows:

"In the first place, in section 2 we have provided that the previous sanction of the Governor General in Council shall be necessary to the proclamation of any area. I think no one is likely to accuse me of wishing to encroach upon the authority of Local Governments, but the proclamation of an area is a very serious matter. The ultimate responsibility for such action must rest upon the Government of India, and as the Government of India cannot escape the responsibility, we think that it is right that no area should be proclaimed without their previous sanction.

"In the next place, in the definition of a public meeting we have excluded the clause to which I have already alluded, which throws the burden of proof, that a meeting of more than twenty persons is not a public meeting, upon the organisers of the meeting. That clause has given rise to a great deal of misconception, and we have decided, in deference to the objections which have been urged against it—although I do not think they have always been well-founded—we have decided to withdraw that clause.

"The next modification is in clause 4 of the Bill. We have decided to omit from the description of the meeting which I have described as dangerous the words 'for any political subject.' That is to say, the operation of the law will be confined entirely to meetings for the furtherance of discussion of any subject likely to cause disturbance or public excitement, or for the exhibition or distribution of any written or printed matter relating to such subject. And I would say, my Lord, that no reasonable people can really object to Government being invested with powers to deal with meetings of that description, not throughout the whole of the country, but only in areas where the condition of affairs has become so bad that it is necessary to proclaim them. In the next place, in the same section we have made the authority, to whom notice of public meetings should be given, the District Magistrate instead of the District Superintendent of Police. Also we have in the same manner vested the authority to direct police-officers to attend at a public meeting for the purpose of making a report of the proceedings in the District Magistrate, or any Magistrate of the first class authorised by the District Magistrate in that behalf.

"The other modifications which have been introduced are consequential upon those which I have mentioned.

"Such, my Lord, is the Bill which I ask leave to introduce. Those who have always held that this legislation is justifiable and that the circumstances of the time demand it will, I think, accept it. Those who have had doubts as to

442 PREVENTION OF SEDITIOUS MEETINGS; ELEMENTARY  
EDUCATION.

[Mr. Jenkins; Mr. Gokhale; the President; Babu [16TH MARCH 1911.]  
Bhupendranath Basu.]

the propriety of some of the details of the existing Act, while at the same time they are willing that Government should be armed with all the powers necessary for the maintenance of law and order, will, I hope, be convinced that this measure is as mild and as unobjectionable as any measure of the kind can possibly be. As for those who object on principle to any legislation of this kind, I am afraid that it is impossible to hope that their opposition will be entirely disarmed; but I trust it is not too much to expect that we may receive from them some recognition of our endeavour to make this Bill as little obnoxious to them as possible."

The Hon'ble MR. GOKHALE: "My Lord, I do not wish to say more than a word at this stage of the Bill; but I deem it my duty to state, on my own behalf and on behalf of several of my colleagues here, that we view with great regret the decision of the Government to re-enact this legislation and to re-enact it as part of the permanent statute of the country.

"The Hon'ble Member has told us that the new Bill is in many respects different from the old Act, and as far as I have been able to gather from his explanation the changes seem to be important. That being so, it is due to the Government that no opinion should be expressed at this meeting, I only beg leave to say this, that following the usual practice which is adopted in this Council whenever Bills are introduced without previous publication, both the principle and the details of the Bill should be open to discussion when the Report of the Select Committee comes up for consideration."

His Excellency THE PRESIDENT:—"There will be no objection, in my opinion, to the discussion of the principle of the Bill at a later stage in view of the exceptional procedure which is to-day adopted and in view of the fact that Hon'ble Members have not yet really had an opportunity of studying the provisions of the Bill."

The motion was put and agreed to.

The Hon'ble MR. JENKINS introduced the Bill and moved His Excellency the President to suspend the rules of business.

His Excellency THE PRESIDENT declared the rules suspended.

The Hon'ble MR. JENKINS moved that the Bill be referred to a Select Committee consisting of the Hon'ble Mr. Syed Ali Imam, the Hon'ble Mr. Dadabhoy, the Hon'ble Sardar Partab Singh, the Hon'ble Mr. Gokhale, the Hon'ble Nawab Abdul Majid, the Hon'ble Mr. Andrew, the Hon'ble Mr. Quin, the Hon'ble Mr. Phillips, the Hon'ble Mr. Earle and the mover.

The Hon'ble BABU BHUPENDRANATH BASU:—"May I have Your Excellency's leave to enquire—

His Excellency THE PRESIDENT:—"I am afraid you are out of order."

The motion was then put and agreed to.

ELEMENTARY EDUCATION BILL.

The Hon'ble MR. GOKHALE said: "My Lord, I rise to ask for leave to introduce a Bill to make better provision for the extension of elementary education throughout India. Hon'ble Members will recollect that about this time last year, the Council considered a resolution which I had ventured to submit to its judgment, recommending that elementary education should gradually be made compulsory and free throughout the country, and that a mixed Commission of officials and non-officials should be appointed to frame definite proposals. In the debate, which ensued on the occasion, fifteen Members, including the Home Member, the Home Secretary and the Director General of Education, took part. There was then no separate portfolio of Education, and educational interests rubbed shoulders with jails and the police, in the all-comprehensive charge of the Home Department. In the end, on an assurance being given by the Home Member that the whole question would be carefully examined by the Government, the resolution was withdrawn. Twelve months,

[16TH MARCH 1911.]

[*Mr. Gokhale.*]

my Lord, have elapsed since then, and the progress which the question has made during the interval has not been altogether disappointing. In one important particular, indeed, events have moved faster than I had ventured to hope or suggest. One of the proposals urged by me on the Government last year was that Education should, to begin with, have a separate Secretary, and that eventually there should be a separate Member for Education in the Governor General's Executive Council. The Government, however, have given us at one bound a full-fledged Department of Education, and the Hon'ble Mr. Butler has already been placed in charge of it. My Lord, the Hon'ble Member's appointment to the new office has been received with general satisfaction, and it is recognised on all sides that he brings to his task a reputation for great practical capacity. What I value, however, even more than his practical capacity, is the fact that the Indian sun has not dried the Hon'ble Member and that he has not yet shed those enthusiasms with which perhaps we all start in life, and without which no high task for the improvement of humanity has ever been undertaken. I think, my Lord, the creation of a separate portfolio for Education brings us sensibly nearer the time when elementary education shall be universal throughout India. That there is a strong demand for this in the country—a demand, moreover, daily growing stronger—may be gathered from the fact that, since last year's debate, the question has been kept well to the fore by the Indian Press, and that last December resolutions in favour of compulsory and free primary education were passed not only by the Indian National Congress at Allahabad, but also by the Moslem League, which held its sittings at Nagpur. On the Government side, too, the declaration made in the House of Commons last July by the Under Secretary of State for India that one of the objects of the creation of the new Education Department was to spread education throughout the country, the significant language employed by Your Lordship on the subject of education in your reply to the Congress address at the beginning of this year, and the Educational Conference, summoned by the Hon'ble Mr. Butler last month at Allahabad—all point to the fact that the Government are alive to the necessity of moving faster and that it will not be long before vigorous measures are taken in hand to ensure a more rapid spread of mass education in the land. The present thus is a singularly favourable juncture for submitting to the Council and the country the desirability of a forward move, such as my Bill proposes, and I earnestly trust the Council will not withhold from me the leave I ask to introduce the Bill.

“ My Lord, I expect the Government have now concluded their examination of my proposals of last year, and perhaps the Hon'ble Member will tell us to-day what conclusions have been arrived at. The part of the scheme to which I attached the greatest importance was that relating to the gradual introduction of the principle of compulsion into the system of elementary education in the country, and that part is now embodied in the Bill which I wish to introduce to-day. My Lord, an American legislator, addressing his countrymen more than half a century ago, once said that if he had the Archangel's trumpet, the blast of which could startle the living of all nations, he would sound it in their ears and say: 'Educate your children, educate all your children, educate every one of your children.' The deep wisdom and passionate humanity of this aspiration is now generally recognised, and in almost every civilised country, the State to-day accepts the education of the children as a primary duty resting upon it. Even if the advantages of an elementary education be put no higher than a capacity to read and write, its universal diffusion is a matter of prime importance, for literacy is better than illiteracy any day, and the banishment of a whole people's illiteracy is no mean achievement. But elementary education for the mass of the people means something more than a mere capacity to read and write. It means for them a keener enjoyment of life and a more refined standard of living. It means the greater moral and economic efficiency of the individual. It means a higher level of intelligence for the whole community generally. He who reckons these advantages lightly may as well doubt the value of light or fresh air in the economy of human health. I think it is not unfair to say that one important test of the solicitude of a Government for the true

well-being of its people is the extent to which, and the manner in which, it seeks to discharge its duty in the matter of mass education. And judged by this test, the Government of this country must wake up to its responsibilities much more than it has hitherto done, before it can take its proper place among the civilised Governments of the world. Whether we consider the extent of literacy among the population, or the proportion of those actually at school, or the system of education adopted, or the amount of money expended on primary education, India is far, far behind other civilised countries. Take literacy. While in India, according to the figures of the census of 1901, less than 6 per cent. of the whole population could read and write, even in Russia, the most backward of European countries educationally, the proportion of literates at the last census was about 25 per cent., while in many European countries, as also the United States of America, and Canada and Australia, almost the entire population is now able to read and write. As regards attendance at school, I think it will be well to quote once more the statistics which I mentioned in moving my resolution of last year. They are as follows:—‘In the United States of America, 21 per cent. of the whole population is receiving elementary education; in Canada, in Australia, in Switzerland, and in Great Britain and Ireland, the proportion ranges from 20 to 17 per cent.; in Germany, in Austria-Hungary, in Norway and in the Netherlands the proportion is from 17 to 15 per cent.; in France it is slightly above 14 per cent.; in Sweden it is 14 per cent.; in Denmark it is 13 per cent.; in Belgium it is 12 per cent.; in Japan it is 11 per cent.; in Italy, Greece and Spain it ranges between 8 and 9 per cent.; in Portugal and Russia it is between 4 and 5 per cent.; whereas in British India it is only 1.9 per cent.’ Turning next to the systems of education adopted in different countries, we find that while in most of them elementary education is both compulsory and free, and in a few, though the principle of compulsion is not strictly enforced or has not yet been introduced, it is either wholly or for the most part gratuitous, in India alone it is neither compulsory nor free. Thus in Great Britain and Ireland, France, Germany, Switzerland, Austria-Hungary, Italy, Belgium, Denmark, Norway, Sweden, the United States of America, Canada, Australia and Japan, it is both compulsory and free, the period of compulsion being generally six years, though in some of the American States it is now as long as nine years. In Holland, elementary education is compulsory, but not free. In Spain, Portugal, Greece, Bulgaria, Servia and Roumania, it is free, and, in theory, compulsory, though compulsion is not strictly enforced. In Turkey, too, it is free and nominally compulsory, and in Russia, though compulsion has not yet been introduced, it is for the most part gratuitous. Lastly, if we take the expenditure on elementary education in different countries per head of the population, even allowing for different money values in different countries, we find that India is simply nowhere in the comparison. The expenditure per head of the population is highest in the United States, being no less than 16s.; in Switzerland, it is 13s. 8d. per head; in Australia, 11s. 3d.; in England and Wales, 10s.; in Canada, 9s. 8d.; in Scotland, 9s. 7½d.; in Germany, 6s. 10d.; in Ireland, 6s. 5d.; in the Netherlands, 6s. 4½d.; in Sweden, 5s. 7d.; in Belgium, 5s. 4d.; in Norway, 5s. 1d.; in France, 4s. 10d.; in Austria, 3s. 1½d.; in Spain, 1s. 10d.; in Italy, 1s. 7½d.; in Servia and Japan, 1s. 2d.; in Russia, 7½d.; while, in India, it is barely one penny.

“My Lord, it may be urged, and with some show of reason, that as mass education is essentially a Western idea, and India has not been under Western influences for more than a century, it is not fair to compare the progress made by her with the achievements of Western nations in that field. I am not sure that there is really much in this view, for even in most Western countries, mass education is a comparatively recent development, and even in the East, we have before us the example of Japan, which came under influence of the West less than half a century ago, and has already successfully adopted a system of universal education. Assuming, however, for the sake of argument, that it is not fair to compare India with Western countries in this matter, no such objection can, I believe, be urged against a comparison of Indian progress with that made in the Philippines, or Ceylon, or Baroda. The Philippines came under American rule only thirteen years ago; it cannot be said that in natural intelligence or desire for education, the Filipinos are superior to the people

[16TH MARCH 1911.]

[*Mr. Gokhale.*]

of India; and yet the progress in mass education made in the Islands during this short period has been so great that it constitutes a remarkable tribute to the energy and enthusiasm of American ideals. Under Spanish rule, there was no system of popular education in the Philippines. As soon as the Islands passed into the possession of the United States, a regular programme of primary education came to be planned and has been steadily adhered to. The aim is to make primary education universal. Instruction is free, and the education authorities advise compulsion, though no compulsory law has yet been enacted. So great, however, is the enthusiasm that has been aroused in the matter that many Municipalities have introduced compulsion by local ordinances. And though there is room for doubt if the ordinances are strictly legal, no question has been raised, and the people are acquiescing cheerfully in their enforcement. How rapidly things are advancing in the Philippines may be judged by the fact that in five years—from 1903 to 1908—the number of pupils attending school more than doubled itself, having risen from 150,000 to 360,000. The proportion of children receiving instruction to the whole population of the Islands is now nearly 6 per cent., as against 2 in British India.

“The conditions of Ceylon approximate closely to those of Southern India, and the fact that it is directly administered by England as a Crown colony need not make any difference in its favour. In regard to mass education, however, Ceylon is far ahead to-day of India. Elementary instruction in Ceylon is imparted by two classes of schools, Government and Aided, the Government schools covering about one-third, and the Aided schools two-thirds of the area. In Government schools, a system of compulsory attendance has long been in force, the defaulting parent being brought by the teacher before a Village Tribunal, who can inflict small fines. In 1901, a Committee was appointed by the Government to advise what steps should be taken to extend primary education in the Island, and the Committee strongly recommended ‘that Government should take steps to compel parents to give their children a good vernacular education’. Again, in 1905, a Commission was appointed to make further enquiries into the matter, and the recommendations of this body were accepted in the main by the Colonial Secretary. These recommendations were: (1) that attendance at school should be compulsory for boys during a period of six years in areas proclaimed by the Governor; (2) that no fees should be charged; (3) that girls’ education should be pushed on vigorously; (4) that District and Divisional Committees should be constituted to look after the education of children in their areas; and (5) that the Road Tax should be handed over to these bodies to form the nucleus of an Education Fund. Action was first taken under the new scheme in 1908, when 16 Districts were proclaimed by the Governor; and the official report for 1909 thus speaks of its working: ‘There has been no difficulty so far, and there seems to be every reason to hope that none of the difficulties, which were anticipated by some of the managers of aided schools, will arise. It is hoped that in the course of the present year, it will be brought into working order in all the Districts.’ In 1909 the total number of pupils, attending primary schools in Ceylon, was 287,000, which gives a proportion of 6·6 per cent. to the whole population of the Island.

“Within the borders of India itself, the Maharaja of Baroda has set an example of enthusiasm in the cause of education, for which he is entitled to the lasting gratitude of the people of the country. His Highness began his first experiment in the matter of introducing compulsory and free education into his State eighteen years ago in ten villages of the Amroli Taluka. After watching the experiment for eight years, it was extended to the whole taluka in 1901, and finally, in 1906, primary education was made compulsory and free throughout the State for boys between the ages of 6 and 12, and for girls between the ages of 6 and 10. The age limit for girls has since been raised from 10 to 11. The last two Education Reports of the State explain with considerable fullness the working of the measure, and furnish most interesting reading. In 1909, the total number of pupils at school was 165,000, which gives a proportion of 8·6 per cent. to the total population of the State. Taking the children of school-going age, we find that 79·6 per cent. boys of such age

were at school, as against 21.5 per cent. in British India; while the percentage of girls was 47.6, as against our 4 per cent. only. The total expenditure on primary schools in Baroda in 1909 was about 7½ lakhs of rupees, which gives a proportion of about 6½d. per head of the population, as against one penny in British India. The population of Baroda is drawn from the same classes as that of the adjoining British territories, and every day that passes sees the subjects of the Gaekwar outdistancing more and more British subjects in the surrounding districts.

“My Lord, if the history of elementary education throughout the world establishes one fact more clearly than another, it is this, that without a resort to compulsion no State can ensure a general diffusion of education among its people. England, with her strong love of individualism, stood out against the principle of compulsion for as long as she could, but she had to give way in the end all the same. And when the Act of 1870, which introduced compulsion into England and Wales, was under discussion, Mr. Gladstone made a frank admission in the matter in language which I would like to quote to this Council. ‘Well, sir,’ said he, ‘there is another principle, and undoubtedly of the gravest character, which I can even now hardly hope—though I do hope after all that we had seen—is accepted on the other side of the House—I mean the principle that compulsion must be applied in some effective manner to the promotion of education. I freely and frankly own that it was not without an effort that I myself accepted it. I deeply regret the necessity. I think that it is a scandal and a shame to the country that in the midst of our, as we think, advanced civilization, and undoubtedly of our enormous wealth, we should at this time of day be obliged to entertain this principle of compulsion. Nevertheless, we have arrived deliberately at the conclusion that it must be entertained, and I do not hesitate to say that, being entertained, it ought to be entertained with every consideration, with every desire of avoiding haste and precipitancy, but in a manner that shall render it effectual . . .’ A Royal Commission, appointed in 1886 to report on the working of the measures adopted to make attendance at school compulsory in England and Wales, bore ungrudging testimony to the great effect which compulsion had produced on school attendance. ‘It is to compulsion,’ they wrote, ‘that the increase of the numbers on the roll is largely attributable. Among the witnesses before us, Mr. Stewart appears to stand alone in his opinion that, provided the required accommodation had been furnished, the result would have been much the same if attendance had not been obligatory. But to estimate fairly the influence, which compulsion has had upon the great increase in the number of children attending school, we must speak of it under the three heads into which its operation may be divided. There is, first, the direct influence of compulsion. This is exerted over parents, who are indifferent to the moral and intellectual welfare of their children, who are very eager to obtain what advantage they can from their children’s earnings, but who never look beyond . . . . But, secondly, compulsion exercises an indirect influence. Many parents are apathetic, yield weakly to their children’s wish not to go to school . . . . But they are keenly alive to the disgrace of being brought before a Magistrate, the fear of which supplies a stimulus sufficient to make them do their duty in this respect. In addition, the existence of a compulsory law has considerably affected public opinion and has done much to secure a larger school attendance by making people recognise that the State regards them as neglecting their duty, if their children remain uneducated. The Ceylon Commission of 1905, in dealing with the question whether attendance at school should be made compulsory, expressed themselves as follows:—‘With the exception of one or two districts of the Island, little good will be done by any system which does not enforce compulsory attendance. The Dutch, who had an extensive and successful system of Vernacular schools throughout the portions of the Island which were under their rule, found it necessary to enforce attendance by fines, and did so regularly. Parents, throughout a large portion of the Island, exercise very little control over their children, and will leave them to do as they like in the matter of school attendance. The result is that, where there is no compulsion, boys attend very irregularly and leave school very early. That compulsory



[10TH MARCH 1911.]

[Mr. Gokhale.]

attendance is desirable we have no doubt.' My Lord, primary education has rested on a voluntary basis in this country for more than half a century, and what is the extent of the progress it has made during the time? For answer one has to look at the single fact that seven children out of eight are yet allowed to grow up in ignorance and darkness, and four villages out of five are without a school. During the last six or seven years, the pace has been slightly more accelerated than before, but, even so, how extremely slow it is may be seen from what Mr. Orange says of it in the last quinquennial report, issued two years ago:—'But the rate of increase for the last twenty-five years or for the last five is more slow than when compared with the distance that has to be travelled before primary education can be universally diffused. If the number of boys at school continued to increase even at the rate of increase that has taken place in the last five years, and even if there was no increase in population, even then several generations would still elapse before all the boys of school age were in school.' My Lord, I respectfully submit that this state of things must be remedied; that India must follow in the wake of other civilised countries in the matter, if her children are to enjoy anything like the advantages which the people of those countries enjoy in the race of life; that a beginning at least should now be made in the direction of compulsion; and that the aim should be to cover the whole field in the lifetime of a generation. When England introduced compulsion in 1870, about 43 per cent. of her children of school-going age were at school, and ten years sufficed for her to bring all her children to school. When Japan took up compulsion, about 28 per cent. of her school-going population was at school, and Japan covered the whole field in about twenty years. Our difficulties are undoubtedly greater than those of any other country, and our progress, even with the principle of compulsion introduced, is bound to be slower. But if a beginning is made at once, and we resolutely press forward towards the goal, the difficulties, great as they are, will vanish before long, and the rest of the journey will be comparatively simple and easy. My Lord, it is urged by those who are opposed to the introduction of compulsion in this country that though the Gaekwar, as an Indian Prince, could force compulsion on his subjects without serious opposition, the British Government, as a foreign Government, cannot afford to risk the unpopularity which the measure will entail. Personally I do not think that the fear which lies behind this view is justified, because the Government in Ceylon is as much a foreign Government as that in India, and in Ceylon the authorities have not shrunk from the introduction of compulsion. But to meet this objection, I am quite willing that the first steps in the direction of compulsion should be taken by our Local Bodies, which reproduce in British territory conditions similar to those which obtain in Feudatory States. And even here I am willing that the first experiment should be made in carefully selected and advanced areas only. When the public mind is familiarised with the idea of compulsion, the Government may take the succeeding steps without any hesitation or misgiving. In view, also, of the special difficulties, likely to be experienced in extending the principle of compulsion at once to girls, I am willing that, to begin with, it should be applied to boys only, though I share the opinion that the education of girls is with us even a greater necessity than that of boys, and I look forward to the time when compulsion will be extended to all children alike of either sex. To prevent injudicious zeal on the part of Local Bodies, even in so good a cause as the spread of elementary education, I am willing that ample powers of control should be retained by the Provincial and Imperial Governments in their own hands. What I earnestly and emphatically insist on, however, is that no more time should now be lost in making a beginning in this all-important matter.

"My Lord, I now come to the Bill, which I hope the Council will let me introduce to-day, and I ask the indulgence of the Council while I explain briefly its main provisions. The Bill, I may state at once, has been framed with a strict regard to the limitations of the position, to which I have already referred. It is a purely permissive Bill, and it merely proposes to empower Municipalities and District Boards, under certain circumstances, to introduce compulsion within their areas, in the first instance, in the case of boys, and later, when the time is

[Mr. Gokhale.]

[16TH MARCH 1911.]

ripe, in the case of girls. Before a Local Body aspires to avail itself of the powers contemplated by the Bill, it will have to fulfil such conditions as the Government of India may by rule lay down as regards the extent to which education is already diffused within its area. Last year, in moving my resolution on this subject, I urged that where one-third of the boys of school-going age were already at school, the question of introducing compulsion might be taken up for consideration by the Local Body. I think this is a fair limit, but if the Government of India so choose, they might impose a higher limit. In practice, a limit of 33 per cent. will exclude for several years to come all District Boards, and bring within the range only a few of the more advanced Municipalities in the larger towns in the different Provinces. Moreover, a Local Body, even when it satisfies the limit laid down by the Government of India, can come under the Bill only after obtaining previously the sanction of the Local Government. I submit, my Lord, that these are ample safeguards to prevent any ill-considered or precipitate action on the part of a Local Body. Then the Bill provides for a compulsory period of school attendance of four years only. Most countries have a period of six years, and even Ceylon and Baroda provide six years; Italy, which began with three, and Japan, which began with four years, have also raised their period to six years. But considering that the burden of additional expenditure involved will in many cases be the principal determining factor in this matter, I am content to begin with a compulsory period of four years only. The next point to which I would invite the attention of the Council is that the Bill makes ample provision for exemption from compulsory attendance on reasonable grounds, such as sickness, domestic necessity or the seasonal needs of agriculture. A parent may also claim exemption for his child on the ground that there is no school within a reasonable distance from his residence, to which he can send the child without exposing him to religious instruction to which he objects; and a distance of one mile is laid down as a reasonable distance. This, however, is a matter of detail, which, perhaps, may better be left to Local Governments. When a Local Body comes under the Bill, the responsibility is thrown upon it to provide suitable school accommodation for the children within its area, in accordance with standards which may be laid down by the Education Department of the Local Government. On the question of fees, while I am of opinion that where attendance is made compulsory, instruction should be gratuitous, the Bill provides for gratuitous instruction only in the case of those children whose parents are extremely poor, not earning more than Rs. 10 a month, all above that line being required to pay or not in the discretion of the Local Body. This is obviously a compromise, rendered necessary by the opposition offered by so many Local Governments to the proposal of abolishing fees in primary schools, on the ground that it means an unnecessary sacrifice of a necessary and useful income. Coming to the machinery for working the compulsory provisions, the Bill provides for the creation of special school attendance committees, whose duty it will be to make careful enquiries and prepare and maintain lists of children who should be at school within their respective areas, and take whatever steps may be necessary to ensure the attendance of children at school, including the putting into operation of the penal clauses of the Bill against defaulting parents. The penal provisions, it will be seen, are necessarily light. To ensure the object of the Bill being fulfilled, the employment of child labour below the age of ten is prohibited, and penalty is provided for any infringement of the provision. Lastly, it is provided that the Government of India should lay down by rule the proportion in which the heavy cost of compulsory education should be divided between the Local Government and the Local Body concerned, it being assumed that the Supreme Government will place additional resources at the disposal of the Local Government, to enable it to defray its share, the Local Body being on its side empowered to levy a special Education Rate, if necessary, to meet its share of the expenditure. It is obvious that the whole working of this Bill must depend, in the first instance, upon the share, which the Government is prepared to bear, of the cost of compulsory education, wherever it is introduced. I find that in England the Parliamentary grant covers about two-thirds of the total expenditure on elementary schools. In Scotland it amounts to more than that proportion, whereas in Ireland it meets practically the whole cost. I think we

[Mr. Gokhale ; Mr. Dadabhoj.] [16TH MARCH 1911.]

are entitled to ask that in India at least two-thirds of the new expenditure should be borne by the State.

"This, my Lord, is briefly the whole of my Bill. It is a small and humble attempt to suggest the first steps of a journey, which is bound to prove long and tedious, but which must be performed, if the mass of our people are to emerge from their present condition. It is not intended that all parts of the Bill should be equally indispensable to the scheme, and no one will be more ready than myself to undertake any revision that may be found to be necessary in the light of helpful criticism. My Lord, if I am so fortunate as to receive from the Council the leave I ask at its hands, it will probably be a year before the Bill comes up here again for its further stages. Meanwhile, its consideration will be transferred from this Council to the country, and all sections of the community will have ample opportunities to scrutinise its provisions with care. My Lord, this question of a universal diffusion of education in India depends, almost more than any other question, on the hearty and sympathetic co-operation of the Government and the leaders of the people. The Government must, in the first instance, adopt definitely the policy of such diffusion as its own, and it must, secondly, not grudge to find the bulk of the money, which will be required for it, as Governments in most other civilised countries are doing. And this is what we are entitled to ask at the hands of the Government in the name of justice, for the honour of the Government itself, and in the highest interests of popular well-being. The leaders of the people, on their side, must bring to this task high enthusiasm, which will not be chilled by difficulties, courage, which will not shrink from encountering unpopularity, if need be, and readiness to make sacrifices, whether of money or time or energy, which the cause may require. I think, my Lord, if this Bill passes into law, the educated classes of the country will be on their trial. It is my earnest hope that neither they nor the Government will fail to rise to the requirements of this essentially modest and cautious measure. My Lord, one great need of the situation, which I have ventured again and again to point out in this Council for several years past, is that the Government should enable us to feel that, though largely foreign in personnel, it is national in spirit and sentiment; and this it can only do by undertaking towards the people of India all those responsibilities, which national Governments in other countries undertake towards their people. We, too, in our turn, must accept the Government as a national Government, giving it that sense of security which national Governments are entitled to claim, and utilising the peace and order, which it has established, for the moral and material advancement of our people. And of all the great national tasks which lie before the country, and in which the Government and the people can co-operate to the advantage of both, none is greater than this task of promoting the universal diffusion of education in the land, bringing by its means a ray of light, a touch of refinement, a glow of hope into lives that sadly need them all. The work, I have already said, is bound to be slow, but that only means that it must be taken in hand at once. If a beginning is made without further delay, if both the Government and the people persevere with the task in the right spirit, the whole problem may be solved before another generation rises to take our place. If this happens, the next generation will enter upon its own special work with a strength which will be its own security of success. As for us, it will be enough to have laboured for such an end—laboured even when the end is not in sight. For, my Lord, I think there is not only profound humility but also profound wisdom in the faith which says:—

'I do not ask to see the distant scene :

One step enough for me.' "

The Hon'ble MR. DADABHOJ : " My Lord, the Hon'ble Mr. Gokhale deserves the thanks of the community for his services in the cause of Indian education. They cannot be forgotten. The Bill he asks Your Excellency's permission to introduce has the recommendation of being the production of an educationist of large experience, whose zeal for the public good cannot be doubted. *Trinā facie* it deserves support. A close examination of the

[Mr. Dadabhoj.]

[16TH MARCH 1911.]

provisions will show that the general principle is sound. My views on the subject of primary education coincide with those of Mr. Gokhale, and I am of opinion that liberal and adequate provision should be made without delay for elementary public instruction. The existing state of things cannot be allowed to last longer without rendering the Government liable to serious reproach. In British India only 26.1 per cent. of boys and 3.9 per cent. of girls of a school-going age attend school. This cannot bode well for the common weal. But India is poor and steeped in prejudice, and progress in primary education can only be secured by making it free and compulsory. Even in advanced countries of the West and the East the experience of the past is that a system of free and compulsory instruction is the most effective means of combating popular ignorance. There are special circumstances in India which make such a system even more imperative. Religious and social prejudices added to the chronic impecuniosity of the villager create a situation at once delicate and difficult, and cautious advance in free and compulsory education of an elementary kind is more than ever necessary.

"So far there is no question that the Bill is founded upon a principle sound and practical alike. Most people will agree with Mr. Gokhale on the fundamental question of free and compulsory primary education. But the method adopted by him for securing the end is doubtless open to question. The outstanding features of the Bill require careful examination and considerable modification. That is, however, no reason why the Bill should not be allowed to be introduced. The need for a system of free and compulsory primary education premised, a satisfactory settlement of the details can best be secured by the publication and circulation of the Bill for opinions after introduction. Mr. Gokhale, with his respect for public opinion, will himself, I am sure, recast the Bill, as he has said to-day in Council, in the light of the criticisms in the Press and those submitted to Government by responsible persons through the usual channels.

"My Lord, in the first place, the Bill gives discretionary powers to local bodies to enforce the law, subject to approval by the Local Government. Apparently there is not much to object to in this; but, knowing as I do these bodies, I think the position contains an element of danger which it will be prudent to guard against. Whatever their legal constitution, the local bodies are not self-governing. They are more or less under official influence and official control; they do not entirely reflect the opinions and the wishes of the ratepayers. Even in the most advanced province, Bengal, both Municipalities and District Boards are influenced by the District Officer. That officer is an *ex-officio* Chairman of the District Board, and even in Municipalities enjoying the privilege of electing non-official chairmen, for some reason or other, the District Magistrate is appointed Chairman by the Local Government, on the recommendation of the Commissioners. Unless the bodies are thoroughly reconstituted on a truly popular basis, the position will remain unimproved. The power of applying the law within any Municipal area or District Board area will in practice be exercised by the District Officer. The members will not count for much. Now the question is, is it wise, is it politic to invest this officer with further powers? Will this lead to good results?

"I have no doubt in my mind it is highly impolitic. It will involve the local bodies in serious difficulty. With the best of motives, the District Officer may be bent upon improving the moral condition of the people in his charge, in disregard of financial and social conditions. He will at once set the law in motion. The sanction of the Local Government will not be difficult to secure when the District Officer moves. Much of the present dissatisfaction with the administration among the people is due to the so-called local reforms, and I for one do not see the wisdom of widening the scope of the reforming activity of an officer who is already much too powerful. The oversight sought to be given to the Local Government will provide a weak check upon him. The situation is radically different in the United Kingdom. There the local bodies are self-governing bodies in the true sense. A system adapted to the needs of an English community in a high stage of political and moral development will be completely out of place in a country where administration is centralised and local bodies follow implicitly the lead of the District Officer.

[16TH MARCH 1911.]

[Mr. Dadabhoj.]

"It may also be that the District Officer will not take kindly to the idea. It is a matter of common knowledge that many District Officers do not favour free primary education. The announcement in Council in 1907 of the Government of India's determination to introduce a scheme of free primary education was not followed by any tangible results, because, it is believed, of the opposition of local officers. Be that as it may, it is conceivable that there should be officers who would be unwilling to see the system of education provided for in the Bill introduced within their districts. However well-adapted the area may be for the experiment, in the present condition of things, no Municipality and no District Board will have the temerity to seek to apply the law in opposition to the wishes of the District Officer; and even if an attempt be made, the sanction of the Local Government will be difficult to get. It all thus resolves into this, that the District Officer will be the master of the situation, and the application or non-application of the measure will be wholly dependent upon his will. This arrangement will not appeal to many.

"The proper course, in my opinion, will be to create a body—a School Board—in each Division, independent of the local executive and acting under the Director of Public Instruction, and to vest all discretionary powers under the Bill in it. Perhaps it will not be wise to have at the start a central Board of Education as in the United Kingdom. We shall do well to begin with Divisional School Boards. The constitution of the Boards must be entirely on a popular basis, the membership being elective. Payment of local rates and University education may be the qualifications for membership. Such a body would command greater confidence among the people, and would work the law with greater judiciousness and satisfaction.

"The local bodies are also incapable of discharging the additional duties. Their ordinary work, I should think, is enough for them, and I would not add to their responsibility. They are, besides, more or less starved for funds. Their resources are limited, and even legitimate rural and urban work suffers for want of financial support. The diversion of any part of the general revenues is out of the question. It will be impossible for the local bodies to pay more for primary education than they are doing now. The provision for the levy of an education rate is impracticable and injudicious, especially in view of the fact that the local bodies, in practical working, mean the District Officer. However great may be our regard for this officer, nobody would seriously recommend a proposal for giving him powers of taxation.

"This is the second objectionable feature of the Bill. Moreover, local taxation is already trying enough. On no account should it be increased. The provision of the Bill will be productive of general discontent. Municipal taxes are at present not realised in full, and realisation by distress-warrants is a common feature of urban administration. In these circumstances, considerations of ordinary prudence would counsel abandonment of the proposal. The country will not cheerfully submit to additional taxation even for free education.

"One other consideration would discredit the proposal. Government has a clear responsibility in the matter of primary education. If free primary education is to be provided, it must be with a Government grant supplemented by such financial help from local bodies as is being rendered by them now. When, in 1907, Government was prepared to introduce a system of free primary education, there was no suggestion of special taxation. Government apparently was ready to finance the scheme. In every country enjoying the boon of free primary education, Government liberally supports it. In the United Kingdom the Parliamentary grant for elementary education is progressive, and in 1909 the expenditure was about 16 million pounds sterling.

"The Hon'ble Mr. Gokhale has followed in his Bill the Irish Education Act of 1892 (55 & 56 Vict., ch. 42). Section 18 of that Act provides for the payment in Ireland of a Parliamentary grant for the support of elementary education. The Bill before us does not seek to place on a legal basis the financial obligation of the Government.

[Mr. Dadabhoy ; Maharajadhiraja Bahadur of [16TH MARCH 1911.]  
Burdwan.]

"I must also refer to clause 17 of the Bill, which, in the present stage of development of the country, is altogether unsuited. I do not think we can safely launch a scheme of compulsory education for girls. However laudable the object, we cannot seriously entertain the proposal now. The provision is sure to lead to complications. We should be satisfied for the present with educating boys in spite of their parents and guardians. Compulsory education of girls, if ever practicable, should be left for future legislative treatment. In the majority of cases girls are married at a very tender age, and become *pardanashin* from the date of marriage. To force them to attend public schools after that will be a serious departure from the administrative policy which the Government of India has so far followed with such eminent success.

"But these are details which will be discussed at a later stage. Meanwhile, let us have the Bill formally before the Council. I accordingly support Mr. Gokhale's motion for leave to introduce the Bill."

The Hon'ble MAHARAJADHIRAJA BAHADUR OF BURDWAN: "My Lord, at this early stage my only excuse for getting up and speaking is that I have no intention to oppose my Hon'ble friend's Bill which he has introduced here to-day. I think that, as he himself would like to hear criticisms about the provisions of this Bill, I am justified in making the following observations on the Elementary Education Bill so ably introduced by my friend Mr. Gokhale. As Mr. Gokhale has himself admitted, the Bill seems to be a sort of compromise between the two alternatives that if education is to be made compulsory it should be free, and that if it is not free it should not be compulsory. The Bill proposes to make the education partly free and therefore partly compulsory. But the logic of this does not appear to me to be quite sound, inasmuch as it is free only to those whose monthly income does not exceed Rs. 10, but compulsory to all, irrespective of their income, unless they have a reasonable excuse for the non-attendance of their boys. Of course, I am not an authority on statistics like my friend Mr. Gokhale, but I think that this is going a step further than they have even gone in Europe, where the present situation is, to my knowledge, that elementary education is imparted free of charges in consideration of its compulsory nature. I do not mean to say that in the present circumstances of India education should be imparted free of all charges, for to receive the desired benefit of making it generally free, it should be also made compulsory, which cannot be done in India at the present stage, as the consensus of opinion on the question of the abolition of fees in primary schools would prove. What I mean is only this, that if in spite of this universal opinion against a compulsory system of education it be considered necessary to introduce compulsory education in India, it should also be made generally free. It is neither fair nor just to tamper with the dominion of the *patria potestas* and to burden them with expenditure at the same time.

"My Lord, then I come to certain clauses of this Bill. A very curious feature is to be found in clause 4 if read in the light of the definition of the word 'parent' in clause 2. This would require every guardian or every person who has the actual custody of a child to send him to a recognised school. Now, supposing, my Lord, a poor clerk earning Rs. 15 a month or thereabouts, and having just enough to eat and wear, should find an orphan boy in the street and, having pity on him, should take him home with him and keep him there; in this case, though he may have the actual custody of the boy, should he be compelled to educate him also? Such cases are not rare in India. There are many wealthy men, and also men fairly well-off but not very wealthy, who take a liberal interest in the poor and who maintain numerous such orphan children in their houses. Whatever moral obligations there may be about educating those children, there is no law in any country which may compel these benevolent men to be more liberal.

"Then, my Lord, I come to another clause of this Bill, *viz.*, the introduction of an educational cess, or rather tax. This, clause 8 of the Bill, authorises the local body to levy special educational rates on the localities concerned. This seems to me objectionable. I see no reason why a person who educates his

[16TH MARCH 1911.] [*Maharajadhiraja Bahadur of Burdwan; Mr. Chitnavis.*]

children at home or in schools or colleges should be compelled to pay a tax, however small, for a purpose which does not concern him directly. My Lord, many who gave their opinion in this selection from the records of the Government of India (*Papers regarding the question of the abolition of fees in primary schools*) did not see the possibility of such a taxation in future when they pronounced their opinions on the question of the abolition of fees in primary schools, and, therefore, they evidently were silent on this point; but there were some who foresaw this contingency and therefore opposed this measure. The only two gentlemen who could recommend such a taxation were Babu Jogendra Nath Ghose and Babu Bipradas Palchowdhry; but I shall quote only one gentleman's opinion, which I think ought to carry some weight with my countrymen, though that gentleman has been living in retirement for some time past. Raja Ban Behari Kapur says—

'I advocate the granting of free education to the masses on the clear understanding that the Indian Government will be able to supply funds from the ever-increasing Imperial revenue and that no portion of the requisite amount shall be raised by the imposition of an education-tax or other taxation. I am decidedly in favour of granting a boon to the people if we can afford it, but I think it improper to confer an un-asked for favour on one section of the community by taxing another; I object to such a step on principle.'

"My Lord, now I turn to another clause of the Bill. In clause 9 of the Bill we find the proposed limit of a monthly income of Rs. 10. I did not quite follow why my friend has arrived at this particular figure, for in the case of Indians their general prosperity cannot be judged merely from their income. The man who has only got a wife and a child to maintain may be much better off with an income of Rs. 10 than another with an income of Rs. 15 or Rs. 20 having a number of dependents to support, and the latter may be required to pay for the education of his own children though the former may escape the liability. I submit the limit should be so fixed as to allow variations in each particular case instead of leaving the matter to be decided by the Municipality or the District Board as is proposed in clause 9 of the Bill.

"Then, in clause 17 we find that this clause authorises the Municipality or the District Board to extend, with the previous sanction of the Local Government, the provisions of this Bill to girls. In one word, I may say, Sir, that the time has not yet come to extend this Bill to girls. I have doubts that it will come soon. I myself am a strong advocate of female education, but with my liberal views on the matter I cannot think of making it obligatory on the parents to send their girls of 9 or 10 years to public schools. I think this matter has been so ably dealt with by my Hon'ble friend Mr. Dadaboy, that I shall not detain this Council on it any further.

"Lastly, the question, if the object of the Bill is to introduce the principle of compulsory education in India gradually, then of course the question that it involves is whether it should also be made free. Of course, as Mr. Gokhale has said, many of the Local Governments being opposed to it, he has had to bring this compromise; but I think, personally, that the country is not quite ready for it. Now, my Lord, I beg leave to state that if (I wish to draw Mr. Gokhale's particular attention to this) his intention be to educate the poorer classes of Indians, the lower classes, among whom we find mostly agriculturists or artisans, then, remembering that a practical training of their special professions is also very necessary, should we always encourage this acquisition of a little learning? Because, though I admit that we have no right to keep away from them the advantage that the peace and tranquillity of British rule in India has given to Indians to educate themselves, I think it would be worth considering the well-known saying that 'a little learning is a dangerous thing.' I doubt very much, my Lord, if all these little luminaries who would come out from these schools would condescend to look after their ancestral homely occupations or would rather be inclined to get a cosy room and an electric punkah."

The Hon'ble MR. CHITNAVIS: "My Lord, Mr. Gokhale has my unstinted praise for his life-long efforts to promote the educational interests of his countrymen. I share to the full the appreciation which the public feel for his

work. I stated my views on the subject of compulsory education last year. It is not so much the temporary diversion of infant labourers from the field and the workshop to the school that will constitute the difficulty arising from any attempt at compulsory education; it is the tendency of all intellectual education to breed in the recipient a distaste for manual labour and thus to wean him from the family pursuits that contains the germs of an evil, insidious but potent. Caste in India has already divorced labour from intellect, producing abnormal conditions in the labour market, and has created a large intellectual class whose well-being is a matter of serious concern to Government. Anything which swells this class, without a commensurate widening of the area of employment, must be viewed with alarm. Besides, education, ill-directed and not properly controlled, has its evils.

"I am glad that all these difficulties are more than anticipated by Mr. Gokhale himself, and it is this that has induced him to introduce so many safeguards in the Bill, which deprive it of much of the evil apprehended by opponents of compulsory education. I think the Bill may be introduced, and the public should be given an opportunity to criticise it. It is of a permissive character, and that is its chief recommendation.

"I have, however, my doubts as regards the wisdom of his recommendation that a special cess may be levied for funds for its support. My long connection with District Councils and Municipalities has convinced me of the fact that the existing level of local taxation is sufficiently high. A fresh imposition will prove only irritating and oppressive.

"With these words I beg to support the Bill."

The Hon'ble MR. SUBBA RAO: "It is fitting, my Lord, that this Bill should be introduced by the Hon'ble Mr. Gokhale who has consecrated his life to the service of his country, and it is also opportune that the Bill should be introduced now, because the Decentralisation Commission has made its recommendations. One of the important recommendations which that Commission has made is that a large measure of autonomy should be given to local areas, and powers, I believe, would shortly be given to villages to administer their affairs in certain matters. It is fitting, therefore, that this measure should now be introduced dealing with elementary education, and the attention of villagers drawn to the benefits of a measure like this, so that they might take advantage of it. It is also opportune, my Lord, because at present there is an awakening among the people in this country and there is a desire on their part that efforts should be made to better their condition in all directions—not only industrial and commercial, but also educational; and I do not think therefore that this Bill would fall flat upon the country, as predicted by some. No doubt, if some 15 or 20 years ago such a Bill were passed, it might have shared that fate; but to-day I do anticipate a better welcome for a measure of this kind. It is purely permissive in its character. If it were to prove successful in one or two areas, it would be an example for others to take it up and gradually extend compulsory education throughout the country.

"It is suggested that the educational cess would be a burden upon the people, and instead of this measure being a blessing, it would be a source of irritation to them. I wish in this connection to draw attention to an experiment which was made in the Madras Presidency some long time ago, when there was not this idea of free and compulsory education. More than fifty years ago, my Lord, Mr. G. N. Taylor was the Sub-Collector of Narsapur, an out-of-the-way place in the northern part of the Madras Presidency. In those days he started schools with the aid of villagers. I shall read an extract from the *History of Education in the Madras Presidency*, compiled by Dr. Sattyanadhan and published with the sanction of the Director of Public Instruction, as it bears upon the discussion that has been raised in connection with the Bill:

'In 1853, Mr. G. N. Taylor, the Sub-Collector of Rajahmundry, had established an Anglo-Vernacular School at Narsapur, his head-quarters, and three branch schools in three towns in that neighbourhood. These schools were partly maintained by Mr. Taylor and partly by local subscriptions. In course of time, their successful working attracted the attention of the neighbouring raiyats, who applied to the Sub-Collector to establish Vernacular schools in their villages, offering to defray the cost by a fixed annual addition to the revenue



[16TH MARCH 1911.] [Mr. Subba Rao ; Mr. Mudholkar.]

demand on their villages. In pursuance of this scheme schools were established in some central villages ; some of the larger schools were provided by Government with masters of a better kind than the rajyats could pay for. These masters had to inspect all schools within a certain range, and there was a Native Inspector to superintend the whole. Speaking of this system in 1856-1857, Mr. Arbutnot, the then Director of Public Instruction, said, "the Rajahmundry system cannot be introduced into rajyatwari districts upon the principle on which its introduction was sanctioned, *vis.*, that the rate shall be raised voluntarily, and it seems to be extremely doubtful whether even in Rajahmundry the rate can properly be called voluntary."

"My Lord, these facts show how, if once people are convinced that the measure proposed would be beneficial to them, they would voluntarily take it up and make it a success. I have no doubt that if the experiment is now tried in some areas, it would prove successful. Considering the time and the circumstances, considering the general feeling among the people, considering the interest the Government of India themselves take in this matter, and considering the needs of the situation, I am of opinion that a measure of this kind is absolutely necessary and I am sure it will be welcomed by the people at large. I submit that in view of the amount of interest that is taken by the public in questions relating to education and the complaints that are made against the Government for not moving fast enough in the matter, a measure of this kind should receive the support of this Council. And, after all, what is this measure ? It has been blamed as a very cautious measure and as a colourless measure. Yet when a measure of this kind is introduced, that objection should be raised to it is what I am surprised at. I for one would like to introduce some provisions in the Bill, not exactly to make it repulsive or irritating to the people at large, but to make the machine go a little faster. I submit, therefore, that the circumstances are favourable and that the measure ought to be welcomed by the Council."

The Hon'ble MR. MUDHOLKAR : "My Lord, I rise to accord my full and cordial support to the proposal of my friend the Hon'ble Mr. Gokhale, and in doing so I wish to offer my most hearty congratulations to him for the conspicuous ability, the brilliance of eloquence, the mastery of principles and the wealth of details with which he has introduced it. My Lord, I believe that even those who differ from him in regard to the principle of the measure will admit the ability with which he has brought the question forward and discussed it in its various aspects, and it is only natural that I, who have worked with him for years, should entertain the feelings I do.

"My Lord, last week, when we were discussing the Financial Statement, a resolution in regard to free education was moved by my friend the Hon'ble Mr. Mazharul Haque. Speaking in reference to that, I urged that, though compulsory and free education was the ideal to be kept in view, that though we were to strive and work for universal education, we must recognise that, so far as the country as a whole was concerned, we were at a considerable distance from that goal. There are several, I might say many, rural areas, and there are particularly the mountainous and undeveloped tracts, which would take years and years before they can be considered fit for a measure of compulsory education. My support to the present measure is in no way a departure from the principles then put forward. It is because I consider that there are towns and cities which have advanced sufficiently, in which there is sufficient evidence of the existence of progressive ideas, and which are therefore qualified for this experiment, that I accord my support to what my friend has brought before the Council.

"My Lord, last year certain statements were made in regard to education which I am sure must have given pain to all advocates of education both in this Council and outside. We were told that if education was made universal it would be difficult to find a sufficient number of servants and menial employes. We are also now told that if primary education is given the heads of boys would be turned and they would be utterly unfit to follow their vocations in life. My Lord, I would ask the gentlemen who entertain these views only to see to what is going on elsewhere in the world, and to ask themselves what it is that has brought about the remarkable progress we see in the European countries, in America and in Japan. I would not like to take the time of the Council in stating truisms, but when it is stated that a knowledge of the three

[Mr. Mudholkar.]

[16TH MARCH 1911.]

R's would turn the head of a boy and make him unfit to follow his vocation in life, that an agriculturist's son would sit in his room and ask for an electric fan, I am forced to say that the actualities of life are not taken into consideration and the experiences of other people are entirely forgotten. My Lord, the Agricultural Department is issuing in several provinces most useful leaflets and tracts for the purpose of suggesting various things of advantage to the agriculturist. Now, the information which they give about the various kinds of manures, improved methods of cultivation, better selection of seeds, and so on, will prove helpful to the agriculturists; and if those who are against this kind of primary education would not give that little modicum of knowledge, which would enable those people to read these leaflets and pamphlets, not only would the purpose of Government be defeated but those men would be kept for ever in darkness and poverty. Then there are the operatives in our factories, and there is the great working class. Do the opponents of mass education suppose that these people have not perceived the benefits of education? I would for their benefit in that case tell them that we have got in a town of only 34½ thousands of inhabitants, private night schools for the depressed classes, which are attended by masons and bricklayers, by carpenters and smiths, who do a hard day's work and attend there in the night. And there are even *chamars* who take advantage of these schools. I do not suppose that the desire of several of these working men for education is at all taken into consideration. We have the great economic problem before us. It is everywhere admitted that the industries of India should be developed and that agriculture should be improved. Well, we have in this matter the experience of other nations, and we have words of wisdom written for us by such an authoritative body as the Royal Commission on Technical Education appointed in 1884, and we have the experience of America given to us by Mr. Mosely's Commission. There it is not only the captains of industries, or even the foremen and the overseers, whose education is felt necessary, but its need in the case of the actual workers—the operatives—is also universally recognised. The development of their intelligence and increase of their knowledge are considered equally conducive to the improvement of industries.

“My Lord, the demands which Mr. Gokhale has put forward are so very modest that I expected that my countrymen at any rate would join in supporting them. When we take into consideration what exists in other countries, when we find that there is hardly any European country in which education is not either free and compulsory, or free, or compulsory; and when we find the same state of things in America; when we find that the Phillipine Islands and Ceylon and our own Baroda State have made considerable advance under conditions very similar to those which exist in India, — is it not our duty to go on pressing forward this question? We know that a beginning cannot be made on a large scale. A beginning must be always very small. And it is only a modest beginning which is now advocated. I would ask the Council to give weight to the desire for education which is shown by several of our towns. I have made some enquiries in this matter and I would give only one instance. In a province in which the Education Department was established only in 1866, we find in one town with a population of only 35,000 over 1,400 boys attending primary schools, over 700 boys attending secondary schools and over 300 boys attending the high school classes in the high schools. Then there are the students in training colleges and others learning at home whom I leave out of consideration. More than 35 per cent. of boys between 6 and 10 are already attending school. Now, that town is in no way occupying an exceptional position. It only represents the progress which has been made in several of our towns. My Lord, I consider that the desire for education is sufficiently keen amongst our urban population as to justify this measure. It is the fear of some people that Government, by giving its sanction to compulsory education, may run the risk of some unpopularity. My Lord, if the Government were doing this directly and if the Government was indiscriminately introducing it, there would, I admit, be some amount of risk of that kind. But first of all nobody asks for an indiscriminate introduction of the measure; and further it

[16TH MARCH 1911.] [Mr. Mudholkar; Mr. Quin.]

is not Government which itself will do any of these things. The responsibility of determining whether elementary education should be made compulsory is to be left under certain well-guarded rules on local bodies. I may well claim the credit of having been connected with local self-government for a longer period than any of my non-official colleagues here. Well, urban local bodies, that is, our Municipal Committees, consist of a majority of elected members who have to be in touch with the people—with the ratepayers; and they would not venture to bring forward any measure which the ratepayers as a body—the majority among them—disapprove. That in itself is a guarantee of cautious action. A second guarantee of cautious action would be that they would have to find a substantial portion of the money. Even if the proportion is, as my friend Mr. Gokhale suggests, two-thirds from Government and one-third by local cess, even then they would have to find a considerable amount. And it would be only when they are satisfied about the desire of the people for it that they would support the measure. My Lord, I believe these are sufficient guarantees against hasty and incautious action.

“ Now, there is only one word more which I would like to say in recommending this measure to the acceptance of the Council. Till now I have advocated this policy on the ground of the interest of the people. But I urge, my Lord, that such a measure as the spread of mass education is as much required in the interest of good government. Already considerable powers have been given to the urban population and in several portions of the rural areas to the rural population, and there are fair grounds to expect that, with the report of the Decentralisation Commission before Government, there would be conferred on local bodies further enhanced powers and a larger increase of responsibility. I would therefore say to Government, in the words of Mr. Low when the Reform Bill of 1867 was passed, ‘ we must educate our masters ’.”

The Hon'ble Mr. QUIN : “ My Lord, at the outset of the few remarks which I propose to offer on this Bill at this stage, I have to say, on behalf of the Government of Bombay, that, on the understanding that they will have an opportunity of considering the provisions of the Bill later on, they do not desire now that I should urge any objection to its introduction.

“ On two occasions, my Lord, I have spoken in this Council against proposals having for their object the encouragement of schemes connected with free and compulsory primary education. Recognising, as I do, the paramount importance of the spread of education in this country, I am the more glad to be able to-day to offer a welcome to the Bill which has been proposed by my Hon'ble friend Mr. Gokhale.

“ The details of the Bill, my Lord, are for future discussion and we are concerned to-day only with the principles.

“ When I came here this morning I was prepared to point out to the Council that the Bill contained at least two principles which, in my opinion, rendered it deserving of most careful consideration. Since I have heard the able and eloquent speech with which my Hon'ble friend has introduced his Bill, I have been disappointed to find that one of these principles was read into the Bill by myself and does not really exist; in fact, the Hon'ble Member has, with his own hands, knocked away one of the props with which I had intended to support the Bill to-day. As I read the provision which prescribes or permits the levy of a local rate for Education, I thought that the Hon'ble Member recognised the principle of local liability for the additional expenditure, or at any rate a very large part of it, which would be caused by this scheme. I find now, however, that the Hon'ble Member's intentions are different and that he intends to throw the greater part of the burden of compulsory education upon Imperial funds, and for this reason I shall say no more about this principle in the few remarks I wish to make to-day.

“ The other principle, my Lord, which I consider is deserving of the attention of the Council is one which occupies a very prominent place in the Bill—I mean the co-operation of the people concerned. Now, my Lord, regarding the extent to which the enactment of this Bill will tend to increase the measure of co-operation which will be accorded by the people to the Education Department, I must

[*Mr. Quin ; Mr. Jenkins ; Mr. Mazharul Haque.*] [16TH MARCH 1911.]

confess that I have some misgivings. But the point on which I wish to lay stress now is this, that, until the readiness of the people in any local area to co-operate in the matter of compulsion has been indicated, and until the local body, who will scarcely ever act without having behind them a large amount of agreement as to what is to be done, have made an express demand on Government that the Act should be applied, the scheme proposed by Mr. Gokhale will not come into operation. In this initiative of the local body I recognise that there will be a very strong check on any undue idealism which may be manifested in certain quarters with the desire to introduce compulsory education where it is not wanted.

"The Hon'ble Mr. Dadabhoy, my Lord, has made some remarks which I may almost characterise as unsympathetic with regard to the District Officer, and although I am not concerned here to defend the District Officer, I would like to point out that the attitude taken up by the Hon'ble Mr Dadabhoy hardly reflects much credit upon the capacity for self-government of the Municipalities to which he was referring.

"In conclusion, then, my Lord, I would say that, in my opinion, such a Bill as that which has been brought forward to-day, when amended as it will undoubtedly be after it has run the gauntlet of the Government of India and the Local Governments and public opinion, may very well prove to be a valuable addition to our Statute-book.

"It is possible, my Lord, that the Bill, after it becomes law, will give rise to abuses. It is even more likely that the Bill may, in many provinces of India, remain a dead-letter; but there is always, I think, to be remembered that by recognising in a legislative enactment the principle that it is right and fitting that, where practicable, every child should receive primary education, the legislature will be setting up a standard which cannot fail to exercise a powerful and stimulating influence on the public opinion of the country."

(*After the interval for lunch.*)

#### SEDITIONS MEETINGS BILL.

The Hon'ble MR. JENKINS, C.S.I., *presiding.*

The Hon'ble MR. JENKINS: "Gentlemen, before we proceed with the business, I desire to propose the addition of certain names to the Select Committee on the Seditious Meetings Bill to which I should like to have the consent of Council. It is competent to Council to add names to the Select Committee at any time. I propose the addition of the following names:—

The Hon'ble the Maharajadhiraja Bahadur of Burdwan, the Hon'ble Babu Bhupendranath Basu, the Hon'ble Mr. Mazharul Haque, the Hon'ble Maulvi Shams-ul-Huda, the Hon'ble Mr. Mudholkar, the Hon'ble Mr. LeMesurier, the Hon'ble Mr. Holms, and the Hon'ble Colonel Davies.

"I understand Council gives its assent."

#### ELEMENTARY EDUCATION BILL—*continued.*

The Hon'ble MR. MAZHARUL HAQUE: "Sir, it gives me sincere pleasure to rise to-day to support the Bill which has been introduced by my Hon'ble friend Mr. Gokhale. Last year, when the resolution on the subject of free and compulsory primary education was moved by my Hon'ble friend, I gave to it my humble but whole-hearted support. This year, Sir, I had the honour of bringing myself a resolution on free primary education when the discussion

[16TH MARCH 1911.]

[Mr. Mazharul Haque.]

on the Financial Statement was going on. Now, Sir, this is the third occasion on which the subject of education has been brought before this Council, and I again rise to give my humble support to the extension of education in this country.

"Sir, the Bill in itself is a very modest and mild measure. Personally, I believe it is too mild and too modest, and does not go far enough. But my Hon'ble friend has taken the circumstances of the country into consideration, and therefore he has intentionally and studiously made his Bill such a mild one so that the country and the Government may accept it.

"Now, Sir, if the object of this Bill had been to turn out half-educated clerks or men of similar description, I would have been the first man to oppose it. But the object of the Bill is not this. Its object is to introduce a certain amount of light where there is intense darkness now. The crass ignorance of the masses of the country is simply deplorable, and my friend by his measure intends that they should be enlightened to a certain extent in order that their life may be a little more pleasant, there may be a little more intelligence in their daily occupations, and that they may live a healthy and a happy life. Sir, these are the reasons why I support this measure so fully.

"This Bill throws the responsibility of initiating compulsory education upon the people themselves. The responsibility of initiation has been taken away from the Government and thrown upon the shoulders of the public. This is an element which, I think, ought to go far to secure the support of the Government in this matter. As my friend has reminded this Council, the Government, being a foreign one, naturally has to be very cautious in introducing any measure which has an element of compulsion in it; and I consider, Sir, that, after the caution which has been introduced by my friend, there ought not to be any difficulty so far as the Government are concerned. Some of my friends here have taken objection to the passing of a Bill in which it is provided that local bodies such as Municipalities and District Boards should be allowed to introduce this measure in certain areas and levy a local tax for this education. Well, I know that there are objections of that kind and that people think that the Government of India should pay all the expenses. But I do not think that it is fair to the Imperial Exchequer that the Government of India should bear the whole burden: we should also exert ourselves a little. Of course, there are long speeches delivered on public platforms; and there are long articles written in the newspapers, which are very valuable contributions to the solution of the question; but there is something more valuable, which is Rs. as p., and I believe that the people of the country should cheerfully bear this burden of taxation so that they may be able to raise the condition of the masses of the country. Sir, in this connection I may mention that it gives me a peculiar gratification to refer to the attitude of the Muhammadan community on this question. I believe it was in 1907, at the sessions of the Indian Muhammadan Educational Conference which was held at Karachi (I was present there), that the Muhammadan community cheerfully accepted taxation for the purpose of education. They said that they were quite willing to be taxed if the Government would take this matter into their own hands and provide education for the Muhammadan community. The same thing happened last year in Eastern Bengal, and there also the Educational Conference—I believe it was the annual meeting of the Provincial Educational Conference of Eastern Bengal—passed a resolution praying Government to levy a tax upon the Muhammadan community in order that the Government may be able to provide good sound education for the members of that community. Sir, that is the attitude of one important community in this matter, and I have not the least doubt that my brethren of the Hindu community will also come in line with us and cheerfully bear this burden.

"Sir, if this Bill be passed into law—and I hope that it will pass—the burden will shift from the Government to the people; then the people will realize their responsibility, which is very great indeed, and try to raise the condition of the poorer classes who are steeped in ignorance. We shall be judged by posterity by what we do now. With these few remarks, I have no hesitation in supporting the Bill of my Hon'ble friend Mr. Gokhale."

[*Nawab Saiyid Muhammad Sahib Bahadur.*] [16TH MARCH 1911.]

The Hon'ble NAWAB SAIYID MUHAMMAD SAHIB BAHADUR: "Sir, I have much pleasure in supporting the Bill introduced by my Hon'ble colleague. Last year, when he brought forward his resolution for making primary education free in the country, the trend of opinion, both official and non-official, in this Council was in favour of the acceptance of the principle, although other difficulties lay across its path which prevented the acceptance of his motion in its entirety. Sir, just one year has rolled by since the Hon'ble Mr. Gokhale moved his resolution, and during this period public opinion has matured itself on the subject, and I beg to assure the Government that all shades of opinion all over the country are unanimous in supporting the idea of free primary education. It was only the other day that my Hon'ble friend Mr. Bhupendranath Basu introduced his Marriage Bill, when the Hon'ble the Home Member asked him to show if he had a great volume of public opinion in support of the measure. In this case, Sir, I am very glad to say that the Hon'ble Mr. Gokhale carries the entire public opinion with him. No greater evidence is needed, as has been pointed out by my Hon'ble friend, than that both the Indian National Congress and the Muslim League, which are the accredited representative institutions in the country, have adopted resolutions supporting the idea.

"As the Government is aware, there has been a phenomenal activity in matters educational in the country, and even what are called the depressed classes have been shaking off their lethargy and showing signs of a forward move. The time has come when education should not only be made free but compulsory, for I respectfully submit that it is the duty of the State to stimulate educational activity among the masses by the introduction of compulsion in some form or other. The time chosen by my Hon'ble friend for the introduction of this Bill is, I venture to think, very opportune, and when the Council accords its sanction to the measure, as I fervently hope it will, it will have marked an important epoch in the legislative annals of India upon which future generations will look back with pride and gratitude, and His Excellency's first year of Viceroyalty will be remarkable for a beneficent measure which would be regarded in the light of a boon. Even if the times were not propitious, the Bill as introduced by my friend should have whole-hearted support both in this Council and outside it. For, is it not painful to find that after nearly two centuries of British connection with India the masses of this country should still be in the abyss of ignorance? Lord Curzon had in one of his speeches admitted that one of the first claims upon its bounty that Government would do well to acknowledge will be the education of masses. His Lordship further admitted that it cannot be a right thing that three out of four villages should be without a school, and not much more than thirty million boys, or less than one-fifth of the total boys of school-going age, should be in receipt of primary education. He even went so far as to assert that he was one of those who thought that Government had not fulfilled its duty in this respect.

"Sir, the Bill is of a permissive character and its provisions have been framed with great caution and with due regard for the environs and the life of the people whom it will affect. It is not proposed to extend its operations indiscriminately, but power is sought to be given to Municipalities and District Boards to mark out areas where to make its provisions applicable. An innovation like the one contemplated by the Bill deserves to be carefully made, and the temporary displacement of social economy that it will cause may in the first instance be looked upon as a grievance. The local bodies are familiar with local conditions and have therefore been rightly vested with the direction of applying compulsion as they may think best. And, very rightly too, the Local Government has been made the final arbitrator in this matter, specially as regards the needs and the percentage of school-going children requiring education. We Indians are essentially a conservative race as has been shown by some Hon'ble Members to-day, and any inroad that an innovation makes in the zenana is likely to be jealously watched. Girls therefore have been in the first instance excluded from the operation of the law, a proviso being added for their extension in the case of girls when opportunity is found favourable. The penal clauses of a Bill are always its sore points and the penalties that Mr. Gokhale's Bill provides can by no means be called excessive or in any way

[10TH MARCH 1911.] [*Nawab Saiyid Muhammad Sahib Bahadur ; Sir Vithaldas D. Thackersey.*]

calculated to not as a hardship in case they are enforced, for the penalty prescribed by the Bill is simply nominal. The power with which the local bodies are going to be invested as regards the imposition of an education tax is, I submit, necessary, and although critics may be found of the proposed impost, it cannot be avoided considering the larger and higher interests involved. Sir, the other provisions are of a formal and non-contentious nature and on the whole the Bill as it stands cannot be taken exception to, both as regards the principles and details, and as such I hope and trust will commend itself to this Council. In conclusion, permit me, Sir, to commend it to the favourable consideration of His Excellency's Government, for by doing so His Lordship will not only inaugurate a beneficent measure, but will base his administration on the sympathies of the people whose future generations will point with gratitude to His Excellency's régime as having given them the light of knowledge."

The Hon'ble SIR VITHALDAS D. THACKERSEY :—“ Mr. President, I rise to support the Bill which has been introduced by my Hon'ble friend Mr. Gokhale. I would have preferred that compulsory education would have been introduced as a national system by the Government of India; but as fears have been expressed as to opposition from the people, I am quite prepared to leave this discretionary power in the hands of the local bodies. At the same time I think that these fears are more or less groundless. I am connected with Baroda, my father and forefathers came from Baroda State, from Dwarka, and there are many other ways in which I am connected with Baroda territory. I often go there, and I took pains last year when I was there to find out exactly the state of compulsory education; and from all the reports that were given to me and from what I saw I was satisfied that compulsory education was progressing very satisfactorily in the Baroda State. I saw some of the parents in some of the villages and found that a large number of the younger generation knew how to read and write, and the parents were proud of their children. In Dwarka, when I was there last year, I tried to enquire into the matter, particularly because the Wagharees are the principal inhabitants of Dwarka, and they are a warlike race. I found that last year and the year previous the Baroda State had introduced compulsory education and the Wagharees even had taken to it very kindly. So from the experience that we have at hand from the same class of people as we have in British territory, we are led to believe that the fear of opposition is practically groundless; and if compulsory education is introduced, I think a very large number of people will take to it very kindly.

“ Then with regard to the other points in the Bill, I think—and I think Mr. Gokhale also thinks in the same way—that the best thing is to have education free, if it is compulsory. A distinction between those who earn Rs. 10 and those who earn more than Rs. 10 will be very difficult to settle. There will be lots of disputes and dissatisfaction, and as my Hon'ble friend the Maharaja of Burdwan has pointed out, sometimes a man getting Rs. 10 a month is better than a man getting Rs. 15. But, as the Hon'ble Mr. Gokhale has pointed out, he has put this limit as a compromise. I do hope, however, that when the matter comes up before the Select Committee, this point will be reconsidered.

“ Then there was another argument used by my friend the Hon'ble Mr. Quin that he first wanted to support it very strongly because he thought that the expenditure was to come from local bodies, but now finds that two-thirds of the expenditure is to come out of the Government of India. Now, Sir, I cannot understand what is the difference between the two. The Government of India collect over 30 crores of rupees from the land-revenue. We collect as much as we can from the land, and it is quite fair that a little share out of that ought to be spent in educating the children of the owners of this land. The case in the cities may be different. In the large cities, perhaps local taxation may come out of the house-owners; but so far as the villagers are concerned, I think that the Government of India ought to provide the major part of the expenditure.

“ Then, Sir, another argument is used against the Bill, namely, that whoever is in charge of the boy has to send the boy to school. Thus, a responsibility

[*Sir Vithaldas D. Thackersey : Sir Sassoon David ; [16TH MARCH 1911.]*  
*Mr. Jinnah.*]

is thrown on the keeper. And it was asked that good charitable people pick up boys from the roadside and feed them, and why should they be burdened with the further responsibility of sending the boy to school? Now, with regard to those charitable persons who pick up boys from the roadside and pay Rs. 4 or Rs. 5 for feeding a boy, it will not be a burden to have to send him to school, as for educating the boy they have to pay nothing, because education is free, or costs about one anna a month. And, again, I think in our Hindu books we have the old religious precept that *Vidyadan* is more meritorious than *Annadan*—that we should give education to the people even though we do not give food to them. From that point of view, I do not think that charitably-disposed people will grudge paying one anna, if necessary, for educating the boy whom they pick up from the road. Then, Sir, it is said that a little learning is a dangerous thing. It is a common saying and a very sound saying no doubt, but I cannot understand how that saying is applicable in the present case. I may be mistaken, and I should like to know. If it is dangerous, certainly we ought not to support the Bill introduced to-day. But I cannot understand how it can be dangerous if a poor agriculturist can read and write and put his signature to Marwari bills after reading the amount that is mentioned therein, instead of as at present without knowing what the bill contains. I cannot understand how it would be dangerous for these illiterate people if they were prevented from being defrauded by money-lenders and by those who buy their produce. I do not understand how it would be dangerous if they kept their accounts and were in touch with the central markets and knew exactly how their prices compared to the prices in the central markets. Well, Sir, I cannot understand how it would be dangerous if they could read the leaflets that have been mentioned by my Hon'ble friend Mr. Mudholkar, showing the results of the experiments obtained at enormous expense to the Government of India. They could see the fares mentioned on the railway tickets and thus make it unnecessary for the railways to employ special jamadars, as is now the case, to prevent the people from being defrauded by the railway servants. And above all, Sir, I cannot understand how it would be dangerous if they got the benefit of the newspapers now-a-days published for their benefit at great expense from the public Exchequer. For all these reasons, Sir, I think it will not at all be dangerous, and that therefore we ought unanimously to support the Bill proposed by Mr. Gokhale."

The Hon'ble SIR SASSOON DAVID: "Sir, I should like to say a few words only. I admire the exhaustive manner in which my friend the Hon'ble Mr. Gokhale has introduced his Bill to-day. But in my opinion the time has not come for the introduction of free and compulsory education in India. I think the financial position of the country does not warrant its introduction, and before such a step is taken I think ways and means should be adopted by which an annual source of income should be made for all the requirements of the continuously increasing expenses, because if once Government took this step, it would not be right that they should go back on it. I am afraid, therefore, although the Bill has my sympathy, I shall not be able to support it."

The Hon'ble MR. JINNAH: "Sir, I have only a very few words to say on this Bill. I do not want to detain the Council for any length of time. I understand, however, that the object of Mr. Gokhale to-day is to ask leave to introduce the Bill which is before the Council. There are two points to be considered with regard to the Bill: first, the principle of the Bill; secondly, the provisions of the Bill. Now, so far as the principle of the Bill is concerned, it only seeks to do this, that it wants gradually to introduce compulsion into the elementary educational system of our country. So far as that part of the Bill is concerned,—so far as that object is concerned,—the Hon'ble Mr. Gokhale has entire support from me. This question was discussed in the Council before on more than one occasion, but somehow or other I was not able to express my opinion; but I felt that this is an occasion on which I should not give my silent support but I should say a few words. I am convinced that it is high-



[16TH MARCH 1911.] [Mr. Jinnah; Babu Bhupendranath Basu.]

time now to make a beginning in the direction of elementary education being made compulsory and free.

"Then, with regard to the provisions, I must confess that there is a great deal that requires consideration. I personally am not in a position at the present moment to express my views on the provisions of the Bill having regard to the fact that the Bill was placed in our hands only a few days ago. On the one hand, it is said the Bill is too slow; on the other, it is said that the Bill carries us too fast. But all these questions and all these provisions of the Bill will be discussed in the Select Committee and in the country, as Mr. Gokhale has already pointed out, and I shall have opportunity of discussing them at various stages of the Bill later on. There is one thing which I want to make clear, and that is this. It fell from the Hon'ble Sir Sassoon David, that the time has not come to introduce elementary education in India free and make it compulsory. It seems to me, Sir, that there is a great deal of misconception on that subject. Nobody, as far as I can understand, nobody, so far as I know, no advocate of compulsory education in India, has said that it should be made compulsory and free all over the country at once. All that is desired is that the time has come when a beginning should be made gradually in that direction, and that seems to be the direct object of the Bill now before us. How that object is to be achieved is a matter of details and provisions which I have no doubt will be carefully considered later on, as I have pointed out already. With these few words, I support the Bill of the Hon'ble Mr. Gokhale."

The Hon'ble BABU BHUPENDRANATH BASU: "I do not think, Sir, that on such an important question as this I should give only a silent vote, though I must confess that up to now I had thought, having regard to the difference of opinion that prevails in my own province, that probably it would be the more prudent course to give a silent vote. But I feel that some misconception has clustered round my friend the Hon'ble Mr. Gokhale's Bill, which I think it is my duty, so far as in me lies, to dispel. Before I go on, Sir, I think that my friend Mr. Gokhale will not consider it impertinent of me to say that he has presented his case in a way which must captivate the imagination of all who have listened to him. He has said that there is a string in the heart of India which vibrates to appeals like this. I can assure him and my Hon'ble friends in this Council that we Indians cannot fail to respond to an appeal which makes it possible for the less happily situated amongst us to avail themselves of the benefits of education. Sir, we have often times said, and I believe said with some degree of justice, that while the rest of the world was enveloped in darkness there was light in our country. It is correct, as I said, to some degree only, for if certain strata of Indian society were illuminated with light, there were a large number of strata in that society which were submerged in utter darkness. The submerged continent of India—if I may say so—was probably great as the lost continent of Atlantis, and we have felt—those of us who have been educated in Western ideals have felt—that the time has come when knowledge should no longer be the special privilege of the few but should be extended to all. In that view it is impossible for us, even for those of us who apprehend that there may be some mischief out of the provisions of Mr. Gokhale's Bill, to withhold our support to Mr. Gokhale's Bill (he will pardon me if I sometimes happen to omit the honorific prefix which to me does not always come very readily). Sir, I fully realise that in the present state of things compulsion pure and simple would be very dangerous. We have, as you know, Sir, too well, on the one hand an ignorant peasantry, and on the other hand we have our well-known methods of compulsion. It is, I believe, not in any way an exaggeration to say that much of the popular discontent that is felt against British rule in India is due to the fact that many of its measures are entrusted for execution to instruments which make them odious, and a fear has been felt by many thoughtful men in our community that if we make education compulsory it is possible that it may have just a contrary effect; that instead of advancing the cause of education it may retard it. People who would voluntarily do things would be unwilling to do the same thing on compulsion. It is quite possible that this compulsive element may to some extent serve to retard the progress of elementary education in the country. But my friend

[Babu Bhupendranath Basu.] [16TH MARCH 1911]

Mr. Gokhale has so hedged in the compulsory provisions of his Bill that I for one am inclined to think that no harm will be done by adopting his method, and I believe that the criticism that has appeared in the Press is due to an insufficient apprehension of the position that he has taken up. In the first place, it has nothing to do with Government, either Local or Imperial. A Municipality or a District Board decides as to whether it will or it will not introduce compulsory education in this area. Talking of Municipalities, the Municipal Commissioners in Bengal, I may remind my friend the Hon'ble Mr. Dadabhoj, are more or less elected by ratepayers who pay an annual rate of one rupee and a half, so that the very humblest classes are instrumental in the return of the Municipal Commissioners to Municipal Boards, and they will be very chary before they recommend that primary education should be compulsory in their area. If they feel that it is against the wishes of the generality of their ratepayers and the constituency of electors, it is hardly to be expected that they will put forward such a measure for acceptance. The case is, I confess, different with the District Boards as they are constituted in Bengal. The District Boards in our province are more or less officialised, but even then, I believe, the Magistrate has sufficient trouble and burden over him to think of courting unpopularity by suggesting to his members the introduction of compulsory education when such a measure would be unacceptable to many of them—at least to those of them who came by election. In the District Boards in Bengal, half the members in certain areas are elected by the Local Boards, which are again largely elected bodies. So that is the first safeguard which Mr. Gokhale provides, *viz.*, that it is not a compulsion which proceeds from above but it is compulsion which proceeds from below, from the very people themselves concerned in it. Well, Sir, if a large majority of them say that 'we are prepared to send our boys to school', I do not see that there should be any objection to it.

"The next question, and a very serious question, is the question of taxation. I have in my mind very vividly the fate of the road-cess taxation in Bengal. It was introduced, I believe, in the year 1871, on the solemn assurance by the then Secretary of State, the Duke of Argyll, repeated by the Government of India at the time, that the proceeds of that fund (road-cess fund) were to be solely devoted to local needs—local roads, wells, tanks, etc. For many many years after that the proceeds of that fund used to be consistently (the Hon'ble Mr. Slacks will excuse my saying so) misapplied—misappropriated probably would be a more expressive term. We agitated about it and went on until, I believe, we have come to a state of things when the road cess fund is being applied to its primary objects. In this case, however, I do not apprehend that difficulty, because here again the cess will be levied not at the instance of Government but at the instance of the District Board or the Municipality. Then my friend Mr. Gokhale had said on a previous occasion—I believe he said also to-day—that two-thirds of the expense would be found from the funds of the Imperial or the Local Government and one-third by the ratepayers. If that condition does not exist—a fear has been expressed in some quarters that this probably will not be listened to by Government—if it is not listened to, then there is an end of it; if it is listened to and one-third of the funds are available, the people would contribute to that extent. I do not forget that even the levying of a small cess may be attended with hardship. There is in Bengal the *chaukidari*-tax for which we have the village-panchayat who collects these taxes, sometimes very oppressively: the poor man's *lota* or his pots and pans are sometimes sold and he is put to great trouble. It is quite possible, and that is the fear which has been operating upon the minds of many of us who, though approving of this measure, are opposed to it because of this provision. This is pressing upon the minds of many who would otherwise support it, and my Hon'ble friend has not indicated the source or the class of people from which this cess is to be realised. There will be great objection, and valid objection, if this cess were realised from the poor agriculturists or other poor people who are hardly able to pay. But, I believe, if we realise from the class who are otherwise not very heavily taxed and who, I am afraid, do not contribute sufficiently to the revenues of the country—men who have the misfortune to belong to my class—I do not think I for one would much object. The professional

[16TH MARCH 1911.]

[*Babu Bhupendranath Basu ; Maulvi Syed Shams-ul-Huda.*]

class of the tradespeople and others who only pay the income-tax and others in the same position would I apprehend object, but I believe that a means may be found by which this taxation—all taxation is unpopular no doubt—may not be made very unpopular. Of course, my friend Mr. Gokhale does not indicate in his Bill as to how this taxation is to be raised. If he would indicate this in his reply, our course in our own province would be clear. I was speaking for Bengal, not that we are opposed to it, but that we fear, and many of us fear, that the two elements of compulsion and taxation may be unacceptable and therefore may defeat the object for which Mr. Gokhale has been introducing this Bill. I believe I have sufficiently explained that the element of compulsion does not stand in the way, because analysing the whole situation there is hardly any compulsion. The element of taxation must come in. Well, Sir, is it possible to educate our people out of nothing? That is what we ought to consider; we have been insistent (the middle classes of India) upon the Government paying greater attention every year to the needs of education, specially of the poorer classes. We have pressed for primary education, for secondary education and for University education. The question is, if the expenses of primary education are so heavy as they were made out to be on a former occasion, when the matter was referred for the consideration of Local Governments, how are these expenses to be met? I for one would certainly prefer—and I believe even my friend Mr. Gokhale would prefer—that these expenses should be met out of the Imperial revenues; but I am quite sure that my Hon'ble friend Sir Guy Fleetwood Wilson will at once stand in the way and bar our road to an invasion upon Imperial revenues. Therefore, we must provide some sort of income for this purpose with as little hardship as possible. Of course, that has to be thought out, and it will be better if the country knew, now that the Bill is going to be discussed, as to how this is to be met.

"These are matters which I have taken the liberty of placing before the Council in order that my Hon'ble friends should consider what are the circumstances that are at present pressing upon the minds of the people. With these observations and according my hearty support to the principle of the Bill and expressing my earnest faith that it will be possible to adopt this principle in such a way that it may not press upon our people, I support the Bill introduced by my friend Mr. Gokhale."

The Hon'ble MAULVI SYED SHAMS-UL-HUDA: "As I am going to support the motion for the introduction of Mr. Gokhale's Bill, I think it necessary to make my position clear. The Bill is one which contains a great deal of controversial matter, and I do not think I will be justified to pledge myself either way in connection with this Bill without ascertaining the views of the constituency which I have the honour to represent in this Council. Personally I am opposed to making primary education compulsory in the present state of the country. Not that I consider it as an unchangeable principle, but I think that the country is not as yet prepared for it. At the same time, Sir, I recognise that Mr. Gokhale has tried to meet the objection by leaving it to the Local Governments to decide whether the provisions of this Bill should be made applicable to any particular area, and I think we may trust to the good sense of Local Governments not to make the provisions of the Bill applicable to places that are not prepared for it. At the same time, I feel that there is some danger in anticipating the times and making legislation not for the present but for the benefit of the future generation. I say so because I think that, as the Bill leaves the matter to Local Governments, it is just possible that for twenty years to come no Local Government in India would think it proper to make the provisions of this Bill applicable to any part of the country.

"Then, as regards the question of taxation, I am very diffident, however enthusiastic I may be in the cause of primary education, whether those whose pockets are intended to be touched would willingly come forward, out of mere love for education, to say 'we are prepared to submit to additional taxation for such a purpose,' and it will be a matter for serious consideration whether Government would force a tax of this kind upon an unwilling people.

[*Maulvi Syed Shams-ul-Huda ; Pandit Madan Mohan Malaviya.*] [16TH MARCH 1911.]

"There is, Sir, another feature of the Bill as to which, I believe, there will be a strong opposition on behalf of the Muhammadan community. That is the provision which gives the option to District Boards and Municipalities with the leave of the Local Government to make education of girls compulsory. I am afraid, Sir, that for fifty years to come the masses of the Muhammadans will not consent to this part of our friend's Bill.

"However, Sir, having said all this, I must also say that I support the introduction of the Bill. I am not so ardent an admirer of this Bill as my Hon'ble friend Mr. Mazharul Haque, but at the same time I realise that the Bill raises questions of the utmost importance to the country, and it is necessary and desirable that it should be considered in all its details, and the country should be allowed to pronounce its verdict. From this point of view I give my support to Mr. Gokhale's Bill."

The Hon'ble PANDIT MADAN MOHAN MALAVIYA: "Sir, the surpassing ability with which the Hon'ble Mr. Gokhale has introduced his motion, and the fulness and care with which he has explained it, would have led one to think that the measure would receive a ready acceptance at the hands of the Members of this Council. But, as the discussion has shown, there is much misapprehension in the minds of some people regarding it. I submit, Sir, that at this stage of the Bill it is not the details but only the principle of the measure which are to be discussed. And the principle of the measure is one which ought to find a ready acceptance from the Members of the Council and from Government. The Hon'ble Mr. Gokhale has referred in his speech to the well-known dictum of a great American statesman on education—a most passionate exhortation to all men to promote education. It is easy to recall the utterances of other statesmen in other countries who have spoken with equally impassioned earnestness of the benefits of education and of the duty of the State to introduce it among the people. But the Government of India have not been backward in recognising that duty. Indeed, the thought of promoting popular education had not yet dawned upon many Governments which have now out-stripped us when the Government of India in the famous despatch on education of 1854 said:

"Among many subjects of importance none can have a stronger claim to our attention than that of education. It is one of our most sacred duties to be the means, as far as in us lies, of conferring upon the natives of India those vast moral and material blessings which flow from the general diffusion of useful knowledge, and which India may, under Providence, derive from her connection with England."

"In that despatch, after noticing with satisfaction the progress that higher education had made in the country, the Court of Directors drew special attention to the need of promoting the education of the mass of the people, of conveying useful and practical knowledge, suited to every station in life, to the great mass of the people. They said that they desired to see the active measures of Government more specially directed for the future towards the attainment of that object, and that they were prepared to sanction a large increase of expenditure for that purpose. From that time, Sir, numerous have been the occasions on which the Government of India have repeatedly acknowledged it to be their duty and their intention to promote primary education to the fullest extent. The Education Commission which was appointed in 1882 considered the question and made very clear recommendations as to the promotion of elementary education. They also recommended that an attempt should be made to secure fullest possible provision for the expansion of primary education by legislation suited to the circumstances of each province. But, as the figures given by the Hon'ble Mr. Gokhale have shown, the progress achieved is very small compared with what the declarations of Government would lead one to expect. It is also small compared with the needs of the country. It is regrettably small compared with the progress which has been achieved in other countries. I will not repeat the details of the figures; it is enough to remind the Council that seven out of every eight children in this country are at present illiterate, and that four villages out of every five are without a school. The question which then arises

[16TH MARCH 1911.] [Pondit Madan Mohan Malaviya.]

is—' what is really the cause of this want of progress in this country ?' I submit, Sir, that the cases of England, Japan, Ceylon and other countries that have been mentioned by Mr. Gokhale establish one principle, and that is that the cause of all this disparity, of all this difference, lies in the absence of the element of compulsion from the system of education in this country. I do not know that there are many documents of State to be found in the archives of other Governments which would compare in their large-hearted benevolence with the despatch of 1854, which aimed at creating a national system of education which was really to benefit the entire masses of the people of India. But, Sir, the despatch rested on the voluntary basis. There was no element of compulsion in it either so far as the Government or the people were concerned, and I submit that the want of progress which we all deplore is due to that circumstance. I submit, Sir, that the strongest argument for the necessity of introducing such an element is to be found in the adoption by nearly all civilised countries of the world of the principle of compulsion and in the success achieved by other countries after they introduced compulsion.

" The Bill before the Council is an extremely modest measure. It does not seek to introduce compulsion at once and all over the country. It introduces what I may call 'permissive compulsion' as was done in England in the Education Act of 1870. That Act merely made it possible for the Boards and certain local bodies to introduce compulsion where they thought it desirable to do so. This Bill seeks to make it possible for Local and for Municipal Boards to introduce compulsion within the areas of their jurisdiction and with the sanction of the Local Government. In this it provides a great safeguard against hasty action. But the wisest part of the Bill, if I may say so, is that shifting the power of initiation from the Imperial or the Local Governments on to Local Boards and District Boards. But doing so the Bill provides that there will be progress possible in areas where the people are sufficiently advanced to desire, or to be willing to receive, a measure of compulsory education. It provides for a healthy departure from a policy of entire inaction until all parts of the country have been equally advanced and are prepared for such a measure. If there is to be any unpopularity created by the introduction or compulsion, the provision that the initiative should be taken by the Municipal and District Boards reduces it to a minimum, and even then it ensures that that unpopularity shall fall on the local bodies and not on the Government. If a fairly large proportion of the population are willing to accept such a measure, then, with the sanction of the Government, the measure will be introduced. To the apprehension expressed by the Hon'ble Mr. Quin that there may be faddists who may try to create a feeling among the people in favour of compulsory education, where it does exist, I submit that an important safeguard is to be found in the provision for payment of taxes which they would have to submit to, if the Bill is accepted. Not only in this but in providing for exemptions from payment in the case of the poor, in fixing the age limit, in recommending the creation of school attendance committees which are to initiate action under the penal clauses of the Bill, most excellent safeguards have been provided to make the measure not only unobjectionable but acceptable to the great mass of the people.

" A great deal of criticism has been passed upon the proposal to throw the cost of elementary education partly upon Imperial and Local Governments and partly on local bodies. It has been said that local bodies should not be required or permitted to find any portion of the cost by increasing the burdens of the people. I may say at once, Sir, that I do not think anybody would rejoice more than the Hon'ble Mover of the Bill if the entire cost of making primary education free were borne by Government. It is right that it should be so borne; and I have no doubt that in course of time the Government of India will accept the responsibility of providing the entire cost of free and compulsory elementary education throughout the country. But if the Government of India are not inclined to do so at present, the question is whether, until that time comes, we are to stand still or to move forward with a part of the burden being borne by the people. One or two Hon'ble Members have said that if any compulsory education is introduced, it ought to be free, and they have argued that the two must go together. In their view, to make

[Pandit Madan Mohan Malaviya.] [16TH MARCH 1911.]

it compulsory and not to make it free would be entirely objectionable. I might remind them of the different times and conditions under which elementary education was made compulsory and free in some advanced countries. Take, for instance, the case of England. England introduced the element of compulsion in the Education Act of 1870. That was modified in 1876, and it was not until 1880 that compulsion was made practically absolute. But it was only in 1891 that England made primary education entirely free. Take again the case of Japan. Japan began in 1872; it practically made education compulsory in 1890; but it was not until 1900 that it made its primary education largely free. The view that I would therefore urge is this, that if and when the Government is in a position to bear the entire cost of making primary education free, it ought to do so, because it is one of the most sacred duties which lies upon any Government to bring the light of knowledge to the humblest subject living under it. But if the Government cannot or will not do so, at any rate at present, and if the chance of having compulsory primary education introduced in our country rests only upon part of the burden of it being borne by the people; then we should not hesitate to recommend to the people that they should pay this price for the benefit of education.

"Some speakers who have criticised the Bill have questioned the soundness of the principle. The Government of India has been committed to this principle during the last 55 years, and has on repeated occasions declared it to be its policy to make elementary education practically universal among the people

"I do not think that these criticisms betray much sympathy—as much sympathy as one might reasonably expect from Members of this Council—with the humble masses of the people, when they say that education should not be extended to them lest it might kindle in them desires for a little of that enjoyment of the comforts of life which these critics enjoy in such abundance. In no country have such small-minded considerations weighed with the Government; and I am sure that they will not weigh with the Government here. The Government of India has to its lasting credit been endeavouring for the last seventy years to lead the humblest classes of the community in this direction. There are schools for the backward classes and even for the aborigines established by the Government in different parts of the country. And it is too late in the day for any Member of this Council to say that elementary education should not be made compulsory because it is likely to turn the heads of some of those who may receive it. Turn their heads it certainly will; but it will turn them in a better direction than they are likely to be turned if they do not receive the illuminating light of knowledge.

"As regards the objection that the people will object to pay the taxes, we should remember that the compulsory payment of taxes is in force in municipal matters. People living in municipal areas have to pay certain taxes whether they like it or not for sanitation and for other municipal purposes. It is only the poor that are exempted from these taxes. This Bill also provides a similar safeguard against a hardship on the poor by laying down that those whose incomes do not exceed Rs. 10 per mensem are to be exempted from payment of the education rate that may be levied. This limit may seem to some people to be rather low. It certainly seems to me to be so. I should like to see it raised to Rs. 50 per mensem or at least to Rs. 30 per mensem. But, I submit that if education cannot be made compulsory and universal otherwise than by imposing this burden upon the people, this might be accepted as other burdens in regard to sanitation and other matters have been accepted for the benefit of cities and towns.

"Objection has also been taken to the provision for the education of girls by compulsion. I fear that many of the critics who have dealt with that part of the Bill have not taken sufficient note of the fact that that is merely a prospective provision which gives power to a Local Government to extend compulsion in the case of girls in areas and for communities where such a measure may be demanded by the bulk of the community, and where it does not come into any conflict with the social customs of the people. I am sure, Sir, that no Government will ever introduce compulsory education in the case of girls in India, unless it is satisfied that practically the whole of the population living in a particular area desire it. But if there is a town or if

[16TH MARCH 1911.] *Pandit Madan Mohan Malaviya ; Mr. Sachchidananda Sinha ; Mr. Madge.*]

there is a city where the *parda* does not prevail, and where the bulk of the people apply to the Government that the provision should be extended among them, I do not see why it should not be so. There need be no alarm created by the mere mention of a possible extension of the principle, which is undoubtedly generally accepted as sound in the case of boys, to the case of girls also under proper safeguards. It would be a sad thing to allow half the portion of a community to grow up in ignorance and to be shut out from all the light of knowledge and from all the higher life that knowledge leads to. Since the days of Bentinck and Macaulay, Government has repeatedly declared it to be its duty to extend the benefits of education among the people. It is high time that Government adopted effective steps to give effect in a complete measure to the principles and the policy which it has so long and so consistently advocated. Mr. Gokhale has earned the gratitude of his countrymen, and has done his duty by the Government by suggesting, by the measure he has brought forward, the most effective means by which full effect can be given to that policy. There is nothing in the Bill which should make it difficult for the Government to accept it. It only seeks to give effect to the principles which the Government have advocated for all these many years. It is sound in its principle ; it is quite modest in its scope ; it is considerate and conciliatory in the safeguards that it provides ; and yet it is capable of far-reaching and growing beneficence if it is adopted by the Government. I venture to think, Sir, that nothing will give greater satisfaction or call forth more enduring gratitude from the people, than the acceptance of this measure by the Government. I earnestly hope that Government will be pleased to accept it."

The Hon'ble MR. SACHCHIDANANDA SINHA : "I rise, Sir, to give my most cordial and unstinted support to the principle underlying Mr. Gokhale's Bill. I think the Hon'ble Member may congratulate himself on the trend of the discussion so far. Except one Member, all those who have spoken hitherto have given their support to the principle underlying the measure. I quite appreciate the difficulties of those of my friends here who think that the principle of the Bill is rather controversial. As it is a measure trying to cover new ground, I am not surprised that there are some members who find controversies underlying the principle of the Bill, to some extent. I have no doubt in due course these controversies will be satisfactorily settled. In the meantime, I have much pleasure in supporting the Bill, which, if enacted, will mark an era in Indian history."

The Hon'ble MR. MADGE : "Sir, I wish to support this Bill because, although I disagree with many of its details, indeed most of them I am afraid, yet I hope that in the public discussion that will take place the Hon'ble Mover will be helped with his frankness to adopt whatever improvements seem to him to be really advisable after the changes which I foresee will be suggested.

"My own belief is that the only safe policy to carry out with reference to primary education is that laid down in the despatch of 1854 to which reference has already been made, and which has been endorsed some half a dozen times in the last sixty years by the Government of India itself. Why the Local Governments have failed to respond to the Government of India in regard to this point is more than I can say ; but I do hope, Sir, that when this Bill goes down for public opinion all round the country, we shall hear more of that subject. There are just two points, coming nearer to the principle of the Bill than to its details, to which I wish to refer very briefly. The Education Commission Report of 1882 contained a recommendation to which the Government of India, in its resolution of the following year, referred, and that was the appointment of Boards of Education. It was designed, Sir, by those who made that recommendation that at certain periods officials and non-officials throughout the country should meet for discussion so as to lay down lines of practical policy which the Government itself might pursue, and in the intervening years I have often spoken to experienced educationists, both missionaries and officials, who have told me that they thought the Government made a mistake in not insisting upon the establishment of these Educational Boards. These Boards were refused because the

[*Mr. Madge ; Mr. Dadabhoy ; Raja Partab Bahadur* [16TH MARCH 1911.]  
*Singh of Partabgarh.*]

Director in Bengal for the time said they would raise questions of principle which would interfere with the authority of the Directors in the different provinces. That hardly seems to me, Sir, to be a sound reason for refusing a means by which the Government itself could arrive at most valuable information as regards the practical lines which it might assume in educating the masses in this country. Our missionaries, although they are to a large extent given up mainly to religious propagation, also have the supervision of Vernacular schools in which primary education is taught, and in one or two conferences in which I have met them I have heard from them the most valuable practical ideas as to the best ways of promoting primary education, which had nothing whatever to do with any religious propaganda. And on the other hand our Inspectors of Education also acquire on the official side information of the same sort, which if they were to get into contact with non-official opinion, would bring out in my humble opinion very valuable advice as to the line which Government might pursue in introducing primary education into this country.

"The second point on which I wish to speak is this. The Hon'ble Mr. Dadabhoy has referred to District Officers. Though I agree with much that he said, I entirely disagree with him as regards the usefulness of District Officers. I know of no class--"

The Hon'ble MR. DADABHOY : "I must mention that I never said a word against the usefulness of District Officers. My Hon'ble friend has entirely misunderstood the scope of my argument. I think they are very useful officers."

The Hon'ble MR. MADGE : "If my ears have deceived me I withdraw the remark I have made and proceed in a very few words to say that I think there is no class of the public in this country who are better acquainted with the condition of the masses than our District Officers. I think they are better acquainted with them than a great many educated Indian gentlemen who live in cities and never knock about in the mufassal. I have met District Officers in this country in villages where no Indian gentleman who professes to speak for them has ever set foot, and I hope that this class of gentlemen will bring us very valuable information when they speak to us both as regards how much the people will stand in the shape of compulsion, and exactly what they feel about withdrawing their children from labour into schools."

The Hon'ble RAJA PARTAB BAHADUR SINGH OF PARTABGARH : "My Lord, I have very great pleasure in supporting the measure that has been introduced by the Hon'ble Mr. Gokhale. At this stage of the proceedings it is not necessary for me to make any remarks as to the various details covered by my friend's Bill. Its publication in the Gazette will draw upon it the criticism of all sections of the people and of the various high officers of the Government, and then we shall be in a better position to understand its defects and merits. But on the main principle of the introduction of free primary education in this country there can be no difference among men who realize the situation of the country. It is no insignificant matter that the enlightened Government of Bombay has instructed its representative not to oppose this measure at this stage. I trust other Local Governments will give this measure as sympathetic a consideration.

"My Lord, as I said last year on a similar occasion, at one time our country was a self-contained one, unaffected—or very little affected—by what went on in other countries. But things now have altered considerably. We have been brought into the focus of world competition. Each country is trying its best to get what it can of the material advantages, and in this competition, if we continue to remain in our present position of ignorance, our position, already pitiable enough, will grow even worse before long. Education is not any more a luxury but a necessity, and as Mr. Gokhale has pointed out it has been made successfully both free and compulsory in a portion of our own country by the enlightened ruler of Baroda. The Government of India cannot afford to lag behind the Government of His Highness the Gaekwar.



[16TH MARCH 1911.]

[Mr. Butler.]

"With these few words I heartily support the Bill introduced by my Hon'ble friend, whom I beg to congratulate on the masterly speech with which he has introduced the measure."

The Hon'ble MR. BUTLER: "Before coming to the able and eloquent speech of the Hon'ble Mover and the Bill which he has introduced to-day, and which I may say at once the Government will allow to go forward for criticism and general discussion, I will deal with the nine proposals which Sir Harvey Adamson undertook to examine about this time last year. Six of those proposals are included in the provisions of the Bill itself, and in allowing the Bill to go forward the Government has taken the only action in regard to those proposals that at present they can take. The seventh proposal was that there should be a Secretary specially for Education. The Hon'ble Member has got more than he asked for: he has got not only a Secretary but a Member and a full-fledged Department. I do not know whether this has been too much for him; but from the kind references to me, which I gratefully acknowledge, I can only assume that he is satisfied with this act of the Government. The eighth proposal was that education should be a divided head. We have considered that proposal and we have decided that it is contrary to the policy which animates the whole of our relations now with Provincial Governments and that it is quite unnecessary for the main object which the Hon'ble Member has in view, because there are other ways of advancing education than by making it a divided head. The ninth and the last proposal was that a statement describing the progress of education should be included in the annual Budget Statement. Figures have been collected and they have been published in the Gazette, and I believe that they meet the wishes of the Hon'ble Member.

"And now I turn to the speech of the Hon'ble Member. In introducing his Bill he illustrated with a wealth of detail even greater and darker than last year the backwardness of education in India, our backwardness in regard to literacy and in regard to expenditure on education. He carried us on the wings of his eloquence to the Phillipine Islands and to Ceylon. I confess, Sir, that I see great differences between the conditions in the Phillipines and Ceylon and the conditions which exist in India. I do not myself believe much in these transmarine comparisons. Then the Hon'ble gentleman took us to Baroda, and the Hon'ble Sir Vithaldas Thackersey has told us his own experiences in regard to Baroda. Now, Baroda is admittedly very close to our borders. I share, I endorse to the full, all that my Hon'ble friend has said about the enlightened policy of the Ruler of the Baroda State in regard to education, about the liberal expenditure of the State, and about the boldness of the experiment which he has undertaken in introducing a short time back free and compulsory education on Western lines. I would only say that the matter is still at an experimental stage. I admit from the information that I have received that the experiment is in a hopeful condition, but it is still experimental and it has only been introduced on a large scale after fifteen years' trial in a small part of the State. Well, Sir, many things are possible in a small State under autocratic rule which are not possible on anything like a general scale in a big Empire under a different form of government. As regards the expenditure in Baroda, I do not think it is fair to compare it with the expenditure of the whole of India. The Imperial Government has to spend enormous sums on Imperial defence of which Baroda State gets the benefit and which the Baroda State is not called upon to undergo. Apart from that, if you compare the expenditure in Baroda with the expenditure in Bombay, the adjacent province, you will find that the comparison is far more favourable to the British districts than is a comparison with the expenditure in the whole of India; and I think that it is a fairer comparison to take the province and the people in the vicinity of the thing compared.

"However, I do not wish to go into statistics. I fully admit, and the Government of India has always fully admitted, that it is desirable to spend more money on primary education, and, as funds become available, I have no doubt you will see that money provided.

"As regards the Bill itself, if it were a measure introducing general compulsion, if it were intended in any way to open up at once a very large and

[Mr. Butler; Mr. Gokhale.]

[16TH MARCH 1911.]

important reform, it would be necessary to criticise it in considerable detail; but the Bill is like the baby in *Midshipman Easy*—a very little one. That has been a cause of complaint against it from some quarters, and the chief merit advanced in its favour from others. The Council will remember the debate which took place in this room last year. It was then the sense of the Council that we should exhaust persuasion before we resorted to compulsion; that when we could not supply the education for which there is a demand, it was unnecessary and unpractical to introduce measures of compulsion for which also we could not find the funds. Now, has the situation changed since then? I was reading only this morning a debate which took place in the United Provinces Council, where the Director of Public Instruction drew a piteous picture of schools shut down for want of money. He talked of the tragic closing of schools in the Benares Division, and when I was at Benares the other day I heard something of that sort, and he represented his province as being in the position of the 'hungry sheep who look and are not fed.' Well now, when that is the case, I do not think it is necessary for us to consider whether measures of compulsion are generally necessary and if, as I say, this were a Bill of universal application, I should have to point out that no Municipality or District Board has ever asked for these powers; and in fact the only Municipality which, as far as I know, has discussed them at length and with care—the very enlightened Municipal Corporation of Bombay—came to a decision adverse to the principle of compulsion. I need not say anything about the prospects of taxation which have been fully discussed by some Hon'ble Members in this Council; and Hon'ble Members have also dealt with another danger which, in any large measure of compulsion, would assume very large proportions, and that is the instruments by whom attendance would be ensured. In order to have any large and effectual measure of compulsory attendance you would have to have an army of underlings, and we should be brought face to face with those great difficulties which we always have in the administration of this country and which are summed up in the words 'the feet of clay.' There are, therefore, many difficulties in the way of compulsion on anything like an extensive scale; but I do not wish to say that these difficulties are necessarily insuperable in all cases, and I recognise the Bill—the Government of India recognise the Bill as a very moderate measure. And, as this matter has never been seriously discussed by the public of the country, the Government of India are glad that it should go to Local Governments and Local Bodies and that it should be thoroughly discussed and thoroughly considered by that large body of the public who are interested in this question. Until we get the opinions of the Local Governments and of the Local Bodies, the Government of India must reserve their opinion fully and entirely. But I may be allowed to say one word. I hope that those to whom this Bill is referred for consideration will extend towards it that seriousness and earnestness which has marked the speech of the Mover of this Bill. It is a very large and important matter for this country: it may be premature or it may not be: it may be that we are on the verge of great movements in education or it may be that we shall have to wait for them. But the course of the Government of India is quite clear. It has laid down its policy in regard to primary education in unmistakable terms. A hundred years ago, exactly a century ago, in the year 1811, Lord Minto, who looks down upon us in this Council from that wall, penned his famous Minute in which he said—for the first time in the course of British rule, it was then said—that the ignorance of the people was subversive to good government and conducive to crime. Sir, the Greek hero caught in the mist prayed for light to see his enemies. Ignorance is our enemy; and our prayer is for light to expose and shatter that insidious foe."

The Hon'ble MR. GOKHALE: "Sir, I have surely no reason to be dissatisfied with the reception which the Bill has met with at the hands of the Members of this Council. No man has the right to expect—and I certainly did not expect—that any proposals that he brings forward on a subject of such importance would be accepted by a body like this Council without any criticism; and if I rise, Sir, just now, to speak a second time, it is for two reasons. In the first place, I wish to express my sense of obligation to the Hon'ble Mr. Butler personally, and to the Government of India generally, for the

[16TH MARCH 1911.]

[Mr. Gokhale.]

attitude they have adopted towards this Bill. The attitude is no doubt cautious but it is not unfriendly, and it certainly goes as far as I had ventured to expect—I had not expected that it would go further than that. The second reason why I wish to say a few words before this debate is brought to a close is that I want to clear certain misconceptions to which expression has been given to-day, about some of the provisions of the Bill, as also about my object in bringing the Bill forward. Sir, as I pointed out in the course of the remarks with which I asked for leave to introduce this Bill, if there is one fact established more clearly than another in the history of primary education, it is this, that, without compulsion, there can be no universal diffusion of education. You may shake your heads—anybody can shake his head—and say that the time for compulsion has not come; that we shall try the experiment on a voluntary basis; that we shall wait for some time; that we shall achieve here what nobody else has achieved elsewhere. Anybody may say this, but, as sure as we are here, as sure as we are discussing this question in this Council to-day, I say that everybody will in the end recognise that without compulsion it is impossible to secure the universal diffusion of education throughout the country. That being so, the only effective and proper course is to suggest that the Government should introduce compulsion. And if the Government of India had not been beset with its peculiar difficulties, I should have urged it to take up this question and introduce compulsion on its own account. But, as I have already observed, there are several considerations which render such a course difficult, if not impossible. And since that cannot be, I am content to proceed on other lines and to try a measure, such as I have brought forward to-day. Sir, my Hon'ble friend Mr. Dadabhoj says that District Officers hold a very strong position on District Boards, and therefore, if this Bill is allowed to become law, District Officers, who may find no difficulty in getting the sanction of the Local Government, may use their position on the Boards to introduce compulsion. If this really happens, I say at once that I shall rejoice, because it will really mean that the Government will be accepting its own responsibility and introducing compulsion. I do want the Government to introduce compulsion if only it will do so; but as the Government will not do it, we have got to see what else we can do, and that is why I want this Bill.

“Sir, as far as I have been able to gather from to-day's discussion, hardship is apprehended in regard to three matters in carrying out the provisions of this Bill. The first is that District Boards, which are largely under official influence, might introduce compulsion, though the people may not be prepared for it. But I have already pointed out that the Government of India will first of all lay down the standard which must be satisfied by any local body before it introduces the principle of compulsion. I myself have suggested a limit of 83 per cent., but as the matter has been left to the Government of India, I think, if ever this Bill becomes law, that they are likely to adopt a higher limit than 83 per cent. of the school-going population being at school. And a limit of even 83 per cent., not only now but for several years to come, will not be satisfied by any District Board. It will no doubt be satisfied by several Municipalities, but that is another matter. Therefore I do not think that the fear expressed about hasty action by District Boards is well-founded. If after the country has been familiarised with the idea of compulsion for some time, District Boards also follow in the wake of Municipalities, I do not think that there would be any reason to regret such a development. Then, Sir, a great deal has been said about the hardship which may be caused by empowering these bodies to levy a special education cess. My friends who have spoken have ignored the fact that the cess, when levied, is to be levied by the local bodies, and that it will require the sanction of the Local Government before it is levied. Those who say that the local bodies might consist of idealists and might be hasty in their action stand on a different footing from those who object to any special cess at all. To the former, I think it is a sufficient answer to point out that there is the Local Government to check idealism if there is any tendency in that direction. But there are those who object to any cess at all, and they have strongly urged to-day that it would be a calamity, a disaster, if any cess is ever levied in order that primary education might be made compulsory. Sir, I am unable to accept this opinion. On the other hand, I feel

[Mr. Gokhale.]

[16TH MARCH 1911.]

strongly that, if primary education is ever to be compulsory, local bodies will have to bear a fairly large share of the burden which it will impose. This is the case in all countries where the system of compulsory education prevails; and those friends of mine who object to the levy of a cess might as well object to compulsory education and be done with it. I admire, Sir, my Hon'ble friend Mr. Dadabhoj's candour and consistency. Mr. Dadabhoj is against the levy of a local cess which may have to be imposed in order that the children of poor people may be educated. Mr. Dadabhoj the other day proposed that the excise-duty on cotton goods should be done away with, not on the ground that its burden falls on the consumers who are the poorest of the poor, but because the amount, if added to the profits of the mill industry, will mean a better return for the mill-owners. Mr. Dadabhoj also wants unrestricted hours for factory labour, for that means better dividends for capitalists. He is consistent all through; but his consistency need not appeal to this Council; and I think an attitude like his will hardly commend itself to those who wish well to the masses of the people. Sir, my fear is that, if this Bill ever becomes law, our financial difficulties will then only begin. It is not the cess that will constitute the real difficulty; it is the share that will have to be borne by the Government. The bulk of the money has to be found by the Finance Department of the Government of India, and I fear in the Hon'ble Sir Guy Fleetwood Wilson (I am sorry he is not in his place—I should have liked to say this in his presence) we shall probably find a dragon in the path. However, we shall have to agitate in this matter as in other matters, and I think an important lever has now been put into our hands by the Government by the creation of the new Education Department. Surely the Education Member must have something to do, and if he is to do anything, they must give him money to spend. I think that that will be our lever, and if we use the lever properly, the Government will find the money we want in the end. There is no reason why we should not entertain this hope. That is what every civilized Government is doing for its own people, and that is what we are entitled to expect from our Government. The third fear expressed is about extending compulsion to girls at the present stage. Sir, I have already expressly stated that the intention is that the education of girls should for the present continue on a voluntary basis, though I certainly hope that before long the necessity of putting that education on the same footing as that of boys will be recognized, and the Bill only takes powers for that time when it comes. Remember that Baroda has compulsion even to-day for girls as well as boys. My Hon'ble friend Sir Sassoon David says that the time for compulsion has not yet come. Will he tell us when the time for compulsion arrives? Will he tell us how and why it has arrived in Baroda and not in British territory? Will he tell us how it has arrived in Ceylon and not in British territory? Will he tell us why, when the Philippino Municipalities have introduced compulsion, our own Municipalities should not? Of course, if you merely assert that the time has not arrived and stop there, it is not possible to argue with you. The Hon'ble Mr. Butler declines to accept my analogies and says that the state of things in this country is different to what it is elsewhere; and as regards Baroda, he says that it is governed autocratically and that makes a great difference. Western countries will not do, because they are governed democratically! Baroda will not do, because it is governed autocratically! I suppose the Hon'ble Member will not be satisfied unless I produce the analogy of a country, governed bureaucratically; and as there is no other country governed as India is, he is safe in insisting on such an analogy, and I must say I give it up. Sir, I will now address only two words in conclusion—one to the Government and the other to my non-official colleagues, and then resume my seat. To the Government I will merely put this question: are you content to lag behind Baroda? Every day that passes, while Baroda has a system of compulsory education, and we have not—every day that passes like that, material is produced which will go to build up a judgment against you; and I am quite sure the conscience of the Government will, before long, be roused to this question. You may say what you like in defence of the existing situation; but you are bound to realize that you cannot lag behind Baroda, and I am convinced that the question of compulsion is for us now only a question of time. To my non-official colleagues I will say this: if we are not prepared to bear a cess for

[16TH MARCH 1911.]

[Mr. Gokhale.]

educating the children of the mass of our own people, if we are not prepared to make sacrifices for so great an object, if we expect the money to drop from somewhere—and remember, even if the Government raise it by additional taxation, after all it is we who shall pay it,—we may as well cease talking about improving the lot of the mass of the people. Sir, if we want our country to advance, there is only one way, and that is that the mass of the people in this country must be raised to a higher level. This can only be achieved by the spread of education, which in its turn requires a large expenditure of money. And a reasonable part of this money must be raised locally, as is being done in other countries, or else we may leave the matter well alone. Sir, I do not wish to say anything more. I once again beg to express my obligations to the Hon'ble Mr. Butler and to the Government for the attitude they have adopted towards this Bill, and I am also most grateful to those Hon'ble Members who have accorded this measure their cordial support."

The motion was put and agreed to.

The Hon'ble Mr. GOKHALE introduced the Bill and moved that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the *Gazette of India* in English and in the local official Gazettes in English and in such other languages as the Local Governments think fit.

The motion was put and agreed to.

' The Council adjourned to Friday, the 17th March 1911.

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

CALCUTTA ;

The 29th March 1911. }