

*Friday,
7th March, 1913*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. LI

April 1912 - March 1913

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OF

THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA

ASSEMBLED FOR THE PURPOSE OF MAKING

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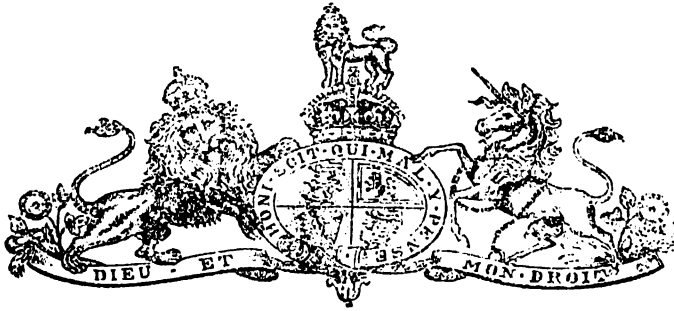
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1913



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. 87, 55 & 56 Vict., c. 14,
AND 9 Edw. VII, c. 4).

The Council met at the Council Chamber, Imperial Secretariat, Delhi, on
Friday, the 7th March, 1913.

PRESENT :

The Hon'ble SIR GUY FLEETWOOD WILSON, G.C.I.E., K.C.B., K.C.M.G., Vice-
President, *presiding*,

and 64 Members, of whom 57 were Additional Members.

QUESTIONS AND ANSWERS.

The Hon'ble Sir Charles Armstrong asked :—

“ Will the Government be pleased to state—

- (a) the quantity and cost of silver purchased for coinage actually coined during the year ending 31st December last ?
- (b) the number of rupees into which such silver was coined ?
- (c) the amount of profit on such coinage ?
- (d) whether such profit has been paid over to the Gold Standard Reserve in gold or how ?
- (e) whether the money for the purchase of the silver coined was provided from the proceeds of sales of Council bills or transfers drawn against the paper currency reserves ?
- (f) if the reply to (e) is in the affirmative, will Government be pleased to issue a statement showing the amounts of bills or transfers so drawn and the rate of exchange at which they were sold ?”

The Hon'ble Mr. Gillan replied :—

“ (a) The quantity and cost of silver purchased for coinage during the year ending the 31st December last were as follows :—

Quantity—136,405,000 tolas or 51,152,000 oz. of silver of Indian standard.

Value—£6,061,100.

[*Mr. Gillan; Sir Charles Armstrong; Rai Sri Ram Bahadur; Sir T. R. Wynne.*] [7TH MARCH, 1913.]

Of this, 11,000,000 tolas or 4,125,000 oz of silver valued at £500,000 was in transit on the 31st December, 1912, and an equal quantity valued at the same price was received in India towards the close of the year and was taken up for coinage in January.

(b) The quantity of silver taken up for coinage during the year was therefore 114,405,000 tolas, value £5,061,100. Ten crores of rupees were coined and issued from the mints and the balance of 14,405,000 tolas were in process of coinage on the 31st December.

(c) The profit on the above coinage amounted approximately to 351 lakhs of rupees.

(d) Three hundred and ten lakhs of rupees, the amount required to bring the silver portion of the Gold Standard Reserve to the standard figure of 6 crores, have been paid to the reserve in silver and the balance of profits in gold.

(e) and (f). The money required for the purchase of silver was provided from the cash balances of the Secretary of State for India into which the proceeds of Council Bills are paid. No sales can be earmarked as for this purpose."

The Hon'ble Sir Charles Armstrong asked :—

" Arising from these answers I should like to ask why it was necessary to coin into rupees the profit on silver transactions."

The Hon'ble Mr. Gillan replied :—

" Will the Hon'ble Member give notice of the question."

The Hon'ble Rai Sri Ram Bahadur asked :—

" Will the Government be pleased to state :—

- (1) What was the number of miles of railway extension, in the decade ending 1912, on each of the three State Railways, *viz.*, North-Western, Oudh and Rohilkhand and Eastern Bengal.
- (2) What was the number of—
 - (a) Passenger carriages, and
 - (b) Goods wagons existing, at the commencement of the decade, on each of the said lines.
- (3) How many new
 - (a) Passenger carriages, and
 - (b) Goods wagons have been added to the rolling stock of each of the said three lines during the last decade."

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

" As the answer involves a large number of figures, with your permission, Sir, I beg to lay the figures on the table.

" The total number of miles opened for traffic on the three State-worked railways during the decade ending 31st December 1912 was as follows :—

Railways.	5' 6"	3' 3½"	2' 6"	Total.
North Western	1,010	...	125	1,135
Oudh and Rohilkhand	486	...		486
Eastern Bengal	110	379	...	489

[7TH MARCH, 1913.]

[*Sir T. R. Wynne ; Maharaja Ranajit Sinha ; Sir Harcourt Butler.*]

2. The number of coaching and goods vehicles on each of the above lines at the commencement of the decade, *i.e.*, on the 1st January 1913, was as follows :—

Railways.	NO. OF COACHING VEHICLES.				NO. OF GOODS VEHICLES.			
	5'0"	3'8½"	2'0"	Total.	5'0"	3'8½"	2'0"	Total.
North-Western	2,350		21	2,371	11,477		115	11,592
Oudh and Rohilkhand	845	...		845	4,73		...	4,738
Eastern Bengal	605	607	63	1,935	2,875	2,019	260	6,093

3. The number of coaching and goods vehicles added to each of the afore-said railways during the decade ended 31st December 1912 was as follows :—

Railways	NO. OF COACHING VEHICLES.				NO. OF GOODS VEHICLES.			
	5'0"	3'8½"	2'0"	Total.	5'0"	3'8½"	2'0"	Total.
North-Western	260		15*	428*	11,361	...	528	11,887
Oudh and Rohilkhand	107	107*	1,872	1,872
Eastern Bengal	67	166	-7†	226*	2,541	1,70	-176†	4,125

* All bogie vehicles.

† The decrease is due to the conversion of the Cooch Behar railway from 2'0" to 3'8½" gauge.

The Hon'ble Maharaja Ranajit Sinha asked :—

"Is the Government aware that a Conference was convened by His Excellency the Governor of Fort William in Bengal at Darjeeling in October last regarding the supply of pure drinking-water in rural areas? Will the Government be pleased to state if it proposes to make a special grant to the local Government for the purpose?"

The Hon'ble Sir Harcourt Butler replied :—

"The Government of India are aware of the Conference mentioned by the Hon'ble Member. As already announced it has been decided to make over to the District Boards in Bengal the whole of the proceeds of the road and public works cesses. The additional income which will thus accrue to the Boards amounts to Rs. 24,93,000 net per annum. The Government of India are not in a position to make a special grant for the purpose in addition."

The Hon'ble Maharaja Ranajit Sinha asked :—

"Has the attention of the Government been drawn to a paragraph which appeared in the *Englishman* of 21st February, 1913, headed 'Howrah Railway Mystery'? Have the Government received any information of any other outrages of a similar character committed on the lives and property of female passengers travelling in compartments reserved for females? If so, will the Government be pleased to state what action it proposes to take in the matter?"

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

"The attention of Government has been drawn to the paragraph in the *Englishman* of the 21st February 1913, headed the 'Howrah Railway Mystery.'

The facts are that a dead body of a Bengali was found in a gunny bag in a 3rd class compartment. The carriage in which it was found was not one reserved for 'females' only, and the body was that of a man.

There is nothing in the case to indicate that the crime was committed on the Railway, and the presumption is that the Railway was simply used as a

[*Sir T. R. Wynne*; *Mr. Vijiaraghavachariar*; *Sir Harcourt Butler*; *Nawab Saiyid Muhammad*; *Mr. Gillan*; *Sir Ibrahim Rahimtoola*.] [7TH MARCH, 1913.]

convenient means for getting rid of the body from the place off the Railway where the murder took place.

The steps which the police have so far taken have been to arrest three men for alleged complicity in the crime."

The Hon'ble Mr. Vijiaraghavachariar asked :—

" Will Government be pleased to state :—

(a) What action has been taken by it with a view to give effect to the recommendations of the Royal Commission upon Decentralisation towards reorganisation of the Presidency and the Rangoon Municipalities ?

(b) Have the opinions and proposals, if any, of the Local Governments concerned, in reference to the subject, been received, and, if so, will Government be pleased to place the correspondence upon the table "

The Hon'ble Sir Harcourt Butler replied :—

" (a) The Government of India have received the opinions of Local Governments with regard to the proposals of the Decentralization Commission which concern Presidency-towns and Rangoon, and the Secretary of State has been addressed on the subject.

(b) They are unable to lay on the table the correspondence referred to."

The Hon'ble Nawab Saiyid Muhammad asked :—

" Will the Government be pleased to state what action has been taken for the establishment of Oriental Institute in India as foreshadowed by the Hon'ble Sir Harcourt Butler last cold weather."

The Hon'ble Sir Harcourt Butler replied :—

" The Hon'ble Member is referred to the reply given to the similar question put by the Hon'ble Mr. V. R. Pandit."

The Hon'ble Nawab Saiyid Muhammad asked :—

" (a) Have the Government of India received any application from the Madras Port Trust for the grant of a loan of Rs. 50 lakhs for completing the equipment and carrying out other improvements ?

(b) Will the Government be pleased to say if they are disposed to favourably consider the question of assisting the Port Trust by the grant of a loan."

The Hon'ble Mr. Gillan replied :—

" (a) The answer is in the affirmative.

(b) The application is receiving the careful consideration of the Government of India."

The Hon'ble Sir Ibrahim Rahimtoola asked :—

" Will the Government be pleased to furnish the following information for each of the last 25 years, i.e., from 1888 to 1912 ?

1	2	3	4	5	6
Year.	The number of pilgrims who left for the Hedjaz from the port of Bombay.	The number of pilgrims who returned from the Hedjaz.	The number of pilgrims, if any, who were unable to embark at Bombay for want of available steamer accommodation.	The lowest rate of passage money for deck passengers to Jeddah which prevailed during the year.	The highest rate of passage money for deck passengers to Jeddah which prevailed during the year.
1888					
1889					
1890					
etc.					

[7TH MARCH, 1913.] [Sir Harcourt Butler; Sir Ibrahim Rahimtoola; Mr. Ghuznavi; Sir T. R. Wynne.]

The Hon'ble Sir Harcourt Butler replied :—

“The Hon'ble Member is referred to the statement given on page 48 of the Statistics of British India for 1910-11, Part V, which contains figures for the period from 1900-01 to 1910-11 showing the number of pilgrims who left for the Hedjaz from the port of Bombay and the number returning from the Hedjaz during those years. The details for previous years on this point are not available in the Judicial and Administrative Statistics, but some information is given in the report of the health officer of the port of Bombay appended to the report of the Sanitary Commissioner, Bombay, for 1892. No information is available here in regard to columns 4, 5 and 6 of the statement required by the Hon'ble Member. The Bombay Government have special knowledge of the details connected with the pilgrimage to the Hedjaz and it is suggested to the Hon'ble Member that this question might be more suitably asked in the Local Council.”

The Hon'ble Sir Ibrahim Rahimtoola asked :—

“Will the Government be pleased to furnish the following information for each of the ten years from 1902 to 1911 ?

The names of Provinces in India and places outside India from which the pilgrims went to Bombay for embarkation to Jeddah.	The number of pilgrims who went to Bombay from each of such Provinces in India and from each of such places outside India.									
	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911

The Hon'ble Sir Harcourt Butler replied :—

“The Hon'ble Member is referred to the annual reports of the health officer of the Port of Bombay appended to the reports of the Sanitary Commissioner, Bombay, for 1910 and 1911, which gives the figures required by him for those years. The reports for previous years do not contain the information. The Bombay Government have special knowledge of the details connected with the pilgrimage to the Hedjaz, and it is suggested to the Hon'ble Member that this question may be more suitably asked in the Local Council.”

The Hon'ble Mr. Ghuznavi asked :—

- “(a) With reference to my question about improving railway communications in the districts of Mymensingh and Dacca and the reply given thereto by the Hon'ble Sir T. R. Wynne on the 18th September last, will the Government be pleased to state whether the question of constructing the following railway lines, viz., (1) Mymensingh to Tangail, (2) Mymensingh to Netrokona, (3) Dacca (Tangi) to Aircha and (4) Bhairab Bazar to Gouripur, have now been officially under their consideration ?
- (b) If so, has any decision been arrived at as regards all or any of these questions and if not, when may such decision be expected ?
- (c) If a decision in favour of the construction of any of the said lines has been come to, then how soon will such lines or the survey works for the same be taken in hand ?”

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

- “(a) Government have had under consideration the construction of the lines from (1) Mymensingh to Tangail and (2) Mymensingh to Netrokona but not the other two lines referred to.

[*Sir T. R. Wynne ; Mr. Ghuznavi.*] [7TH MARCH, 1913.]

- (b) The answer to question (b) is that both lines are now being surveyed and the I. G. S. N. Company, who own the Mymensingh-Jaganathgunge Railway, have been invited to undertake the construction of the Mymensingh-Tangail Railway and are, it is understood, intending to put forward proposals for the same under Branch line terms.

With regard to the Mymensingh-Netrokona line it is understood that proposals will shortly be submitted by a syndicate for the construction of a line, on Branch line terms, from Mymensingh *via* Netrokona to the foot of the hills near the Darangiri coal fields and the receipt of their proposals is now awaited.

- (c) With regard to (c) the lines are now being surveyed and when this has been completed the carrying out of the construction will depend on the celerity with which the capital required is raised by the parties to whom the concessions are given."

The Hon'ble Mr. Ghuznavi asked :—

"Is it a fact that the construction of a wagon ferry between Goalundo and Aircha and a railway line from Aircha to Dacca will reduce the journey between Calcutta and Dacca by a number of hours?"

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

"The construction of a railway line from Aircha to Dacca and the establishment of a steamer service between Aircha and Goalundo would create a route which would have a shorter mileage between Calcutta and Dacca than the existing route *via* Naraingunge and Goalundo.

If the traffic this route would carry justified a service of the same speed as is now in operation on the existing route, the time of the journey between Calcutta and Dacca would no doubt be reduced.

The proposal is however one which would require very careful investigation as there are many interests which might be adversely affected if the traffic now carried *via* Naraingunge was diverted to *via* Aircha."

The Hon'ble Mr. Ghuznavi asked :—

"Is it a fact that the construction of a wagon ferry between Goalundo and Aircha and the construction of a railway line from Mymensingh to Tangail and the extension of such line from Tangail to Aircha will reduce the journey between Calcutta and Mymensingh by a number of hours, and would also open up rich centres hitherto untapped?"

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

"The mileage distance between Mymensingh and Calcutta by the route mentioned in the question would be less than by the existing route *via* Naraingunge and Goalundo, and *prima facie* the time occupied by the journey would be less than by the existing route.

Whether the traffic which would be carried by this route would justify its construction is a matter which would require careful investigation."

The Hon'ble Mr. Ghuznavi asked :—

- "(a) With reference to the reply given to my question by the Hon'ble Sir Robert Carlyle on the 18th of September last with regard to pension, leave and furlough of Managers and employes under the Court of Wards, will the Government be pleased to state whether the information has now been collected?"

- (b) If so, will the Government be pleased to lay the same on the table?"

[7TH MARCH, 1913.] [*Sir Robert Carlyle; Rai Sita Nath Roy Bahadur;
Sir T. R. Wynne; Mr. Gillan; Nawab
Saiyid Muhammad.*]

The Hon'ble Sir Robert Carlyle replied :—

“ The answer is in the affirmative : the answers received from Local Governments are laid on the table.”

The Hon'ble Rai Sita Nath Roy Bahadur asked :—

“(a) Is the subject of the future management of the Oudh and Rohilkhand Railway under the consideration of the Government of India? If so, will the Government be pleased to state if any decision has been arrived at?

(b) Is it a fact that there is a strong feeling among the commercial communities of Calcutta, both European and Indian, that the Oudh and Rohilkhand Railway should, in the interests of the commerce of Calcutta and revenues of the State, be merged in the East Indian Railway system?”

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

“ The Government of India are in correspondence with the Secretary of State on the subject, and a decision has not yet been arrived at.

“ As regards the second part of the question, it is understood that a strong feeling does exist in Calcutta that in the interests of Calcutta the Oudh and Rohilkhand Railway should be merged in the East Indian Railway system. I should add that there is an equally strong feeling in Bombay and Karachi that this merger should not be permitted, on the ground that it would give to the East Indian Railway the power of diverting to Calcutta certain traffic originating on the Oudh and Rohilkhand Railway which now goes to Bombay and Karachi.”

FINANCIAL STATEMENT.

FIRST STAGE.

The Hon'ble Mr. Gillan :—“ On behalf of the Hon'ble the Finance Member I beg to open the first stage of the discussion on the Financial Statement for 1913-14.”

RESOLUTION REGARDING PROVINCIAL SETTLEMENT, MADRAS.

The Hon'ble Nawab Saiyid Muhammad :—“ I beg to move the following Resolution which stands in my name :—

“ That this Council recommends to the Governor General in Council that the Provincial Settlement with the Government of Madras be revised so as to increase the Provincial share of the excise revenue from one-half to three-fourths.”

“ By the present Permanent Provincial Settlements which were introduced with effect from April 1911 in the financial arrangements between the Imperial and the Provincial Governments, the Government of India, while making substantial concessions to other major Provinces in the shares of growing sources of revenue divided between the Provincial and the Imperial Government, left the Madras Government comparatively unchanged and cut them off, if I may say so, with a shilling, *i.e.*, except to the extent of three lakhs and odd due to the provincialization of Forest revenue and expenditure, this Government obtained very little benefit out of it. Now even this little sum will be

lost as a result of the forest policy which we hope and will be glad to see established in the Madras Presidency, in consequence of the recommendations of the Forest Committee which has recently submitted its report to the Government of Madras. The position of the Madras Government from next year will thus be practically what it was previous to the permanent settlements, and they would have obtained no benefit whatever from the arrangements which were designed to be permanent and to provide Local Governments with resources which they might develop and improve. On the other hand, the position of the other major Provinces and of some minor Provinces was improved in a substantial and special manner, as will be seen from the summary of the changes given by the Hon'ble Sir James Meston in his Memorandum of the Financial Statements of 1911.

"In the settlement of these permanent arrangements, it was clear that the Madras Government was not consulted specifically for I find that the Chief Secretary to that Government writing to the Hon'ble Mr. Ramachendra Rao in 1911 said that that Government was not consulted, although subsequently this was modified by Sir Murray Hammick by saying that there was always constant correspondence with the Government of India on the financial transactions between the two Governments, and although the Hon'ble the Finance Minister on the other hand in the Imperial Council then said that these questions should have been brought to the notice of the Imperial Government by Secretariat inter-communication, the fact remains that Madras has fared worst in a scramble which it was expected the Provincial settlements would put an end to. That Madras needs a larger share of the growing revenues for her purposes admits of no doubt, and the fact, that her Government is prudent and frugal and accumulated balances in the attempt to secure a more economical and efficient use of its revenues and of its grants from the Imperial Government, should surely not be made the ground for inflicting a penalty on that Province by cutting off her just share of the growing revenues. The needs of administrative expenditure, especially in the direction of education and sanitation are expanding enormously in the country and certainly not less so in Madras than elsewhere. The educational programme in the Madras Presidency is hampered very much by the difficulty of providing for recurring expenditure from the present shares of growing revenue and the system of Imperial non-recurring grant has only tended to make the situation worse in that by accumulation of these grants, it gives an inflated appearance to the balances at the disposal of Madras Government, and makes the Imperial Government less than just to the claims of this Province. In this respect the Madras Government will soon experience a repetition of the difficulty which they had to face in 1907-08. The Provincial Settlement by which the share of the Provincial Government in the revenues is unduly narrowed necessarily leads to a system of grants-in-aid from the Imperial Government, and when this is swollen to an inordinate extent the necessity for revising the shares in the divided heads becomes apparent. This was what happened in consequence of the *quasi*-permanent settlement of 1904. The Provincial expenditure was then estimated in 1904 at 350.48 lakhs as against the provincial revenues then assigned of 290.82 lakhs, i.e., 59.66 lakhs short of the allotted expenditure. This was made up by a fixed annual assignment of the Imperial revenues, but by the end of 1907-08 the fixed assignment had risen to the enormous figure of 150 lakhs of rupees, and the Government of India had then to substitute for the fixed assignment a larger proportion of growing revenue by raising the provincial share of divided heads from one-quarter to one-half. It was however unfortunate that with a large programme of recurring expenditure since that time, notably in the direction of education and sanitation, of the promotion and development of Local Self-Government no attempt was made to increase the resources of the Madras Government, while nearly every other important Provincial Government had its share increased. It is to redress this inequality to some small extent, that I propose that the Government will be pleased to raise the Provincial share of the excise revenue from one-half to three-fourths. In regard to excise revenue Madras is the solitary province among the major Provinces which has had the smallest share of it, and it may not be said that her share of other heads is larger

[7TH MARCH, 1913.] [Nawab Saiyid Muhammad ; Mr. Gillan.]

so as to compensate for it. It seems also desirable from the point of view of administrative convenience to make excise revenue and excise policy provincial and in the course of time, if possible, local. The enormous growth of excise revenue in the province has alarmed the public as to the growth in consumption and the increase in the drinking habits of the people, and if the Government should do their duty by the public and take further measures to combat the drinking evil not by treating it as a direct source of revenue but as a deterrent against excessive drinking, it is plain that its control should be in local hands and that to a large extent principles of local option have to be introduced. The tendency of all progressive Governments is to leave the regulation of the consumption of liquor which forms the main head of revenue under excise to local authorities or local committees and to make over the revenue therefrom derived to local authorities. In England, it is well known that what is described as whisky money forms one of the chief contributories made over by the Central Government to local authorities for the promotion of education. We may not be ready in India yet for that course, but certainly unless the Imperial Government ceases to treat excise revenue as an important divided head of its resources, the present evils will continue. The Resolution which I propose will bring Madras at least on a par with other provinces in regard to excise revenue, and will be an initial step towards a sounder excise policy in the country."

The Hon'ble Mr. Gillan:—"Sir, we have missed from the agenda this year the Resolution which, with patriotic persistence, my friend the Hon'ble Pundit Madan Mohan Malaviya has urged in previous years in favour of increasing the share of his Province under the head of Land-revenue. The revenue has now changed; it has gone from Land-revenue to Excise; from the United Provinces to Madras. But I confess it has come as a very considerable surprise to the Finance Department that the scene should have shifted so far south, and I have listened with even more astonishment to the gloomy picture which my Hon'ble friend has drawn of the finances of that Presidency. Before I have finished I think the Council will be able to judge on which side the right is; but the view that we have always taken in this Department is that Madras is a Presidency very well contented with the ample revenues which it enjoys, and which we acknowledge it administers with the greatest prudence and ability; and the view that we have taken is, I think, justified by the latest figures that we have. It is anticipated that on the 31st of March Madras will have a balance of 2½ crores, and even if we exclude from this sum the money that it holds from Imperial grants which are earmarked for special purposes, it still will have 116 lakhs. Further, next year's budget shows that its ordinary revenue will exceed its recurring expenditure by a matter of 39 lakhs. That is a very handsome recurring margin.

"Now these figures in themselves might perhaps be taken as a sufficient answer to the proposal made by the Hon'ble Member, but as there is sometimes a misapprehension on the subject, and I am not quite certain that it is not shared by the Hon'ble mover, I may be permitted to say a few words on the general principles of our Provincial Settlements. We do not start on the Revenue side at all or determine on any *a priori* grounds the shares of revenues to be given to the Provinces. We begin—and it is really the only possible method—on the Expenditure side. We consider what a province ought to spend; we fix a standard of expenditure, and then we make over to the province, either by dividing certain heads of revenue or by making fixed assignments, sufficient revenues to cover the expenditure. Each settlement is consolidated, and it is really of very little relevance to inquire in what particular proportions the different heads of revenue are distributed in the different provinces. The requirements of a settlement are two, first that the revenue made over to the province should be sufficient to cover the charges with which it starts on its new settlement; that much may be taken for granted. Secondly, that its revenue should be elastic so that it should cover the inevitable growth in expenditure. For this reason there are two things, from the provincial point of view, which are important.

[*Mr. Gillan; Rai Sri Ram Bahadur.*] [7TH MARCH, 1913.]

“First that the fixed assignment should be of a small amount: secondly, that there should be a healthy growth in the divided heads of revenue. Now from this point of view what is the position in Madras? The revenue of next year according to the budget, is 740 lakhs. The fixed assignment from Imperial is only 15 lakhs, barely 2 per cent. of the total. In this particular, then, Madras is fortunate, and it has been fortunate also in the rate of growth of divided heads of revenue. Altogether its financial position is exceptionally strong and exceptionally favourable. Finally, the settlements which are now in force have been declared to be permanent. Their terms are to be varied only under certain specified conditions which in this case do not arise, and to this element of permanency we are bound to attach the very greatest importance. Sir, one cannot but sympathise with the sentiment which has moved the Hon'ble Member to put forward this Resolution. One cannot, I think, also but admire the boldness of his attack, in the circumstances, on the Imperial exchequer. For this share of excise which he is anxious to obtain is a matter of 60 or 70 lakhs. I have already shown that Madras has a margin of 39 lakhs, so that he would like to have a recurring margin of something over a crore. I am sorry, Sir, it is not possible in these circumstances for Government to accept the Resolution.”

The motion was put and rejected.

RESOLUTION REGARDING ADDITIONAL ASSIGNMENT FOR
RECURRING EXPENDITURE ON EDUCATION FOR THE
UNITED PROVINCES.

The Hon'ble Rai Sri Ram Bahadur :—“Mr. President, I beg to move the following Resolution :—

‘That this Council recommends to the Governor General in Council that the additional assignment for recurring expenditure on Education for the United Provinces of Agra and Oudh, announced in the Financial Statement, be raised by Rs. 1,200,000 a year.’

“That expenditure on education is one of the first charges on the revenues of the country is a proposition which does not require any reiteration. Education of the people according to the Western methods is one of the most inestimable boons conferred by the British Raj on the people of India. No sentiment can be more humane, more sympathetic or more sublime than that expressed by His Most Gracious Majesty the King-Emperor in reply to the address of the Calcutta University, that the cause of education will ever be very close to His Majesty's heart. The people of India highly appreciate the benefits of education, and are deeply grateful to the Government for what has already been done and for what they intend to do for them in the future. The United Provinces have especial reason for gratitude to the Imperial Government for the large grants and assignments made in the past for expenditure on education. They are still more thankful for the announcement in the Financial Statement of the ensuing year of very liberal sums to be spent on education both on the recurring and on the non-recurring sides.

“But, Sir, these sums are not enough to meet fully the pressing educational wants of our province. Our province is a growing province. Its population numbers more than 47 millions. Its people are now wide awake to the benefits of education and are eager to receive it. The total amount made up of imperial grants, sums allotted out of the provincial revenues, contributions made by the local bodies out of their incomes, and also of aid received from private persons, and spent on education is not enough to meet the educational demands of the province. I therefore beg to move that, in addition to the large non-recurring grants and sums assigned as recurring shown in the

[7TH MARCH, 1913.] [*Rai Sri Ram Bahadur.*]

Financial Statement, a sum of 12 lakhs be added to the recurring expenditure on education, to be spent on the following heads :—

	Rs.
<i>I.—Collegiate Education—</i>	
Grant-in-aid to Aided Colleges	70,000
<i>II.—Secondary Education—</i>	
(a) Government High Schools	1,50,000
(b) Aid to aided High Schools	1,00,000
(c) Establishment of a new Training College for teachers	25,000
	} 2,75,000
<i>III.—Primary Education—</i>	
(a) Lower and Upper Primary Schools	5,00,000
(b) Establishment of two new Normal Schools	45,000
	} 5,45,000
<i>IV.—Female Education</i>	30,000
<i>V.—European Schools</i>	1,00,000
<i>VI.—Inspecting Staff—</i>	
(a) Additional Inspectors and Assistant Inspectors	80,000
(b) Deputy and Sub-deputy Inspectors	1,00,000
	} 1,80,000
TOTAL	<u>12,00,000</u>

“ I shall now proceed to give briefly the details of the objects for which this money is required.

“ I shall take up Collegiate Education first. In almost all the aided colleges there is a great need for expansion. It is necessary that provision should be made for teaching a larger number of subjects than are taught at present. There should be an increase in the number of classes. The limit in the number of students fixed under the rules for each section has been reached. Many of these colleges require the addition of more sections. Unless more sections are added, many students who are eager to receive collegiate education cannot get that benefit. But new sections cannot be added unless additional expenditure be incurred in employing new professors. The salaries given to Indian professors in these colleges are very small. In order to secure greater efficiency and a better class of men, the salaries must be increased. A very modest estimate would require a sum of Rs. 70,000 a year to be added under this head.

“ I come now to Secondary Education, and first I shall take up Government High Schools. It is necessary that a regrading of existing teachers by increments in their salaries should be done. Additional teachers ought to be employed. Improvement of the staff of teachers is one of the most urgent needs of the province. Competent teachers cannot be had unless they are handsomely paid. An additional sum of Rs. 1,50,000 a year is required for this purpose.

“ There are many aided high schools which serve the place of Government high schools in many cities and towns, and thus save the Government from bearing the whole burden of expenditure on those institutions. The teachers in these schools generally get low salaries. No real improvement can be effected in them unless the pay of the teachers is raised. For this purpose and for the up-keep of science laboratories established in some of these schools, we require a sum of Rs. 1,00,000 a year.

“ There is another matter which requires consideration in connection with Secondary Education. It is the establishment of a new training college for the western districts of the Province which should be located at Agra. The training college at Allahabad and the training school at Lucknow cannot train the requisite number of teachers. The annual cost of maintenance of the proposed training college would be Rs. 25,000 a year. The total additional cost, therefore, under the head of Secondary Education, comes to Rs. 2,75,000 a year.

[*Rai Sri Ram Bahadur.*]

[7TH MARCH, 1913.]

"I now take up, Sir, Primary Education. This is the most important head for which a very considerable amount of recurring expenditure is required. Our success in educating the masses depends on the amount of money to be spent judiciously.

"In order to improve and advance Primary Education in our province, the following measures should be adopted. The pay of teachers ought to be increased. In many places it is as low as Rs. 8 per month. The minimum pay should not be less than Rs. 12 a month, and the maximum Rs. 50 a month, for teachers in secondary vernacular schools—with intermediate gradation. A large number of new schools should be opened, and many lower primary schools should be raised to the status of upper primary schools. One of the great needs is to get good and efficient teachers. New normal schools therefore ought to be opened.

"That there is a great and daily-growing demand for education in the United Provinces—provided facilities be placed within the reach of scholars—is evidenced by the fact that in the year 1911-12, 192 new schools were opened at an additional cost of Rs. 92,228, and the result was an increase of about 40,000 scholars in that year. To quote from a recent speech of His Honour Sir James Meston 'The problem before you is clearly not to find children but to find schools and provide teachers.'

"The measures in short required for the improvement and advancement of Primary Education are (a) the opening of two new normal schools for teachers—one at Fyzabad at a cost of Rs. 25,000 a year, and the other at Jhansi at a cost of Rs. 20,000; (b) raising the pay of teachers; (c) opening of new schools and (d) raising lower primary schools to the status of upper primary ones. A sum of Rs. 5,45,000 is required for the present. This is only a very modest estimate. An inquiry is being made by the provincial Educational Department and within a short time more reliable facts and figures will be available which will show that a considerable additional expenditure will be necessary to carry out successfully the campaign against illiteracy.

"Female Education is the next item. I must own that no marked success has been attained in this branch of education in our province. It is in no small measure attributable to lack of sufficient funds. We require money to start normal schools for female teachers. To improve Female Education, we require a sum of Rs. 80,000 a year.

"European schools is another important subject. It was discussed lately in the Conference held at Simla. We find that the salaries paid to the majority of teachers in these schools is not adequate. An additional amount of at least 1 lakh a year is required for the present to effect improvement in this direction.

"Inspecting Staff is the last item which requires consideration. An increase in the number of educational institutions and scholars requires a proportionate increase in the number of Inspecting Staff. The number of Inspectors and Assistant Inspectors should be enlarged. At present these officers are over-worked. An addition to their number and the consequential increase in the office charges will require a sum of Rs. 80,000 a year.

"A still larger increase is required in the number of Deputy Inspectors and Sub-Deputy Inspectors who supervise the working of primary and secondary vernacular schools. The salaries of many of the officers of this class are inadequate and their regrading is very necessary. Their number is insufficient for a thorough inspection of the existing schools. Not more than 60 schools can be satisfactorily inspected by one officer during the course of the year. An addition to their numerical strength is required not only for the schools existing at present, but also for the new ones which are to be opened in future. This cannot be done without an additional expenditure under this head of 1 lakh of rupees. The total expenditure therefore under the head of Inspecting Staff comes to Rs. 1,80,000. The grand total as I have stated before comes to 12 lakhs a year.

"We require additional sums under the head of non-recurring expenditure, but as I find in the Financial Statement laid before the Council on 1st March

[7TH MARCH, 1913.] [*Rai Sri Ram Bahadur; Sir Harcourt Butler; the President; Raja Kushalpal Singh.*]

there are large assignments both under the head of non-recurring expenditure and also some assignments under the head of recurring expenditure, and no details have yet been furnished to us, I am not in a position to say what sum we require. But the Council will permit me to say that our needs are these: We require a hostel for the law college at Allahabad which will cost a lakh and fifty thousand. We have already got one hostel there, but it is not sufficient to accommodate the law students. Then we require a sum of Rs. 30,000 for the equipment of the law library attached to the newly established Law College. Thus the Law College requires 1,80,000. Then there are some other colleges which require additional buildings—either in the shape of an addition to existing buildings or new laboratories and science classes. St. John's College, Agra, requires 1 lakh for its new buildings. Bareilly College requires laboratory and science class which will cost approximately Rs. 50,000. Meerut College requires a new laboratory for Chemistry and Biology which will cost Rs. 75,000."

The Hon'ble Sir Harcourt Butler :—"I rise to a point of order, Sir. The Resolution relates to the additional assignments for recurring expenditure on education. The Hon'ble Member is now dealing with the non-recurring needs of his province."

The President :—"I think that the point of order raised by the Hon'ble Sir Harcourt Butler is sound—that the Hon'ble Member should deal with his own Resolution and with the expenditure which that Resolution covers."

The Hon'ble Rai Sri Ram Bahadur :—"Sir, the Resolution moved by me is that we require at least 12 lakhs a year for recurring expenditure. This is not a very high figure in view of the requirements which I have stated before the Council—requirements, which cannot be denied to be very urgent. A province which is contributing to the Imperial Exchequer the largest amount of land revenue—a province which has behaved so well during the time when trouble was experienced in some other parts of the country, a province which has a population of more than 47 millions, is not asking too much if it appeals to the Supreme Government for an increase in the grant for education.

"If the people of that province appeal to the Imperial Government for help in the shape of an additional sum being given for education, I submit that their appeal should be heard and should receive a favourable consideration. Fortunately for us we have, as the head of the Supreme Government, a most sympathetic ruler who is so keen on the advancement of education.

"The Hon'ble the Finance Minister, the guardian of the public purse, has also always been sympathetic to the appeals made to this Government for help with regard to deserving objects. And fortunately for us the Hon'ble Member of this Government who is in charge of education has personal knowledge of the wants of the United Provinces. I have every hope, therefore, that this appeal on behalf of the people of my province will receive a favourable response."

The Hon'ble Raja Kushalpal Singh :—"I have great pleasure in seconding the Resolution moved by my friend the Hon'ble Rai Sri Ram Bahadur. The strengthening of the staff of primary schools is the most urgent concern of my provinces. The present number of teachers is wholly inadequate to meet the increasing demand for education. We recognise that at least 100 teachers more should be taken on for each average district. Further progress will be checked unless funds are forthcoming for the purpose of increasing the number of teachers. Many of the schools are overcrowded and understaffed, and a large number of assistant teachers is an obvious corollary. The present mode of determining the number of teachers required for a school is faulty. It is based on attendance; but it is manifest that, the boys being distributed in different classes, the teaching of them all by one man must needs be very unsatisfactory. Money is most urgently in request for improving the pay and prospects of our primary school teachers. Living

[*Raja Kushalpal Singh; Pandit Madan Mohan Malaviya.*] [7TH MARCH, 1913.]

has become more expensive, and ill-paid men put no heart into their work, whilst better-paid men will presumably do better work, and attract more scholars. District and Municipal Boards are at the end of their resources, and, unless they can be given substantial assistance, they cannot be expected to improve and extend primary education. Money is urgently required for improving the grade of teachers. The proper type of men cannot be induced to join training classes or to teach in schools, unless they can count upon fair remuneration. At present the grades above the prescribed minimum are everywhere low. The demand for trained teachers is much greater than the supply. The number of training classes should be considerably added to. The number of peripatetic drill instructors should be increased. In the lower primary section attached to the training classes, assistant instructors should be employed. Pupil teachers receive training for about two hours and a half or three hours daily, and can devote only one hour and a half to the teaching of lower primary classes. In order to increase the number of teachers, it is necessary that many more secondary vernacular schools should be opened. We require an additional recurring grant of Rs. 5,00,000 for primary education.

“Two more Normal Schools should be opened at Jhansi and Fyzabad, respectively. Their maintenance charges will be about Rs. 45,000 a year.

“The dearth of female teachers prevents the rapid expansion of female education. There is a clear call for more female teachers. The number of training classes for mistresses should be considerably raised. We require an additional recurring grant of Rs. 30,000 per annum for this purpose.

“A large increase is indicated in the number of Deputy and Sub-Deputy Inspectors. A larger inspecting staff is a desideratum not only for the present needs, but also in view of future expansion. The present pay of these officers is too small and does not attract the right type of men. The majority of these officers are always on the look-out for service in other departments to improve their prospects. One inspecting officer cannot efficiently inspect more than 60 schools. We want 90 more officers. The number of Inspectors and Assistant Inspectors should also be increased. To this end and for increasing the number of Sub-Deputy Inspectors, an additional outlay of Rs. 1,80,000 a year may reasonably be asked for.

“Desire for secondary education is extremely keen. Greatly increased expenditure on secondary education is a natural sequence. The Department does not attract graduates in sufficient numbers, nor does it get its fair share of the best men turned out by the University. An improvement in the pay and prospects of teachers in secondary schools is one of the most urgent needs of the United Provinces. We would name Rs. 1,50,000 more a year as a fair allotment for this purpose. In aided schools the pay of teachers is on a beggarly scale. We would ask for an additional recurring grant of Rs. 1,00,000 per annum for raising the pay of teachers in such schools.

“One more training college, which should be located at Agra, would meet a pressing need in the western districts. The recurring annual expenditure for its maintenance would be about Rs. 25,000 a year.

Colleges.

“Scholars are crowding into colleges in such numbers that neither can room be found for them nor can sufficient professors be entertained to teach them. Many additions to the professional staff should be made. Certain classes have grown beyond all reasonable proportions. They should be split up into sections. This would mean at least Rs. 70,000 a year for strengthening the staff of colleges.

“For European schools we require an additional recurring grant of Rs. 1,00,000 a year.

“With these few remarks, I beg to recommend this Resolution for acceptance by this Hon'ble Council.”

The Hon'ble Pandit Madan Mohan Malaviya:—“Sir, I beg to support the Resolution. As we have been told by the Hon'ble

[7TH MARCH, 1913.] [Pandit Madan Mohan Malaviya;
Sir Harcourt Butler.]

Mr. Gillan, I have not brought forward the Resolution on the last occasion in asking for the land-revenue grant in the United Provinces to be raised. There is a reason for it. In the United Provinces the Lieutenant-Governor, Sir James Meston, has said that he will examine the expenditure and he has promised us that he will come with a representation to the Government of India as soon as he is satisfied that the needs of the Province require a large allotment. I hope that it will not be very long before Sir James Meston will have made up his mind to appeal to the Government of India, and it is because we expect his appeal will receive greater consideration from Government than perhaps the appeals of his predecessors did that we are waiting and looking forward to the day when it will be brought to the notice of the Government of India. I may mention, Sir, that our late Lieutenant-Governor, Sir John Hewett, on the last occasion when he spoke about Provincial finance expressed himself deeply disappointed and earnestly expressed the hope that the Government of India would see their way to remedying the injustice which has been done to the United Provinces, in not giving to them what has been given to other provinces, namely, half the amount of the land-revenue raised in each province. I could not advance a stronger argument in support of the Resolution of my Hon'ble friend than to point out to the Council and to remind the Hon'ble Member who is presiding over our deliberations to-day that in truth, in justice and in mercy the United Provinces should have 82 lakhs more than is provided in the budget for this Province, and if my Hon'ble friend has come forward and asked for the small sum of 12 lakhs to be added to the recurring grant of these Provinces, it is an extremely modest recommendation and deserved to be taken into the kindly consideration of the Government. It is extremely unfortunate, Sir, that the United Provinces have been treated as they are. We have been extremely grateful for every pice given to us and we have been grateful for the larger recurring grant made to us.

"We feel that neither in the lump sums allotted nor in the sums allotted under non-recurring grants, have we been treated as liberally as we might have been, in view of the fact to which I invited attention in my opening remarks, *viz.*, the fact that the United Provinces are alone among the Major Provinces of India who have not been given a half share of the land-revenue.

"Now, Sir, if the Council will turn to page 28 of the approved copy of the Memorandum of the Financial Statement, it will be seen that all that was granted to us in the share of non-recurring grants for Education is 6'38 lakhs. Our friends in Bengal are happy. They get 13'20 lakhs. Of the other Provinces, Madras gets 6'80 lakhs, Bombay 5'03 lakhs. We, who have been crying for more money to promote education, to combat the illiteracy and to remove the ignorance which sits like a pall upon the people, we still get nothing more than what is allowed to Madras, which has made tremendous progress in education, and nearly half of what is allowed to Bengal which again has made very great progress in education. I am not jealous, I may say, of the good fortune of the other Provinces, but I only plead for the grant which, in justice, is due to my Province. I do that, Sir, in view of the fact that only 6'38 lakhs have been allowed in the shape of recurring grants to the United Provinces. I hope the Government will yet see their way to accept the Resolution which has been moved by my friend the Hon'ble Rai Sri Ram, and add 12 lakhs more to that grant."

The Hon'ble Sir Harcourt Butler:—"Sir, the Hon'ble Mr. Sri Ram in moving his Resolution began by expressing his gratitude for the grants that have been made, and then, without a blush, he immediately proceeds to ask for more. I shall not take up the time of the Council for long in dealing with the Resolution because the answer is a very simple one: none of the speakers has suggested where the money is to come from."

The Hon'ble Pandit Madan Mohan Malaviya:—"We were trying to do so."

The Hon'ble Sir Harcourt Butler:—"I will make a suggestion. I think a good deal of it should come from the Local Government. Sir James

[*Sir Harcourt Butler; Mr. Madhu Sudan Das; [7TH MARCH, 1913.] the President.*]

Meston, speaking at Meerut the other day, is reported in the *Pioneer* to have said 'I am glad of being given the opportunity of expressing, in your presence, the immense indebtedness of this Government and of this Province to the liberality which the Government of India has shown to us.'

"I think the Government of India have treated the United Provinces with the greatest liberality. If they had gone by the number of institutions alone, they would not have got as much as 6.38 lakhs, to which the Hon'ble Pandit takes exception. You will have in the course of the day laid upon the table a statement showing the distribution under the different heads, and a statement showing also the grants for non-recurring expenditure. The grant for Bengal is swollen by a big item for the University for Dacca. Otherwise, considering the number of institutions in Bengal, I do not think that the United Provinces need feel that they have been badly treated in comparison.

"There is a further consideration which must weigh with the Government of India, and that is that the grants already given have not been spent. In the United Provinces Rs. 6,05,000 of the grants already made have not been spent. Hon'ble Members must remember that these grants take a good deal of spending. You have an organisation for a particular scale of expenditure, and if you suddenly give the Local Government a grant of, say, the 12 lakhs that you are asking for that could not be spent in two or three years. I hope the United Provinces, if the finances of country continue to be prosperous, will get more grants, and I feel quite confident that before very long a good portion of the Hon'ble Member's desire will be fulfilled. The Government is not now in a position to increase the grant. It can only give it by taking it away from somebody else, and we do not propose to rob Peter to pay Paul."

The Resolution was put and rejected.

RESOLUTION REGARDING INCREASE OF ALLOTMENT FOR NON-RECURRING GRANTS FOR EDUCATION, SANITATION, ETC., FOR BIHAR AND ORISSA.

The Hon'ble Mr. Madhu Sudan Das:—"Sir, before I proceed to move the following Resolution which stands in my name:—

'That this Council recommends to His Excellency the Governor General in Council that the amount allotted to Bihar and Orissa under the head of non-recurring grants for education, sanitation and other beneficial purposes, be increased by five lakhs of rupees.'

I beg to be excused by the Council for offering my sincere and humble felicitations to the Hon'ble the Finance Member for the prosperity budget which he has presented. In a country like India, where the major part of the revenue comes from agriculture, which is always dependent on the mercies of the heavens, where also the sources of revenue dry up on account of social and other circumstances in other countries, the work of the Finance Member is not a very easy one, and certainly his office is not a bed of roses. When presenting the Financial Statement, the Hon'ble Member said that when he took charge of the portfolio the country was in a state of distressful scarcity. Distressful scarcity very often means feeding many mouths, and it is more distressing to the Member who holds the purse than to those perhaps who are critics outside, we also notice that the two matters which are at the present day considered most important in India, *viz.*, education and sanitation, are receiving his anxious attention and care. It is just possible I may not have an opportunity of meeting the Hon'ble Member before he lays down or rather makes over his portfolio to his successor; so I take this opportunity to assure him that he will carry with him the gratitude of the millions whom he has tried to educate and save from starvation."

The President:—"It causes me the greatest possible grief to inform the Hon'ble Member that he is not in order in praising me. I must ask him to speak to the Resolution."

[7TH MARCH, 1913.] [Mr. Madhu Sudan Das.]

The Hon'ble Mr. Madhu Sudan Das :—“Sir, to proceed to the Resolution. When there are several children whose comforts have to be provided for, and the *pater familias* has a sum of money which he wants to distribute among his children in order to provide for their comforts, of course all the children plead for their share. Very often the grown-up sisters plead with eloquence, with power, but if there is a baby in the family it casts a look at the father and at the grown-up sisters.

“It looks at the father and this look means, ‘I am not responsible if I was born late; I do not know what my needs are; you ought to know what it has cost you to educate my sisters and you ought to provide for me.’ Looking at the sisters, it says, ‘I understand all your eloquent pleading, that is due to the education for which you ought to be thankful to the father, will you please let me have my chance, let me have the same care and attention which you had in your education and bringing up.’ This Bihar and Orissa is a baby province, it was born of the benevolent wishes of His Excellency the Viceroy and the Members of the Executive Council. The memorable despatch of 25th August, 1911, is signed by them. They are all here. They are the fathers of this baby and to them I plead on behalf of the baby. It is unusual to have more than one father, but it is an advantage to have several fathers under the present circumstances, when I plead on behalf of this baby.

“The above despatch says that the new province was created to give it a fair opportunity to development. The people of the three sub-provinces, Bihar, Orissa and Chota-Nagpur, cannot have a fair share of the attention of Government unless the Lieutenant-Governor resides a part of the year in each sub-province. In a durbar held at Cuttack, Sir Charles Bayley in his speech said that he had received injunctions to spend a part of the year at Puri. The only part of the year which the Lieutenant-Governor can spend at Puri, are the summer months, but that is the time when the great Car festival of Juggernath comes on. The influx of pilgrims is very large and, owing to the unsatisfactory sanitation of the place, cholera is an annual visitor.

“Improved sanitation is necessary to make the residence of the Lieutenant-Governor safe. Government is bound to protect the lives of its high officials from epidemics. But the benefits of improved sanitation will be extended to the pilgrims. They hail from all parts of India, from Cape Comorin to the Himalaya mountains. Consequently improved sanitation in a place like Puri will be a benefit to all the provinces of India. That improved sanitation under the supervision of an expert in sanitation can stop the recurrence of cholera, was demonstrated early in the nineties. There was an unusual influx of pilgrims during one year owing to an especially auspicious festival, but Dr. Banks who had made a special study of the science of sanitation managed to prevent the recurrence of the epidemic. There was not a single case of cholera. Human considerations induced Government to stop self-immolation under the wheels of Juggernath Car. Humanitarian considerations demand that the lives of the pilgrims should be saved from the cruel jaws of cholera.

“Government cannot stop people going on pilgrimage, any more than Government can stop the influx of men to Calcutta. Men go to Calcutta on business, to make money; they go to Puri from religious motives. If the Government could spend crores to improve the sanitation of Calcutta, surely they ought not to grudge a few lakhs, and that out of surplus money now in their hands to save the lives of men, who go to Puri not to serve mammon but to serve God. I am not a worshipper of Juggernath, but I owe it to my Hindu brethren of India to plead on their behalf, and that to save their lives. Government owes a duty to Juggernath. When the British Army from Madras was in a narrow pass in the vicinity of the Chilka Lake, Hunter in his history of Orissa says, a few hundred men would have successfully arrested its progress if they chose to do so; but instead of that, the priests of the Temple of Juggernath invited the Army to take possession of the Temple. The Temple had always been the key to the province. The subsequent peaceful occupation of Orissa was due to this friendly attitude of the priests of Juggernath. After that the British Government in the early days of the East India Company managed

[*Mr. Madhu Sudan Das ; Mr. Qumrul Huda ; Sir* [7TH MARCH, 1913.]
Harcourt Butler.]

the temple and derived a surplus revenue from that source. Under the present policy of religious non-interference a revenue from such a source will not be acceptable to Government. The allotment of a portion of the surplus in the hand of the Government will give satisfaction to the general Hindu public of the present day and the future historian of Orissa would refer to it as a noble act on the part of a Christian Government to make such reparation, as was possible under the circumstances, for errors of the past. Fortunately there has not been up to this day an outbreak of plague in Puri. If the sanitation of the place is not improved in time, plague will invade it at no distant date. If plague once breaks out in Puri, the responsibilities of Government will be enormous. To enforce the ordinary rules of segregation will be very difficult. Any attempt in that direction will be interpreted as interference with religion. Puri with plague in it will be a centre for the spread of the disease to all parts of India. In the interests of the whole of India, in the interests of the Government Officials it is necessary that a large sum should be made over to the Government of Bihar and Orissa for the better sanitation of this town.

"I would bring it to the notice of the Government that Gya is another place of pilgrim resort in the new province. Thousands visit the place. Its sanitary condition is anything but satisfactory.

"The seat of the new Government, Patna, is plague-stricken. A high Government official, whose head-quarters is in Bankipore, told me that there is no road to take one from Bankipore to Patna, though Bankipore is the place where the Lieutenant-Governor now resides and the Officers have their canvas residences.

"The baby province requires more attention to its sanitation than the adult provinces. It cannot give a list of its requirements for it has not lived long enough to study them or to draw up a scheme. But every father knows that the wants of a baby cost more than those of the adult members, and provision has to be made by a contingent forecast of the future requirements."

The Hon'ble Mr. Qumrul Huda:—"Sir, I support the Resolution brought forward by my friend the Hon'ble Mr. Das. With your permission, Sir, I may add, that the Province, being newly created, and being rather more backward than some of the older Provinces, deserves consideration at the hands of the Government."

The Hon'ble Sir Harcourt Butler:—"Sir, I will not follow the Hon'ble mover of this Resolution in his humorous references to nursery finance, nor will I dwell at any length on the educational and sanitary arrangements of the particular nursery, beyond the remark that it is in accordance with experience that, in cases of doubtful-paternity, or, shall I say polypaternity, there should be a disposition to pass on a claim for maintenance.

"In this particular case my reply must be somewhat on the lines of the reply to the last Resolution. We have recognised the special claims of the 'baby' Province, because when we worked out the figures of the grants on urban population, the baby Province would only have got about 8 lakhs; but for various reasons, and for other considerations, we raised the allotment to 10 lakhs. Similarly, in the recurring grant, they got 3 lakhs instead of Rs. 2,15,000 which would have been the amount due to them on a bare basis of population figures. And I may add that, at the present moment, out of the educational grants already made 4½ lakhs have not yet been expended.

"As regards Puri and Gaya, I am glad to be able to assure the Hon'ble Member that the Pilgrim Centres Committee over which Major Robertson, the Sanitary Commissioner with the Government of India, will preside, are going to Puri and Gaya with a view to concerting a large scheme for sanitary improvement in both places. That Committee, as you may perhaps remember, is meeting in all the Provinces of India with a view to preparing practical schemes for improving the sanitation at all the big centres of pilgrimage. The work will take some time, and I am sure that it will be very thoroughly

[7TH MARCH, 1913.] [Sir Harcourt Butler; Mr Madhu Sudan Das.]

done, and I believe that it will be, in the end, one of the most important sanitary reforms ever carried out in this country. I am told that this Committee will go to Puri next July, and Gaya shortly afterwards. I do not think I need say anything more. I can assure the Council that the needs of the newly created Province are very carefully looked after up here."

The Resolution was put and rejected.

RESOLUTION REGARDING INCREASE OF ALLOTMENT OF RECURRING GRANTS FOR PROMOTION OF EDUCATION AND IMPROVEMENT OF SANITATION FOR BIHAR AND ORISSA.

The Hon'ble Mr. Madhu Sudan Das moved the following Resolution:—

"That this Council recommends to His Excellency the Governor General in Council that the amount allotted to Bihar and Orissa in the distribution of the recurring grants for the promotion of education and the improvement of sanitation be increased by five lakhs of rupees."

He said:—"The subject-matter of this Resolution is to be found in paragraphs 17 and 18 of the Financial Statement. The total amount of recurring grants allotted to Bihar and Orissa is 10·53 lakhs.

"The recurring grants for education ought to be determined by considerations other than the urban population and lists of schemes ready and waiting for funds.

"The urban population is not a safe guide in determining the demand for education. The urban population is made up to a large extent of business men and their employees and servants—men who resort to towns and cities to earn, not to learn. The population of a town depends on the nature and extent of business done there. In a city like Cawnpore, which commands an extensive business in the manufacture of leather and leather goods, the population would be a deceptive index to the demands of education, for a very large portion of the population either do not want to educate their children, or come to the place to earn their living, leaving their children in their villages.

"There are a very large number of Uryas in Calcutta. There are about a lakh of them in Calcutta and its vicinity. If an Urya Primary School were opened there, I do not think even fifty students will be forthcoming to join it; the reason for this being that these men leave their children at home and go to Calcutta to earn a living.

"As regards ready schemes to go by in determining the needs for education the province of Bihar and Orissa was created the other day, it is a new province, the Government is new; the head of the Government has hardly a place to live in; the Secretaries and high officials are moving about like a nomadic people; they have not had time and opportunities to study the wants of the province in matters of education and sanitation. Under these exceptional circumstances it would not be fair to judge of the wants of the Province by the number of schemes ready for execution.

"We know and believe that this Government's object in separating Bihar and Orissa from Bengal was to ensure to these sub-provinces a larger share of the attention of Government than they received under the old administration. In order to give effect to this noble object, it would not by any means be out of place to take a cursory view of the extent to which the interests of Orissa were neglected in the past.

"Besides the importance which the past has in its connection with the present and future, the past might show reasons for considerations of a compensating character.

"Orissa stands out prominent in the early history of East India Company's connection with Bengal. Their first factories were built in Orissa. The first

[*Mr. Madhu Sudan Das.*] [7TH MARCH, 1913.]

two Englishmen who came to Bengal in 1632 came from Orissa, and they were supplied with an Urya escort for their safe journey.

"In the beginning of the nineteenth century the British occupation of Orissa was achieved at the invitation of the priests of the great temple of Juggernath, a singular testimony from the residents of the holy land of Hindus, to their faith in British administration and their hope to participate in its advantages: and this faith they have cherished unabated to this day. But as regards their hopes to participate in the advantages of British administration, alas, they were blighted.

"Orissa was given away to Bengal as its partner; she found in Bengal a partner who demanded the whole absorbing attention of the paternal Government, leaving Orissa in an almost solitary confinement in the dark and cold regions of the zenana; Bengal waxed strong and fat. The endowment of a permanent settlement made Bengal rich. A similar endowment was promised to Orissa. Some promises have been compared to a pie crust. The crust was of no value when people came to know the nature of the contents within. This discovery led to the breaking of the crust. Orissa was completely lost sight of by the paternal Government. How dark the ignorance of Government was with regard to the affairs of Orissa a reference to the devastating results of the great famine of Orissa will show. Over a million of its population died of starvation while the Government as its head-quarters in Calcutta remained in blissful ignorance of this dreadful state of things. I could give a long list of the injustice to Orissa under the Bengal Government, but I shall conclude this mournful part of Orissa's past history by remarking that it was only in 1911 that the Bengal Government discovered that the Bengal land-law did not suit the peculiar agrarian conditions of Orissa, and that Orissa should have a special agrarian law to suit its peculiar local condition.

"What a discovery—after an administration of the country for over a century.

"Ignorance on the part of Government extending over nearly a century has crystallized into a strong prejudice. This is unfortunate and embarrassing to me being the first Urya who found his way to this Chamber. I noticed a remarkable instance of this prejudice born of sheer ignorance in the remarks made the other day by the Hon'ble Mr. Clark. The Hon'ble Member said there are rogues probably in the arcadian groves of Orissa. Had the Hon'ble Member acquainted himself with facts showing to what extent and with what result the Indian Company's Act has been worked in Orissa, he would have come to a different conclusion. No doubt there are rogue elephants in the jungles of Orissa. If the Hon'ble Member ever visits those arcadian groves, for on a sporting excursion he may find his life in dangers from these rogue elephants, but the contents of his pockets will be safer than they would be in Piccadilly circus.

"As regards education there was still greater injustice. Probably it was thought proper to enforce the zenana rules and the light of foreign education was shut out from Orissa. The first Urya young man (I can hardly believe I was ever young) who cherished the idea of a University education had to go to Calcutta, a journey of nearly three weeks.

"Long after Bengal had made gigantic progress in Western education the chance of high education on a very limited scale was given to Orissa. The college was ill-equipped. Cheap management was the main object in view. For a few years Urya students were given an opportunity to study law. There was no law college, but a cheap arrangement was made by which one of the Urya pleaders undertook to teach all the classes.

"Government would not pay a farthing. The lecturer was paid from the fees realized. But nevertheless the result was very creditable.

"The students from these law classes not only passed but secured distinguished positions among the successful candidates and some time topped the whole list of successful candidates. But subsequently the privilege was taken away from them, and now the Urya students have to go to Calcutta;

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but this arrangement is not popular with some parents. They do not like young men to be away from parental influence. The last year's results of the Calcutta University in the Intermediate and Bachelor Degree examinations will show that Urya boys occupy high places among the successful candidates.

"Let us take female education. Government sent a Bengal lady as Government scholar to England to study training there. Government would not spend a pice for the Urya girls. But nevertheless Orissa sent a young lady to England with the same object. On her return from England she started a girl school in 1908. This was maintained by private subscription which amounted to several thousand rupees, while Government paid only a grant-in-aid. The school teaches up to the Matriculation standard and girls have passed Matriculation from the school.

"Even in the city of Calcutta the oldest girl school known as Bethune School is supported even now entirely by Government, and Government pays a much larger sum than they ever paid as grant-in-aid to the school in Orissa.

"Let us now take the percentage of literate population in the several provinces. The census figures of 1901 show that Orissa has the highest percentage of literate population in India. The figures are as follows:—

These figures show the number per 10,000 persons (of both sexes) over 15 years.	
Bengal proper	938
Bihar	503
United Provinces	426
Punjab	526
Madras	903
Bombay	838
Orissa	1,019

"The facts given above furnish sufficient data for a reply to the following question:—

"Has Orissa made a proper use of the small educational advantages granted to her? The parable of the talents does not lay down a principle exclusively applicable to the relation of master and servant. It applies with great force to the relation between the paterfamilias and his children. To the several races of India the Viceroy occupies the position of a father. May it not be justly said of Orissa 'thou hast been faithful over a few things, I will make thee ruler over many things.'

"The benefits of education should not be judged by the number of graduates which the Colleges turn out. There is mal-assimilation in education as much as there is in the supply of nourishment to the body. Indigestion in the brain is more dangerous than indigestion in the stomach. The latter kills the sufferer only, whereas the former is a source of danger to society. The costs of treatment of the latter (indigestion of food) are borne by the sufferer, but ill-digested knowledge produces moral and political epidemics which have cost the State immense sums. There is another consideration which should influence Government in judging the claims of Bihar and Orissa for additional grants for education. Orissa is a temporarily settled area. That is a strong reason for preferring the claims of Orissa to provinces which enjoy the boon of permanent settlement. A permanent settlement produces a rich aristocracy, who should feel their obligations to the tenantry. The increasing prosperity of the tenantry arising from rise in prices and improved method of agriculture is shared by their landlords. No part of it comes to the State. But in a temporarily settled area, Government have their share in the rising prosperity of the country. It is but just that in the matter of the mass education the ryot who contributes to the Imperial Exchequer in a gradual ascending scale should have greater share in the distribution of the funds in the hands of Government available for education and sanitation.

"One more matter and I have done—

"I beg to be pardoned for offering a remark on the educational policy of Government: not generally, but so far as it concerns the noble anxiety of

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Government to develop technical education. We all admire and are thankful to Government for spending large sums of money in sending young men to Europe to study the details of particular industries. The public have also liberally subscribed, lent their sympathy and worked on the same line with the same object in view. But what has been the result ?

"I know a young man who studied agriculture in England at Government expense, but he worked as a Magistrate and retired as a Sessions Judge. I know other Government scholars who became experts in agriculture, but are working now as Deputy Magistrates. I know a young man who learned the sugar industry as it exists in Japan ; but he is now a Deputy Collector in a Native State. Instances might be multiplied. The mistake lies in beginning at the wrong end. Industries in Europe are managed on organised principles. The governing principle at the bottom of organised industry is division of labour. Division of labour secures finish, saves time and necessarily effects cheapness ; and cheapness is an important consideration which all anxious to secure success in a competition with Europe should keep before their eyes. During ages in the past history of India, the caste system has developed a contrary principle, a principle which operates as a great obstacle to the introduction of division of labour. The various handicrafts rest on the basis of caste. The same man does a work in all its stages from start to finish. Consequently there is no division of labour in the sense it is adopted in the factories in Europe.

"The present need of the country is to educate the eye and the hand by means of such primary education which will impress on the mind of the student the advantages of skilled labour, of division of labour, of the value of time and of the value of carefulness in handling machines. Before skilled labour is available, before the country has its sufficient supply of literate workmen, all efforts to transplant the industries of Europe must fail. This embodies the result of my practical experience extending over several years.

"Orissa is a province especially suited for primary education on the above lines. The ancient architecture of Orissa shows the Oryas' capabilities in the direction. But alas the hand that carved out of rough sand stones the beautiful figures in the temple of Bhubneswar (figures referring to which a Lieutenant-Governor once remarked that if he had the time he would gaze on those figures for days), the hand which carved those figures now drives the plough for two annas daily wages. Can't anything be done to restore to that hand its original value ?

"The amount mentioned in the Resolution is five lakhs. I leave it to the discretion of Government to increase the present allotment by such amount that can be spared without injustice to other provinces. I shall be satisfied if I have succeeded in convincing Government that in the past injustice has been done to Orissa. I shall then consider the increase as an earnest of the Government's desire to accord a more sympathetic audience to the claims of Orissa in the future."

The Hon'ble Sir Harcourt Butler :—"I really answered this Resolution in dealing with the preceding one when I pointed out that the Province of Bihar and Orissa had already got more money than it could spend for the time being, and that it had received a very liberal share of the allotments which have been made. The Hon'ble gentleman does not indicate where extra money is to come from. That is a difficulty which I feel faced with in regard to all these Resolutions that have been advanced this morning. One answer covers them all. We have every sympathy with the desire of the Provinces to advance in the matter of education and sanitation, and we have shown, I think, the sincerity of that desire by the liberal grants that have been made. That you want more is quite natural. That we must refuse as we have not got the money is also natural ; and I must ask you to accept that as the answer of the Government to this Resolution."

The Resolution was put and rejected.

[7TH MARCH, 1913.] [Mr. Fuzulbhoy Currimbhoy Ebrahim.]

RESOLUTION REGARDING INCREASE OF GRANT TO MAJOR PROVINCES FOR RECURRING EXPENDITURE ON EDUCATION AND SANITATION FOR DEVELOPMENT OF TECHNICAL EDUCATION.

The Hon'ble Mr. Fuzulbhoy Currimbhoy Ebrahim :—

“ Sir, I beg to move the following Resolution, for which I have obtained permission under rule 3 for the discussion of the Financial Statement :—

“ That this Council recommends to the Governor General in Council that the grant of 55 lakhs proposed to be distributed to the Major Provinces for recurring expenditure on Education and Sanitation in the Budget, be increased by an additional sum of Rs. 15 lakhs from the Imperial Revenue, which should be specially allotted for the development of Technical Education.”

“ I may frankly state at the outset that my object in bringing it forward, is to obtain from Government, if possible, the acceptance of the principle that the development of Technical Education in this country should be fostered and guaranteed by a special annual allotment in the same way as the development of railways or the improvement of irrigation. It is, I need hardly point out to this Council, on the same plane of importance as a means of advancing the material progress of the country as railways and irrigation works. It has been admitted again and again that the one certain safeguard against the recurring calamity of famine, is the development of industries which will provide the masses with work and wages at a time when the agricultural industry has become impossible in any part of the country owing to the failure of rains. I gratefully acknowledge all that has been done in recent years by the Government of India and by Local Governments to promote Technical Education. The admirable Resolution on Education, issued by the Government of India a few days ago, sums up the more important aspects of the recent growth of Technical Education during the last nine years, among which are the establishment of scholarships tenable in Europe and America, the opening of the Indian Institute of Science at Bangalore and the sanctioning of the establishment of a great Technological Institute at Cawnpore for the chemistry of certain important industries for which there is a favourable field in this country, and more especially in the United Provinces. Industrial schools have been opened in several Provinces during the last decade. The important Educational Conference, which was held at Allahabad under the distinguished presidency of the Hon'ble Member for Education, formulated certain definite recommendations which have been accepted by Government, and since then there has been the inquiry carried on by the Committee of which Colonel Atkinson and Mr. Dawson were members. With reference to the report of the last-named Committee, I may take this opportunity of saying that, although I agree with their main recommendations, namely, that Technical Education in colleges should be supplemented by a period of apprenticeship, I am unable to agree with them in their views on the subject of the State Technical Scholarships now in existence. So far from these scholarships being discontinued or reduced in value, I am of opinion that they should be given in larger numbers so as to enable young Indians of education and capacity to avail themselves of them. The hackneyed argument that education in foreign countries removes students from the environment of local conditions, has even less application to industrial than to any other branch of studies, because the environment we seek to create in this respect in India is essentially western. Although, therefore, I entirely appreciate the recommendations made by the Committee with a view to meet the demand of employers at present, I earnestly hope that nothing will be done which may have the effect of retarding the progress of higher Technical and Scientific Education, because, as was wisely pointed out by the Hon'ble Sir Harcourt Butler in his admirable memorandum on the subject which he drew up for the Government of the United Provinces six years ago, in countries yearning to be industrial, as India is yearning at the present moment,

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Technical Education has begun largely at the top. It has been truly remarked in the recent Government Resolution *that no branch of education at present evokes greater public interest than Industrial and Technical Education.* The country is awakening to a realisation of the fact that its regeneration is largely dependent on its economic and industrial advancement. In my own province a large scheme has been formulated for developing the Victoria Jubilee Technical Institute into a central Technological Institution, controlling and guiding the technical schools in the districts. If the public and the Local Governments are assured, by the allocation of a definite annual amount in the Imperial Budget, of the support of the Government of India, I am sure that a powerful impetus would be given to their already strong interest in Technical Education. That is the reason why I have taken the liberty of placing the recommendation embodied in my Resolution before the Council. I should like, before resuming my seat, to state that this Resolution is in no way conceived in a spirit of hostility to other branches of education. On the contrary, it is my firm conviction that a large extension of primary education is essential to the industrial growth of the country, and those who are working hard to achieve that object, whether officials or non-officials, have my cordial sympathy. So also in regard to secondary and higher education, I do not think it possible to question the advantages, moral and material, which the country is bound to derive from their extension. My object in bringing forward this Resolution is simply, as I said at the outset, to give Technical Education a recognised and permanent place in the Budget as an object of constant concern to Government and as a means of developing the resources of the country.

"Sir, for the information of Hon'ble Members I may say that the Persian Government has spent nearly 15 lakhs of rupees, the amount which I have just recommended, on the maintenance of one single Institute, namely, the Shah Technical High School. I think looking to that fact that this is a very modest recommendation, and I hope it will receive the approval of the Hon'ble Members of this Council."

The Hon'ble Sir Harcourt Butler:—"Sir, the Government of India are in sympathy with the Hon'ble Member as to the importance of Technical Education, and I think that they have shown that sympathy, because since the new Department was created they have given no less than Rs. 4,084,800 to capital charges for technical and industrial education and a recurring grant of Rs. 3,50,000 for the same purpose in addition. In the statement which I shall lay on the table in the course of the day you will see that Technical Education is provided for, conjointly with the education of girls. They have been put together because under neither head are schemes far advanced, and we wish Local Governments to push on whatever schemes are ready.

"The Hon'ble Member will realise that great difficulties have been encountered, experiments have to be made and failures have to be overcome. I well recollect a particular Institution—the Industrial School at Lucknow—at which the curriculum has been revised about ten times to my knowledge, the difficulty being to attract boys and to get them employed at the end of their school course. As regards technical scholarships, I wish to correct an impression that there is any intention of discontinuing them. That is not the case. The only question is how best to employ them. I do not think I need say anything more. I welcome the interest that the Hon'ble Members have taken in Technical Education. I can only say that if any Member of this Council will come forward with a practical scheme to start in any place, the Government of India will be very glad to discuss it with the Local Governments. Technical Education, as other branches of education, is decentralised and in the hands of Local Governments. The Government of India will give the money as far as it can, but schemes must be worked out by Local Governments, and I am sure that all Local Governments will welcome any help on this very difficult branch of education."

The Resolution was then put and rejected.

[7TH MARCH, 1913.] [Maharaja Ranajit Sinha.]

RESOLUTION REGARDING ADDITIONAL GRANTS FOR SANITATION IN BENGAL.

The Hon'ble Maharaja Ranajit Sinha :—“ I beg leave to move the following Resolution that stands in my name :

That this Council recommends to the Governor General in Council that an additional grant of Rs. 20 lakhs be given for Sanitation in Bengal.”

“ In bringing forward this question I need hardly tell that I am neither actuated by any desire to shew my activity in the Council nor to embarrass the Government in any way. The sheer necessity of the Province which I have the honour to represent has led me to do so. I shall be wanting in my duty if I fail to express my deep appreciation of the kind attention which the Hon'ble Member in charge of the Finance Department has devoted to this important head of expenditure and for the liberal provision he has made for the same. In one portion of his speech at the time of presenting the Financial Statement, he said that ‘ Education and Sanitation ’ have the support of both official and non-official opinion, and in another portion of his speech he described ‘ Sanitation and Education ’ as twins of phenomenal development. Sir, these statements have encouraged me to hope that my appeal will not altogether go in vain, and that education and sanitation should go on hand by hand. I find that two and half crores have been provided for education, whereas only one and half crores are budgeted for sanitation. By quoting these figures, Sir, I do not at all mean to envy the grant for education or to question the reason of the differentiation between these two grants, but that my object is to plead for more liberal consideration for sanitation.

“ Sir, as regards Bengal, it could lay better claim than any other sister province on the kind consideration of the Government. It is well known that Bengal is the most unhealthy Province in the whole British Empire, and as it is now constituted there is not a single district except Darjeeling which may be called a healthy station. If my information is correct when the Civil Service cadre was under revision last year, all the European officers and even some of the Indian officers were eager to go to Bihar only because of the insanitary condition of Bengal. There is not a single district in the Province which is not afflicted with malaria. Whatever may be the scientific cause of the outbreak of malaria, it is certain that for the better sanitation we require free ventilation of air, light, and pure drinking-water. Sir, if one goes to the interior of a district he finds that almost all the houses even within the Municipal area are covered with jungles and trees so much so that houses are not visible even from the main road.

“ There are pits and holes all round the houses where waters accumulate during the rainy season, and when they commence being dried up after the rains malaria breaks out in a virulent type.

“ Sir, the rivers and water channels which were the main supply of drinking water in most of the villages are now gradually being silted up, and just after the cold weather the water becomes stagnant and unwholesome for drinking purposes. In various places the people have no other alternative but to resort to use the muddy waters which accumulate in *Bhils* and pits during the rains for bathing and drinking purposes, and I doubt not that my Hon'ble friends who have special experience of Bengal will bear testimony to this fact. I am grateful to the Government for giving up the whole of the public works cess, and I am sure they will be able to devote more money for rural sanitation. But, Sir, the needs of Bengal in this respect are so great, that I am afraid that even with this concession it will hardly be able to cope with it fully and specially that sum won't go to the Municipality which is also in no better position in that respect. I therefore hope that the Hon'ble the Finance Minister will be able to grant the sum which I have prayed for.”

[*Mr. Sita Nath Roy; Sir Harcourt Butler.*] [7TH MARCH, 1913.]

The Hon'ble Mr. Sita Nath Roy:—"Sir, I beg to support the Resolution of my Hon'ble friend, Maharaja Ranajit Singh, in which he has asked that the Government of India would be pleased to increase the grant for Sanitation by 20 lakhs of rupees. In support of that I beg to say that I am aware, Sir, that the Government of India has been kind enough to treat Bengal very liberally, and that the Government of India has been good enough to set free the sum of 25 lakhs of rupees which is to be derived mainly from Public Works cesses. I do not enter into the history of those cesses, but suffice it to say that a great wrong has been remedied by remitting this grant of 25 lakhs of rupees and making it over to the District Boards. While we are grateful to the Government of India for the liberal way in which Bengal has been treated, it must be remembered, at the same time, that the requirements of Bengal are varied and various, and now that the Province has been raised to the status of a Presidency, it is necessary that it should be properly treated. Over and above that, I also recognise that the sum of 20 lakhs of rupees has been set apart for the sanitation of urban areas. But what about the rural areas? Millions and millions of people have their homes in rural areas. It is well known that malaria and cholera are the two greatest scourges of Bengal. Several districts which were formerly considered as sanatoria, for instance, Burdwan, Hughli, Nuddea and other districts, have now been deserted. Wealthy people have transferred their homes from these districts to Calcutta and other places. It is well known, and it was seen that in the last census, the population of Nuddea, and I believe of Jessore, were found to be less than what was found in the previous census. Bengal is water-logged and it is liable to be inundated for some months of the year, and, as my friend has told us, the greatest want of Bengal is the scarcity of good drinking-water. During the hot months this want is very keenly felt, and what the people do drink in the interior, in mofussil areas, is nothing more than diluted sewage. Under all these circumstances, the improvement of the water supply is essential if we are to get rid of cholera which is the greatest scourge of India and of Bengal especially, where this disease commits great havoc. During the cholera season when it breaks out in Eastern Bengal, the poor people in some places, far from seeing the face of a doctor, cannot even get a drop of medicine to relieve them from this epidemic disease. Under these circumstances, great care should be taken to establish more charitable dispensaries and to excavate new tanks in rural areas.

"Therefore, with the greatest pleasure, I support the Resolution moved by my Hon'ble friend."

The Hon'ble Sir Harcourt Butler:—Sir, as both Hon'ble Members have expressed their great gratitude for the liberality of the grants made by the Government of India, neither they nor the Council will expect me to occupy much time in my reply.

"The grant made to Bengal is really very liberal, as indeed I think the Bengal Government would probably admit, and they benefit to the extent of close on 25 lakhs by the addition to the resources of Local Boards of the full amount of land cesses. In regard to that, in the statement which I shall lay on the table at the close of the day I made these remarks:—

'The Government of India trust that a substantial portion of the sum now added to the resources of the Boards will be set apart for the improvement of rural water supply, for anti-malarial measures, for the protection of grain stores and markets in plague infected localities, and generally for the sanitation of villages and small towns. General schemes of rural sanitation are not yet sufficiently advanced to justify the Government of India in making large grants for this object; but the Government of India are deeply interested in the subject and will consider favourably any proposal to utilize for rural sanitation, part of the grants now made provided a practical scheme is put forward.'

"It was very evident at the Sanitary Conference at Madras that schemes for rural sanitation were not ready. If practical schemes are ready which will not be simply pouring money into a sieve, as would be at present, in most cases the Government of India will of course consider them. They are very deeply interested in the subject, but it is surrounded by very great difficulties,

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and experiments are being conducted in different parts of India which show that there is need for very great caution.

"In addition, the Government of India have made a grant of Rs. 50,000 for research, particularly as to the effect on malaria of clearing away jungle round villages. That research is not yet completed.

"I do not think that I need say any more to satisfy the Council that the Government of India are in sympathy with the objects which Hon'ble Members have at heart. If I had accepted the five or six Resolutions which I have been answering in the course of this morning, it would have added 57 lakhs to the Budget, and I should have been more gratified than any body to see them there; but we have to find the 57 lakhs first. I can only say that the subject will continue to occupy the close interest of the Government of India."

The Resolution was put and rejected.

RESOLUTION REGARDING SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

The Hon'ble Babu Surendra Nath Banerjee :—"Sir, I have the honour to move the following Resolution :—

'That this Council recommends to the Governor General in Council that the grants made to Local Governments be increased by such allotments as the Government of India may think fit with a view to enable them to carry out the experiment of the separation of judicial and executive functions in the administration of criminal justice in areas to be selected by them with the approval of the Government of India.'

"Sir, the Resolution is a financial one involving, however, administrative issues of great moment. I have tried to make the Resolution as moderate as I could. The Resolution speaks of the separation of judicial and executive functions as an experiment. It is to be in the nature of a tentative measure, not to be definitely incorporated into the regular administrative machinery unless and until it has been tried and has been found successful. If it is attended with results other than those anticipated by its supporters, the experiment will have to be abandoned. The point upon which I desire to lay particular stress is this, that the dominating note of the Resolution is that the separation is to be an experiment for the present, and that its further extension and development is to depend upon the results obtained and the experience gained. Nor is this all. The experiment is not to be tried all over the country, nor even in the Regulation provinces, but only in such areas as may be selected by the Local Governments, subject to the supervision of the Government of India. Therefore, Sir, all that the Resolution seeks to secure is the acceptance of the principle in a definite and practical form, leaving its application to areas such as the Government may in its wisdom decide.

"I claim therefore, on behalf of this Resolution, that it is fenced round by conditions which ought to allay the fears and anxieties of the most cautious among administrators.

"Sir, not for one moment do I lay aside my own strong personal conviction on the subject, or my sense of the unspeakable boon which this reform will confer upon all those who may have to appear before our criminal Courts; but at the same time I feel that I have no right to thrust my convictions, however deep-seated they may be, upon a great Government weighted with a sense of its responsibility and naturally anxious to proceed with due caution and circumspection. Sir, no Englishman can regard this combination of judicial and executive functions, this lumping up of the prosecutor and the judge in one and the same person, without violence to his own in-born instincts and the traditions and environments in the midst of which he has been brought up. Accordingly we find, from the earliest days of British rule, many distinguished Anglo-Indian administrators, to whose testimony I shall presently refer, expressing themselves in terms of strong disapprobation of this defect in the administrative machinery and urging its modification. So far back as the year 1792, in the days of Lord

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Cornwallis, under Regulation II of that year, it was declared that the combination of these two functions was extremely undesirable. That view was reiterated 40 years later by a distinguished Anglo-Indian administrator, Mr. Frederick Halliday, who, as President of a Committee that was appointed to inquire into the police organisation, said that it was most undesirable, and the same opinion was endorsed by his colleagues. With your permission, Sir, I will read what Mr. Frederick Halliday said in this memorandum:—

‘The union of Magistrate with Collector has been stigmatized as incompatible, but the junction—he is using much stronger terms than I have or mean to use—the junction of thief-catcher with judge is surely more anomalous in theory, more mischievous in practice. So long as it lasts the public confidence in our criminal tribunals must always be liable to injury and the authority of justice itself must often be abused and misapplied, and the power of appeal is not a sufficient remedy. The danger of injustice under such circumstances is not in a few cases, not in any proportion of cases, but in every case. In all, the Magistrate is constable, prosecutor and judge.’

‘Sir, quite a distinguished galaxy of Anglo-Indian Statesmen have expressed the same view, including such men as Sir Cecil Beadon, Sir John Peter Grant, Sir Bartle Freer. The two former rose to the position of Lieutenant-Governor of Bengal; the latter completed a distinguished Indian career by becoming Governor of Bombay.

‘Sir, this question came up for consideration before this Council in 1860 in connection with the Police Bill, which has since become Act V of 1861. It was then held—the Government of India held it—that that Bill in which there is this combination of judicial and executive functions, was a temporary measure, and Sir Barnes Peacock, Chief Justice of Bengal, who was then Vice-President of this Council—in those days Judges were permitted to be Members of this Council—strongly advocated—(I am quoting his words) ‘the total and complete severance of these two functions.’ The Hon’ble Mr. Scones complained that ‘the Bill was a half measure’; and Sir Bartle Freer in his reply observed that he would be glad to make it a whole measure, and, if the Government consented, he would bring about at once the separation of judicial and executive functions.

‘That was said in 1860. Since then, Sir, the question has again and again come up before the public in consequence of instances of miscarriages of justice with which I need not trouble the Council. I may add that the Indian National Congress kept this question well in the forefront of its deliberations, and Lord Dufferin in 1884, adverting to the growing volume of public opinion in this connection, said that it was a counsel of perfection.

‘Lord Cross, Conservative Secretary of State for India, Lord Kimberley, Liberal Secretary of State for India, in the discussions that took place in the House of Lords declared their adhesion to this principle. In 1899, a very important memorial was addressed to the Secretary of State for India, Lord George Hamilton, by several distinguished persons, including Lord Hobhouse, who at one time was Law Member of this Council, Sir Richard Garth, Sir Richard Couch, late Chief Justices of the High Court of Bengal, Sir Raymond West, of the Bombay Civil Service, Sir John Budd Phear, Sir William Markby, Judges of the High Court of Calcutta, Mr. Reynolds of the Revenue Board of Bengal. Nothing came of this memorial beyond a pious expression of hope that the needful would be done at some future time.

‘Sir, the question received an added impetus by the discussions which took place in this Council in March, 1908, when Sir Harvey Adamson, Home Member, made a very important pronouncement on behalf of the Government. With your permission, Sir, I will read that pronouncement. ‘I fully believe—I am quoting from his speech delivered, I think, on the 27th March, 1908, though I am not quite sure of the exact date—I fully believe that Subordinate Magistrates very rarely do an injustice wittingly, but the inevitable result of the present system—the combination of judicial and executive functions—is that criminal trials affecting the general peace of the district are not always conducted in that atmosphere of cool impartiality which should pervade a Court of Justice. Nor does this completely define the evil (he calls it an evil)

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which lies not so much in what is done as in what may be suspected to be done ; for it is not enough that the administration of justice should be pure : it can never be the bedrock of our rule unless it is also above suspicion.'

"I do not think it is possible to add to the force and eloquence of these words. I therefore claim, Sir, that we have a vast body of official testimony coming from officials of the highest eminence, impregnated with a lofty sense of their responsibility as Members of this great Government in support of the principle underlying the reform which I have ventured to place before this Council. Not only that, Sir. We have passed the stage of discussion ; we are about to enter upon the stage of action. On this occasion, in the course of this debate, Sir Harvey Adamson declared that the Government of India had definitely decided to introduce the reform, it may be in a cautious and tentative way. I will quote his words. He said:—'The Government of India have decided to advance cautiously and tentatively towards the separation of judicial and executive functions in those parts of India where the local conditions render that change possible and appropriate.' Sir, the Local Governments take their cue from the Supreme Government. This was said in March, 1908. As I have just observed, the Local Governments derive their inspiration from the Supreme Government, and in the Budget discussion which took place in the Bengal Legislative Council in April, 1911, Sir William Duke, now Member of the Executive Council of Bengal, then Chief Secretary to the Government, held out the distinct promise that the reform would be introduced at an early date. I will quote his words :—

'The scheme for the separation of judicial and executive functions is continuously under the consideration of Government, and no doubt some proposal regarding it will be brought forward as early as possible. But a scheme of that kind is one which requires mature consideration, not merely by the Provincial Governments, and it is certainly unlikely that anything will take place within this year to which the Budget refers.'

"The Government of India decided that an advance should be made in a cautious and tentative way, and here the Chief Secretary to the Government of Bengal with a due sense of the responsibility of his utterances, says that 'The scheme is continuously under the consideration of Government, and no doubt some proposals regarding it will be brought forward as early as possible' Those are his words. But he goes on to add 'a scheme of that kind is one which requires mature consideration, not merely by the Provincial Governments, and it is certainly unlikely that anything will take place even this year the year to which the budget refers.' That was said, Sir, in April, 1911. We have a still later pronouncement. In September, 1912, round this table, though certainly not in this hall.—I think it was the Home Member, I am not sure, but it was a Member of the Government of India speaking on behalf of the Government who said in reply to a question asked by the Hon'ble Mr. Satchidananda Sinha, that the matter was under the consideration of the Government of India. Therefore, Sir, we have three outstanding facts to be gathered from the three pronouncements to which I have called your attention. In the first place, that the Government of India have decided to inaugurate this experiment, tentatively or cautiously is immaterial, but that the Government have made up their mind to start this experiment. Secondly, we have it from the lips of the Chief Secretary to the Government of Bengal, speaking on behalf of that Government, that the experiment would soon be introduced, and lastly, we have the statement made, on the floor of this Council by a responsible Member of the Government of India, that the matter is under consideration. Therefore, Sir, I take it that the question has emerged from the stage of discussion, and has entered the stage of practical politics. And, Sir, it seems to me that one of the immediate effects of this separation would be an effect highly beneficial to the interests of the Indian Civil Service. We have heard a great deal about the necessity of judicial training of the members of the Indian Civil Service. I have no opinions of my own on that subject, because I myself am not a lawyer and have never been one ; but, Sir, it is clear that the effect of the separation of the executive and judicial branch would be a severance of that alliance between the executive and the judicial branches which, I think,

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does not improve the tone of the judicial branch, and a concentration of the attention of the judicial branch upon its own appropriate duties. Well, Sir, it is clear that the Government have decided to introduce this experiment cautiously and tentatively, and the question is, when is that to be done? We have waited long enough; how much longer are we to wait? In 1911, the matter was under consideration. It was time that the deliberations of Government should bear fruit in some practical scheme inaugurating this experiment.

“The only possible objections that I have heard against the inauguration of this experiment are prestige and cost. Sir, with reference to the question of prestige, I will say this, that that indeed is a poor sort of prestige which is associated with a system that in theory is indefensible, and in practice is attended with miscarriage of justice. Such prestige is no aid to the Government: on the contrary it is a source of weakness and embarrassment to the Administration. With regard to this question of prestige, again, a convincing reply comes from Sir Harvey Adamson, and I venture to quote it. He says, in the course of the debate on the 27th of March, 1908:—

‘Can any Government be strong whose administration of justice is not entirely above suspicion? The answer must be in the negative. The combination of functions, in such a condition of society, is a direct weakening of the prestige of the Executive! The fetish of prestige, in the larger sense has been altogether discarded, and no longer forms an operative part of the policy of the Government of India.’

“Here again I quote a very distinguished authority, namely, Mr. Montagu, the present Under-Secretary of State for India.

“Speaking at Cambridge in 1912 he referred to prestige as a principle and policy which has often controlled the actions of the Government of India. This is what he said:—‘Oh India! how much happier would have been your history if that word had been left out of the English vocabulary! But there you have Conservative Imperialism at its worst. We are not there mark you, to repair evil, to amend injustice, to profit by experience. We must abide by our mistakes, continue to outrage popular opinion simply for the sake of being able to say ‘I have said what I have said.’ I have in other places and at other times expressed my opinion freely on prestige. We do not hold India by invoking this well-mouthed word. We must uphold it by just institutions and more and more as time goes on by the consent of the governed.’

“The question therefore resolves itself into one of cost; and with reference to this aspect of the question of cost, I again appeal to the authority of Sir Harvey Adamson. He said the experiment may be costly, but the object is a worthy one. And Sir, in 1883, Mr. Romesh Chunder Dutt—a name honoured in Bengal, I hope, not only amongst my own country men but amongst the members of the Indian Civil Service—formulated a scheme. Mr. Romesh Chunder Dutt was a brilliant executive officer. He was the first Indian who rose to the position of Commissioner of a Division, and during the time he was District Officer he held charge of three of the heaviest districts in Bengal—Backergunge, Mymensingh and Midnapur. Mr. Romesh Chunder Dutt thought that an addition of about 30 Deputy Collectors ought to suffice for the purpose of the separation of judicial and executive functions. He gave this opinion before the days of the recent redistribution of territory. The size of Bengal is not now what it used to be in 1893. Assuming that 30 Deputy Collectors would even now be necessary for the separation of the functions, the cost would be 1½ lakhs, on the basis that each Deputy Collector with his establishment would cost Rs500 a month. Sir Harvey Adamson has also himself formulated a scheme. That scheme was laid before the Council in 1908. The central idea of the scheme was the complete separation of judicial and executive functions, and the appointment at the head-quarters of each district of a District Officer and a senior Magistrate,—the District Officer is to be in charge of the executive work, and the senior Magistrate of the judicial work. The District Officer is to be assisted by Civilians, Deputy Collectors and Sub-deputy Collectors. The senior Magistrate is to be assisted by Civilians, Deputy

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Magistrates and Sub-deputy Magistrates. Sir, this scheme involves, so far as I can see, the appointment of a senior Magistrate in each district where the experiment is to be tried. Assuming that the senior Magistrate would be an officer of the position of a District Officer, the pay and establishment of the senior Magistrate would be about ₹2,000 a month, for every district to which the experiment is extended. Taking Bengal, at the present moment we have twenty-five districts in Bengal excluding the two non-regulation districts. I confine myself to Bengal because my experience does not extend to other parts of India. Assuming that the experiment is to be extended to all the twenty-five districts, the cost would not come to more than 6 or 7 lakhs a year for Bengal. But, Sir, there is the additional safeguard to which my Resolution points, namely, that the experiment is to be extended to such areas as the Government may select. The Government can thus always control the expenditure. But, Sir, whether the expenditure be great or whether it be small, it has to be faced; for in the words of Sir Harvey Adamson, 'the object is a worthy one.' Sir, justice is the bulwark of States and Thrones. Justice is and has always been the strongest support of British rule in India. 'A single act of injustice, or one held as such by the people' said a great Anglo-Indian authority in this Council Chamber, 'is more disastrous to British rule than a great reverse sustained on an Asiatic battlefield.'

"The Court of Directors again and again reminded their servants in India that not only is it necessary that justice should be done, but also that the people should be convinced that justice has been done. I can conceive no better investment of public money than its investment for the improved administration of justice, rendering it efficient, pure and above all suspicion. It will bring an abundant return in the added happiness, prosperity and contentment of the people.

"Sir, the Government of India makes a large surplus out of the law Courts. I have got the figures here before me. For 1913-1914 you estimate the receipts from the law Courts as amounting to 5½ crores, and the expenditure to 4½ crores, which means a surplus balance of 75 lakhs. That is not all. On the Miscellaneous side you have receipts to the extent of 48 lakhs. Deducting from it 11 lakhs as the cost of stamps, you have a revenue of 64 lakhs plus 48 lakhs, or a surplus balance of over a crore. I claim, Sir, that the first charge on this surplus balance should be the improved administration of justice. And no improvement is more urgent, more vital, or will be acclaimed with more genuine enthusiasm by a grateful people, than the separation of judicial and executive functions in the administration of criminal justice. I hold and my countrymen hold, that the Government is pledged to carry out this reform. I invite the Government to redeem its pledge; and when it will have done so, it will have conferred an unspeakable boon upon the masses of the people for whose welfare all Governments exist. For this reform will not sensibly affect the rich and the well-to-do or those who are able to take care of themselves, but the poor and helpless millions of my countrymen who have to attend the criminal Courts. With these words, Sir, I beg to move the Resolution that stands in my name."

The Hon'ble Maharaja Manindra Chandra Nandi of Kasim Bazaar :—"Sir, in supporting the Resolution moved by the Hon'ble Mr. Surendra Nath Banerjee, I may, with your permission, mention that among the questions drafted by the Royal Public Services Commission there is one referring to this very subject of the separation of judicial and executive functions in the administration of criminal justice. The result will be that a certain body of opinion will be recorded for and against the proposal. It appears to me, Sir, that the stage at which the accumulation of such evidence was necessary has gone by, and the time has arrived for a practical experiment. It may be in the recollection of Hon'ble Members that so far back as 1899 a memorial was presented to the Right Hon'ble Lord George Hamilton, then Her Majesty's Principal Secretary of State for India, urging the need for the separation of judicial and executive duties in India. Among the signatories to that memorial were such high authorities as Lord Hobhouse, Sir Richard Garth, Sir

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Richard Couch, Sir Charles Sargent, Sir William Markby, Mr. Herbert Reynolds and others. The arguments used in that memorial made out conclusively a case for the separation of the two functions. It is not necessary for me to refer here and now at any length to such mature and considered proposals as those of Mr. Monomohan Ghose and Mr. Romesh Chandra Dutt. I respectfully submit that the matter should no longer be treated as an open question, and I hope the Resolution will receive the support it deserves."

The Hon'ble Raja Kushalpal Singh:—"Mr. President, after the very able, exhaustive, and eloquent speech of the Hon'ble mover of this Resolution, it may seem presumptuous on my part to address the Council on this subject. But it seems necessary to show to the Government that the conservative bodies like the landed aristocracy of the province of Agra are in favour of this Resolution. The union of executive and judicial powers is contrary to right principle. The combination of these functions is objectionable in principle and mischievous in practice. It has been well said that 'the frame of mind necessary for an executive officer and the frame of mind necessary for a judge are different. Executive officers ought to mix freely with the people; they ought to try to make friends with them, they ought to see this, and they ought to see that; a judge, on the contrary, ought to shut his ears against everything except that which comes before him in Court. But an executive officer has as such to learn everything and to do everything, and when he comes upon the bench, he is expected to divest his mind of whatever he has heard elsewhere. Even the best officer of Government is after all a human being'.

"As to the plea of increase of expenditure it would not be necessary to make any considerable increase in the total number of officers employed. The landed aristocracy of every province is beginning to take a fair share of public work and with the progress of education among the aristocracy their share will continue to grow. The disposal of the greater part of the criminal work can safely be entrusted to Honorary Magistrates sitting singly or by benches. It is not at all difficult to so distribute work and allot officers so as to make available a sufficient number of them for purely executive work. A portion of the surplus should be applied towards the inauguration of this reform. For the foregoing reasons, I beg to second this Resolution and to recommend it for acceptance by this Hon'ble Council."

The Hon'ble Rai Sri Ram Bahadur:—"Sir, I support the Resolution which has been so ably moved by the Hon'ble Mr. Surendra Nath Banerji. I come from a province in which about 35 years ago the judicial and executive functions used to be discharged by the same officer, *viz.*, the District Officer assisted by his subordinates. In the year 1879, the separation of purely civil functions took place and the District Officer remained District Magistrate and chief executive officer of the district. The functions which are now combined in the same officer are criminal and executive charge of the district. District Magistrates, Sub-divisional Magistrates and other subordinate Magistrates, *viz.*, Deputy Collectors and Deputy Magistrates still exercise criminal powers and try criminal cases. With regard to the last class of officers, that is Deputy Collectors and Deputy Magistrates, separation of the two functions can be very easily made. Some of them may be set apart exclusively to try criminal and revenue cases. They should be relieved of executive duties. Then there remain officers of the next higher grade, *viz.*, Sub-divisional Officers. As regards them also the separation of the two functions is not difficult. Lastly, comes the District Officer himself. As suggested by the Hon'ble mover of the Resolution the experiment may be tried in selected districts to relieve District Officers of their judicial functions and allow them to retain charge of executive matters only. The question of prestige need not be considered at all. We have the administrative head of the province, that is the Lieutenant-Governor or the Chief Commissioner who has no magisterial powers. The Member of the Board of Revenue and the Divisional Commissioners also have no magisterial powers. But are the people of the district or division or province

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wanting in respect towards these officers because they have got no magisterial powers? I submit that this is a matter which need not come into consideration at all in deciding the question. Then, Sir, there is another advantage that will be gained by relieving the District Officer of his magisterial functions. He would have more time to devote to executive matters of his district. The executive work has now increased to such an enormous magnitude, that a District Officer hardly finds time to look after it properly. If he be relieved of judicial functions he will have more time at his disposal to devote to the proper discharge of his executive functions. It must also be considered that, if the District Officer has more time at his disposal, he will be able to mix more freely with, and see more frequently, the people of his district, and thus be in a position to receive more correct information regarding matters of public interest and gauge the real feelings of the people of this district. Therefore, Sir, for these additional reasons, I support the Resolution."

The Hon'ble Maharaja Ranajit Sinha of Nashipur:—

"Sir, I beg to support the Resolution which has just now been moved by my Hon'ble friend on the right. The Resolution asks for, as an experimental measure, the separation of executive and judicial functions. Sir, from personal experience I can say that sometimes District Officers are a little inclined to trust the Police. If the Police sends up a case to a Magistrate and he discharges the accused, the Magistrate instead of calling for an explanation from the Police officer as to why he sent up such a bad case, would generally ask the Subordinate Magistrate to explain why the accused has been acquitted. So Sir, I think there should be a separation of judicial and executive functions, but at the same time, I am inclined to think that this may weaken the District administration to a certain extent and will also involve large expenditure. But I think there is no harm in making the experiment in the matter. This may be done in some of the districts in each province, and if the experiment be found successful, then it might be extended. With these few observations, I beg to support the Resolution which has just now been made."

The Hon'ble Rai Sita Nath Roy:—"Sir, I beg to associate myself with the sentiments expressed by my Hon'ble friend, and I beg to express my sympathy with the Resolution moved by him. I know that there has been no greater blessing, and no blessing has been so much appreciated and none has gone so far to make the people more attached to the British Government and more contented with it than the blessing of the pure administration of justice. I know very well that lately an experiment of the separation of the judicial and executive functions was tried in some of the eastern districts. Additional Magistrates were appointed in some of the districts, as, for instance, Dacca, Mymensingh, Barisal and other places, and their functions were strictly confined to the administration of justice, while the District Magistrate devoted his attention purely to district work. I do not know what became of that experiment and why it has not been extended. What we pray for is that the experiment tentatively begun should be extended to some selected areas. I quite agree that there are occasional miscarriages of justice, and it is in cases where the Magistrate becomes displeased whenever a Deputy Magistrate discharges an accused who has been sent up by the police. It is fear I know that makes Deputy Magistrates hesitate to discharge an accused who has been sent up by the police. Under all these circumstances, it is absolutely desirable that these two functions should be separated, and the experiment should be begun in some selected areas."

The Hon'ble Sir Reginald Craddock:—"Sir, this Resolution which has been moved by the Hon'ble Mr. Banerjee is purely financial in nature. It does not in its terms go into the merits of the controversy regarding the separation of judicial and executive functions. What it asks is, that this Council should recommend to the Governor General in Council that the grants made to Local Governments be increased by such allotments as the Government of India may think fit with a view to enable them to carry out the experiment of the separation of judicial and executive functions

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in the administration of criminal justice in areas to be selected by them with the approval of the Government of India. This Resolution simply implies that the Government should accept a motion in favour of making allotments only as it think fit, and it is therefore extremely vague in character. There are no indications given of the extent of the experiment and of the cost of the experiment, nor of the place of the experiment. In these circumstances, it is impossible for the Government to accept a Resolution of this kind. Before money can be allotted for the furtherance of some scheme, it is necessary that some scheme should be devised, cut and dried and approved by the proper authorities, and that an experiment to carry out this scheme so approved and so devised should be determined upon. If there exists at present no definite scheme, it is impossible to decide to what extent an experiment to carry out that definite scheme should be tried.

"Further, the Resolution supposes that, in order to make any such experiment, it is necessary that the Imperial Government should make a grant to the Local Government. It does not at all follow that if such an experiment were to be tried on a small scale, any such grant as that recommended would be necessary. And thirdly, when such allotments are made as that proposed in this Resolution, it will prove necessary to divert the funds required for that allotment from some other purpose which stands included in the Budget. That purpose has not been indicated, and, until that purpose is indicated, it would be impossible to determine how far money intended for carrying out the plans and proposals of the Government which have already received approval ought to be deflected from that and devoted to carrying out, in the vague manner suggested in this Resolution, schemes which have not yet been formulated, and the experimental carrying out of which cannot yet be determined.

"I am obliged to treat this Resolution in its purely financial aspect, and the reason for this I can explain very briefly to the Council.

"When Sir Harvey Adamson made his speech which the Hon'ble Member has quoted, he also foreshadowed consultation with the Local Governments. In consequence of that consultation various difficulties of a practical nature were elicited, and correspondence upon them took place between the Local Governments and the Government of India, and between the Government of India and the Secretary of State. That discussion is still going on. It is not yet finished, and although Hon'ble Members might say that the Government have taken an unnecessarily long time over this matter, that cannot affect the motion that the Hon'ble Mr. Banerjee has moved. The point remains the same, that to ask the Government of India to allot an unknown sum of money to undetermined experiments for a scheme that has not yet been devised, would be a course which, I think, everyone here must admit to be unreasonable.

"In these circumstances, Sir, on behalf of Government, I am unable to accept this Resolution, and I put it to the Hon'ble Members of this Council that it is unreasonable to ask the Government to accept this Resolution, whatever may be their views on the merits of the question. The question, as I have stated in reply to questions in Council, is still under consideration with the Secretary of State, and until these questions under discussion have been decided and a definite conclusion has been formed upon them, any action in the nature of that suggested by the Hon'ble Mr. Surendra Nath Banerjee would be wholly premature."

The Hon'ble Pandit Madan Mohan Malaviya :—"Sir, I am sure my friend the Hon'ble Mr. Surendra Nath Banerjee and other friends who have spoken in support of this Resolution will recognise and feel grateful for the attitude which the Hon'ble Member has taken up, which, as I understand it, is an attitude not against the Resolution, but in sympathy with it. The remarks of the Hon'ble Member mean, so far as I understand them, that the matter is under the consideration of Government, and the Secretary of State, and as no definite scheme has been put forward, it is best to wait until the matter has received further consideration, and then ask for an allotment for such a purpose. Ordinarily, Sir, that announcement on behalf of the

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Government should satisfy the supporters of such a Resolution as is now before the Council ; but I beg leave to point out that, in the special circumstances of the case, in the matter of the special reform with which it deals, perhaps it would be justifiable to press the matter upon the consideration of the Government and to ask the Government to be pleased to allot, tentatively, a sum of money which, in the event of the Secretary of State and the Government of India coming to an understanding during the course of the year as to the manner in which the reform should be carried out, should be available for initiating the reform. The Hon'ble the Home Member has said that no definite scheme has been put forward. The Council will recognise the difficulty of any private member putting forward a cut and dried scheme for the consideration of the Government in a Resolution like this. If the Government are pleased to set apart a certain sum of money, however small it may be, that would be a proof of the earnestness of Government, of the earnest desire of Government to carry out the reform and to give effect to the scheme at an early date : and, on that allotment being made, the Government may be pleased to appoint a committee of some officials and some non-officials to discuss the scheme and to make recommendations to the Government ; or the Government, as a result of the correspondence that has been going on, may find itself in a position to adopt one of two or three schemes which, I presume, are under consideration, and give effect to them. It has been stated by the Hon'ble the Home Member that at present the extent of the experiment has not been estimated, nor its cost nor the locality where it should be tried. That is too true, but that, I submit, is the very reason why the Resolution should be acceptable to Government. The Resolution leaves the determination of the extent, of the cost and of the localities in which the experiment should be made, to the Government. All that we seek is to press this matter upon the attention of Government in order that a beginning should be made. My Hon'ble friend Babu Surendra Nath Banerjee has drawn attention to the fact that it is now over 125 years since this matter has been under the consideration of one or other of the officers of Government. It was in 1792, I believe, that the first Regulation was planned, and nothing that has been said subsequently could, I venture to say, equal in intensity and clearness the expression of opinion that was contained in that Resolution of 1792. From that time forward the matter has off and on been considered by various officials of Government. The highest placed officials of the Crown have expressed themselves unreservedly in favour of the principle of the separation of these two functions. The condemnation of the combination has been as unequivocal as has been the desire to see it put an end to. The last statement of Sir Harvey Adamson to which my friend referred, left no room for doubt in any one's mind that the Government had definitely decided to carry out the experiment. The Hon'ble the Home Member has been pleased to point out that there has been some correspondence since that time between the Local Governments and the Government of India, and between the Government of India and the Secretary of State, and that difficulties of a practical character have been pointed out which require further consideration. I am sure, Sir, when a vast scheme is to be introduced difficulties of a practical character must manifest themselves ; but I submit that English statesmanship, that British-Indian statesmanship has surmounted difficulties of a far harder character, and many reforms have been initiated and carried out for the benefit of the people and the glory of the Government where the difficulties were of a very much harder character than any that can arise in a scheme like this. The only difficulty which can represent itself in a matter like this is the question of cost, and on that point my friend has shown that the cost is not a formidable one, certainly that it is not a forbidding one. That being so, I ask the Members of Government to consider the question in this light. Here is a reform, the beneficent character of which has been recognised by Government for over a hundred years, to which the Government, through its highest officials, has committed itself. The position taken up by the Government is one from which the Government cannot recede, and I have no doubt in my mind that it will not recede, that the two functions ought not to be confined in one officer. The whole question, so far

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as practical politics are concerned, relating to the separation of judicial and executive functions, is one of time when the reform will be begun, when the experiment will be taken in hand. That being so, the Resolution, in asking that a certain sum should be set apart, only tries to bring that time when the experiment would be begun nearer than perhaps it might otherwise be."

"We all know that the Government has to consider numerous problems connected with the administration of the country; and it is no reflection upon the Government that the officers of Government should require a longer time to consider some of the questions which are presented to them than other questions. We all recognise it; but as the urgency of this reform has made itself manifest among the people, as there is a very keen desire among the non-official Indian public that this reform should be carried out, it is our duty to press it upon the attention of the Government in order that a beginning may be made. If an allotment is now made, that will ensure that matter will be considered during the course of the year, and that in some places at least an experiment will be made. Personally I do not see why there should be any such necessity of making the experiment in half a dozen places. The principle is an absolutely safe and sound one. The method of carrying it out does not admit of any complexity. Government have only to add a few Deputy Collectors or to appoint a few junior Magistrates to deal with judicial cases alone, and the question will be very near solution. The entire scheme might be too costly, but if a certain amount is allotted for the purpose to be spent in the course of the year, then there will be an assurance to the public mind that the matter will not be shelved for another twelve months, and that will give great satisfaction to a great body of the non-official public who are interested as keenly as the Government in upholding the purity of the administration of justice and in securing that great blessing to the people—a blessing which they value above most other blessings—that of being sure of feeling, in the most critical times, that the justice given to them will be untainted—entirely untainted by any consideration except the strict administration of justice. For these reasons I most earnestly urge upon the Government the desirability of reconsidering the decision which the Hon'ble the Home Member has announced; and if he is able to allot a certain sum, however small it may be, I hope the object of this Resolution may be gained".

"There is only one other remark of the Hon'ble the Home Member to which I will advert. The Hon'ble Member said it had not been indicated how this sum was to be spent. Now, Sir, I need not take up the time of the Council by reminding it that on many occasions sums are allotted for definite and distinct purposes, and at the end of the year it is found that these sums have not been spent. The Hon'ble Member for Education was pleased to say earlier in the day in regard to my province that the sums allotted to it had not been spent".

The Hon'ble Sir Reginald Craddock:—"May I have a word of explanation? I think the Hon'ble Pandit Malaviya misunderstood a remark of mine. I did not raise any objection to the request that an allotment might be made because it was not indicated how it was to be spent if the experiment could not be worked at any time. What I said was, that it had not been indicated from what source this sum could be diverted."

The Hon'ble Pandit Madan Mohan Malaviya.—"I thank the Hon'ble Member for his explanation, and would like to point out that the 15 lakhs of rupees which are unallotted to which my friend Mr. Fuzalbhoj Currimbhoj drew the attention of the Government this morning, and out of those 15 lakhs kept for Education and Sanitation, a small sum may be easily and usefully diverted to provide the money needed for this reform. I am sure I need not dilate upon the feasibility of the scheme any longer, because if the Council agrees that it is possible to initiate this scheme during the course of the year, no harm will have been done either to the finances of Government or to any other interest. The reform is a very urgent one, and the sooner it is adopted, the better will it be for the people of this country."

[*Mr. Ghuznavi; Mr. Vijiaraghavachariar; Sir Reginald Craddock; the President.*] [7TH MARCH, 1913.]

The Hon'ble Mr. Ghuznavi:—"Sir, I find that I can support the Hon'ble Mr. Banerjee with regard to the Resolution which he moves to-day. The question of the separation of the judicial from the executive functions is a very old one and has been discussed threadbare. Public opinion on this question is very much divided. The Decentralisation Commission, if I am not mistaken, in their Report advocated the separation of these two functions. But their recommendation so far has not been possible to give effect to owing to, I dare say, the question of finance. And, as on the present occasion, we have a good financial year and the Government coffers are full, it would be in my opinion a step in the right direction if an experiment of the kind advocated by my friend is made. So far as my part of the country is concerned I have a large number of friends among the district officials for whom I have the greatest regard. I have had the good fortune of being associated with them for a number of years, and have been able to see with my own eyes the amount of hard work which they have to do from the inspection of a pound to the writing of the Administration Report, not to say, of their primary duty of discharging the combined judicial and executive functions entrusted to them. For that consideration alone, if for no other, I agree with those who think that the two functions should be separated. For I am convinced that the work which a district head is called upon to do is far in excess of what an ordinary man can do and yet keep his temper sober. On these grounds, the time has come to make an experiment of the kind advocated. The experiment would at least have one good result, namely, it would be helpful in coming to a right decision whether the separation of the executive from the judicial in this country is feasible and whether it would be conducive to the best interest of the rulers and the ruled. With these few brief remarks I have much pleasure in supporting the Resolution.

"I am sorry I was not here to listen to the speech made by the Hon'ble the Home Member, and I do not know what line was taken by him. At the same time I am very thankful to the Government for shewing a certain amount of sympathy for this Resolution."

The Hon'ble Mr. Vijiaraghavachariar:—"Sir, I desire some information about what the Hon'ble the Home Member has said. I was not able to understand exactly what it is which he said is under the consideration of Government; whether it is the principle that is under consideration or whether the principle having been accepted, a workable scheme is under consideration and being devised. I beg to be furnished with this information."

The President (to the Hon'ble Sir Reginald Craddock):—"You will be able to answer the Hon'ble Member. I understand the Hon'ble Member is only asking a question."

The Hon'ble Sir Reginald Craddock:—"Perhaps I may be allowed to speak a little later on."

The Hon'ble Mr. Vijiaraghavachariar:—"Sir, whether or not I shall speak on the Resolution before us depends very much on the nature of the information that will be furnished to me. If it is the case, Sir, that the principle has been accepted and it is being considered how to carry it out, I don't wish to speak. But if the question of the principle itself is under consideration, I have a few words to say."

The Hon'ble Sir Reginald Craddock:—"Sir, the Hon'ble Member appears to be under some difficulty in understanding the position. I would just like to make it clear that I have carefully abstained throughout from dealing with this matter except purely from the financial point of view. My contention—the contention I made on behalf of Government—is that it is unreasonable to expect Government to depart from all its customs in making allotments."

The President:—"I am very sorry to interrupt my Hon'ble Colleague, but I am afraid we are getting a little bit out of order. The Hon'ble Member asks a specific question. I am afraid you will be losing your

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chance of speaking later if you speak on the merits of the case now. Answer or not, as you like, the specific question of the Hon'ble Member."

The Hon'ble Sir Reginald Craddock :—" Will the Hon'ble Member state again what he wants ? "

The Hon'ble Mr. Vijiaraġhavachariar :—" What I ask is, has the question reached the stage of finality as to the principle? My own belief is that Government have long ago accepted the principle. However, I wish to make it clear, and hence my question is simply this :—" Whether what is now under the consideration of Government is the question of the acceptance of the principle, or the principle having been accepted, how to devise a workable scheme."

The Hon'ble Sir Reginald Craddock :—" I have no objection to giving an answer on that point. It is quite impossible to differentiate either the question of principle from the details or *vice versa*."

The Hon'ble Mr. Vijiaraġhavachariar :—" In that case I shall say a few words on this important question. Sir, it requires very great abilities to prove scientifically and by argument what everybody knows to be true instinctively. In my youth I read a remark made by the author of a treatise on Geometry, and that remark was to this effect :—" It was left to Euclid scientifically to prove the truth of the proposition that two sides of a triangle are together greater than the third, a truth which even asses knew instinctively. He said that if an ass had to go to a pond to quench its thirst and there were two ways to it, one direct in a single straight line and the other round about along two straight lines, the ass was sure to take the single short way." Sir, I would say that the Hon'ble Babu Surendra Nath Banerjee has performed to-day a great feat in conclusively proving a similar proposition. On the other hand, I have never troubled myself with the reasons for this accepted creed in every civilised country, namely that the executive and the judicial functions should be kept separate. It is true that there have been some isolated opinions in this country to the contrary. But Government has nowhere ever said that the combination of its judicial and executive functions is necessary either for efficiency or in view to prestige. And what the meaning of the word prestige in this sense is, I do not know. Western nations often tell us that our Gods are Gods of fear and not of love. Perhaps one can only understand what this prestige means if one remembers this fact. The idea is in relation to fear and based on it. But it seems to me that greater prestige would attach itself to the position of executive officers if they would divest themselves of all judicial functions and leave them to Magistrates and Judges exclusively. Then there is far greater chance of really cordial relations being established between the people and the rulers. Then is the chance of more and greater truths being obtained by the District Officers divesting themselves of all show of fear. It is absurd for the District Officers to endeavour to get at the truth and the whole truth if they are to get it from people who are always afraid of them. To be at once Magistrate and Chief of the Police in the District, to be at once Judge and the Chief Executive Officer, does not make for the efficiency of the officer and the prestige of Government or the well-being of the people. I have never been able to reconcile myself to this extraordinary aspect of the question, that the association of the two functions is necessary in the interests of the prestige of Government. I believe that if marriages are made in heaven, so also is this separation between the judicial and executive functions ordained in heaven, and we must accept it as a divine principle and give full effect to it for better and for worse. I am not for making experiments piecemeal. I am for accepting the principle and acting on it fully throughout the country at once and for ever. The separation when applied to the question before us is one word no doubt, but as a practicable principle it implies a lot of things. It involves not only a complete severance of the whole agency from executive functions, but also questions as to special qualifications, mode of recruitment, promotion, as well as the kind of machinery for their supervision.

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“The question of the separation of the judicial from the executive functions is incidentally now before the Royal Commission. It is true it is not part of the reference to the Commission, but I believe it arose incidentally in determining questions as to recruitment and qualifications, etc., of the services. I had the honour of being invited to be a witness before the Commission, and I then stated my views fully in writing. I do not think it necessary to reproduce them now. I think it is an absolute impossibility for one man to combine in himself these two functions efficiently. In the interest of everybody it is essentially necessary to separate the two at once. There is an intense and growing feeling in the country that the sooner that this heaven-born truth is given effect to, the better it will be for the Government and the people. As to the question of a workable scheme, I would suggest that Government should appoint a Committee for the purpose. I have equal faith in Committees appointed by the Government of India as in Royal Commissions. I once had very great faith in Royal Commissions, but I have now become a convert to commissions appointed by the Indian Government as well. These would be certainly much less expensive than Royal Commissions. The system of combined judicial and executive service we have now, was not invented by the Government. It is a survival of the growth of institutions that arose under the sovereign company of merchants. It arose incidentally and gradually, and the proper course now is, it seems to me, to appoint a Committee in India to overhaul the whole system and, in view to find ways and means, to see what expenditure can be curtailed and reduced here and there and what additional taxation, if any, is necessary for the purpose. This could all be easily investigated by a small Indian Commission. On this Commission may sit representatives of all shades of opinions. I do not object to representation of even hostile opinions, for instance, by persons like the Hon'ble Mr. Madge who, it appears, from his speech here three years ago is an apostle of prestige. After he finishes his labours on the Public Services Commission, he may be invited to sit on the Indian Commission and the whole matter may be investigated and a workable scheme arrived at; then Hon'ble Members of this and Local Councils and the country at large may scrutinise the scheme before it is finally accepted by Government. As I said before, I am against experiments and partial experiments, but as my Hon'ble friend asks for such partial and isolated experiments, I shall vote for his Resolution on the principle that half a loaf is better than no bread.”

The Hon'ble Sir Ibrahim Rahimtoola :—“Sir, I agree with my Hon'ble friend Mr. Malaviya in regarding it to be a gratifying feature of the debate that the Hon'ble the Home Member has not taken up a hostile attitude in connection with this question. Were it not for the answer which he gave to the question which my Hon'ble friend Mr. Vijiaraghavachariar put to him, I would not have risen to address the Council. The Hon'ble Sir Reginald said in reply that the question of principle of the separation of judicial and executive functions was under consideration and formed the subject of correspondence with the Secretary of State along with the details. Under the circumstances I think we are entitled to ask how long will this consideration last? The subject, as the Council is fully aware, is not a new one. It has been both before the public and the Government for many years, with the result that there is a general consensus of opinion in its favour. As the Hon'ble Mr. Banerjee pointed out many high officials of Government have also recognised the soundness of the principle that these two functions should be separated. If I remember rightly the only point that has been raised against the immediate application of it has been one of cost, and that has now been so for many years. May I venture to enquire how long it will take to provide funds to give effect to an admittedly useful reform? The Hon'ble the Home Member says that the Resolution puts forward no scheme before us and the amount that is required is not stated, and he argues that a vague demand for provision in the Budget is manifestly unreasonable. We may for argument's sake agree with that view. But may I inquire what other course is open to the non-official members if they wish to press and press with all the force at their command the desirability of getting the Government to come to a definite decision in regard to this matter within a reasonable time? It appears to me, Mr. President, that

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the only course open to the non-officials who feel strongly on the subject is the one adopted by the Hon'ble Mr. Banerjee. If the explanation had been that the Government of India are as equally anxious to introduce this principle, and that all they are waiting for is the preparation of a workable scheme and its application within a reasonable time, I would have gladly appealed to the Hon'ble Mr. Banerjee not to press his Resolution to a division. As far as I have been able to follow the official explanation, it merely means that we are still to wait for years before anything tangible or definite may come out of a question of urgent reform in regard to which both official and non-official opinion is largely on one side. Under these circumstances, I think the Hon'ble Mr. Banerjee will be well advised to press for a division for this reason if for no other, *viz.*, to convince those people who may still have the smallest doubt on the point that non-official opinion in regard to this question is solid and unanimous."

The Hon'ble Mr. Madhu Sudan Das:—"Sir, it is perhaps absolutely too late at the present stage of this question to bring out facts and figures or the personal experience of any person in support of the desirability of this proposition. It has been before the public for over a century and, wherever one likes to go, he hears the cry for the separation of the judicial and executive functions surging round him. The Hon'ble Mr. Banerji in his speech has given several extracts from the opinions of Official Members of this Council and from gentlemen of great judicial experience who had been in positions such as Judges of the High Court—who had been in positions to form valuable opinions as to whether the combination of these two functions has worked satisfactorily or unsatisfactorily. There has been, Sir, enough material before the Government to come to a decision. If these opinions are not sufficient to induce the Government to accept the desirability or the popular desire for having a separation, it will be far better for Government to say 'No we do not consider this sufficient.' If this mass of evidence is not sufficient to enable Government to come to a definite conclusion, Government would be justified to take such measures, with the knowledge of the public, as they consider necessary to come to a definite conclusion on the subject. But from the answer that has been given by the Hon'ble the Home Member, I am perfectly unable to understand the present position of Government. First of all his reply was that he wanted to meet the question from a technical point of view as simply a financial question; that there was no scheme, cut and dry, before him, that there was nothing to show how much money was to be allotted, consequently he was not in a position to accept the Resolution. An answer of that character would lead one to think that what Government was waiting for was a definite scheme; that the principle had been accepted by Government and it was only for want of definite figures and a definitely formulated scheme, that Government could not accept this Resolution. But when the Hon'ble the Home Member replied to the question put by the Hon'ble Mr. Vijayaragavachariar he said the question of principle and the question of the details to be carried out were so mixed up, that it was impossible to give a reply. That means the principle has not been accepted yet. It may, perhaps be due to a particular lack of intelligence in me, but I cannot understand, Sir, how it is difficult to dissociate the principle from the scheme. The only possible way in which the difficulty could arise would be from the fact that the scheme having been accepted there are not funds enough at the disposal of Government to carry out that scheme. Then the question assumes this form. If a principle has been accepted by Government, Government is bound to find funds for carrying out the scheme; or if the funds necessary for carrying out the scheme are so exorbitantly high that it is beyond the power of the Government of India to carry out that scheme, then the public ought to be satisfied by a definite answer to that effect:—'that here is the sum required for carrying out the scheme and it is beyond the power of the Government of India to carry it out.' Then, if necessary, fresh taxation might be made. There has been such a cry for this throughout the country, that I should not be surprised, if the Government of

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India were in need of fresh taxation, the people would be willing to pay a new tax for carrying this out.

"But the position of the Government of India has not been definitely explained. Certainly, Sir, after these clear enunciations and announcements of the opinions of men and officials in very high and responsible positions, and this continuous cry of the people for this separation extending over such a long period, the public have at least a right to know the exact position of the Government with regard to this question. I have been very much disappointed, and I am sure my disappointment has been shared by most of the non-official members, that the reply from the Hon'ble the Home Member, considering the gravity of this important question and the period for which it has been before the public, has not been as definite and as satisfactory as it ought to be.

"If the Government of India really are not prepared to accept the principle, the people should be informed that they are not so prepared, and allow the people to take such action as they may be best advised to take under the circumstances."

The Hon'ble Meherban Sardar Khan Bahadur Jahangirji Vakil:—"Sir, unlike some of those Hon'ble friends of mine who have preceded me, I am only going to take two minutes. I am not aware of any instance of miscarriage of justice by the present state of things, that is, the combination of executive and judicial functions in one and the same person. However, I am inclined to believe that the separation of the two functions would be a distinct improvement on the present state of things.

"My Hon'ble friend Mr. Vijiaraaghavachariar advocated the appointment of a Committee by the Government of India to inquire into the question and gather opinions from public bodies; but I suppose he does that on the assumption that the Government of India approves of the principle of the separation of these two functions. For this reason, I believe we ought to be first informed by the Government of India whether they have decided to accept the principle of the separation of the two functions. It was my misfortune to miss the speech of the Hon'ble the Home Member, and I am not therefore in a position to understand the exact position the Government of India have taken up; but whatever it may be, I think that, if we are expected to wait only because a practical scheme to work the reform is not ready, and if we are assured by the Government of some certain time-limit, that is, if they are going to give us some exact and definite time within which they would be able to give us the exact decision of the Government, then I say that we can afford to wait and I do not see any harm in waiting. But if nothing of that sort is going to come from the Government, then I suppose it is much better to see the Resolution put by my friend the Hon'ble Mr. Banerjee passed to-day. I again say that, if we are assured by the Government that, by waiting a little, the scheme to which they referred will be ready and put into operation wholesale, then I suppose that there is no harm at all in voting against the Resolution that has been moved by my Hon'ble friend. Otherwise I request the Members of the Council to vote for the Resolution, because we do not lose anything at all. The Resolution simply proposes to enable the Local Governments to carry out the experiment—only the experiment—of the separation of judicial and executive functions in the administration of criminal justice in areas to be selected by them with the approval of the Government of India. They may select only a very small area, only one small district, and I suppose Government does not lose anything in carrying out that experiment. I suppose the question of cost will not be a very great one."

The Hon'ble Mr. V. Pandit:—"Sir, I rise to accord my support to the very modest Resolution moved by the Hon'ble Mr. Banerji. In spite of the objection to the Resolution which has been taken by the Hon'ble Home Member, I consider that it has been very considerably worded, for this reason that the Hon'ble mover of the Resolution has not asked for the introduction of this experiment in any particular area, but has left to Government the option of selecting the area which, from every point of view, they might consider best for a trial of the experiment.

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“The Resolution really wishes the Government to give an earnest of the fulfilment of the promise which was made by Sir Harvey Adamson on behalf of the Government of India in this Council; and although the Resolution does not give all the details which would be required for working out a scheme, surely, as pointed out by the Hon'ble Pundit Madan Mohan Malaviya, the Government can show its active sympathy with the principle, or at any rate, with the proposal to try as an experiment whether the separation of executive and judicial functions will not be in the best interests of the country.

“The question of this reform, as other Hon'ble Members have told the Council, has been before the country for a very long time, and it is unnecessary to discuss the merits over and over again.

“There is no doubt that the objection on the score of prestige had been raised in bygone times, and mention was made of it in one of the speeches to-day, but prestige is a dead horse and it is no use flogging the horse any longer. In its best acceptation prestige has, as I understand it, been taken to mean this: If a District Officer appeared as a helpless person who, in spite of seeing any wrong or injustice perpetrated in his own presence, or proved to his satisfaction, came and told the people that he was unable to do anything, but that the persons aggrieved must go to some particular Court, that would lower that District Officer in the estimation of the people, and it would not conduce to the best administration of his charge. That is the highest interpretation which, as I understand it, has been given of prestige. And even from that point of view, the District Officer of to-day is no longer the District Officer as he was 30 or 40 years ago. We knew of District Officers who had in themselves combined all the powers of the administration so far as their districts were concerned. The District Officer was the head of the civil judiciary in the district; he was the head, as he is even now, of the magistracy; he was, as he is now, the head of the police, and he had large powers in respect of the District Board and the Municipality and all institutions combined in him, in the work whereof he was the active participator, the organising head of the district, who moved everything and carried out everything practically himself. We find that the District Officer has no longer anything to do with Civil work. The District Officer also, in heavier districts, practically does no criminal work himself, and even functions such as those conferred by section 80 of the Criminal Procedure Code are exercised by other Magistrates than the District Magistrate. Therefore, if whatever little power in connection with judicial administration may be left to the District Magistrate are taken away, it will not in any way cause any serious loss of the prestige which he possesses to-day. Moreover, the principle of this reform is not that injustice is done which ought to be avoided, but that there ought not to be the slightest chance of anyone conceiving on account of the union of the functions that injustice has been done although in fact, the fullest measure of justice has been meted out. It is the confidence in the administration of justice in the minds of the people which ought to be secured, and this is the principle at stake in the reform which has been advocated.

“I also think that the trial of this reform might enable us to see whether the police could also be made more efficient by this means. It seems to me, Sir, that the police, having been, or being in constant touch with the head of the district and also with the magistracy, sometimes feel that if in their minds they have created a sufficiently strong suspicion, or according to their own view, created a moral conviction that a particular person has committed a crime, it is no part of their duty to exert and bring all the legal evidence that would be necessary to prove a conviction in a Court of law. And I speak not only from the point of the view of the accused persons, but also from the point of view of the prosecution that this not unoften has the effect of causing a failure of justice. The High Courts and various other Courts have, for example, from time to time remarked that the police, in investigating cases, seem to regard the confession of the accused, instead of the checking point of the investigation, as the goal they have to attain: and after they have obtained that confession, they do not proceed further and try to connect the links in the chain, and fully bring home the charge to the accused.

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[*Mr. V. Pandit; Mr. Fuzulbhoy Currimbhoy Ebrahim; Mr. Wheeler.*]

“Sir, the District Officer, as everyone knows, has now-a-days a very heavy burden thrown upon him. The complexity of the administration and the requisite development of various branches of the administration throw upon him so much work, that it is really not possible for him to devote his attention sufficiently to all those various branches of work as he would be able to do if certain of his duties were taken off, and he were left free to devote his attention more to the development of the district with which he is entrusted. From all these points of view, I think that, so far as the principle is concerned, it will not be denied that there is a great deal to hope for, and as this Resolution merely asks for a trial by way of an experiment, I submit that nothing will be lost by trying this experiment on the modest scale which is proposed. I therefore support this Resolution.”

The Hon'ble Mr. Fuzulbhoy Currimbhoy Ebrahim:—“Sir, up to now I was under the impression that Government had accepted the principle of the separation of judicial and executive functions. As the Hon'ble mover of the Resolution has told us, many big officials in authority have pronounced in its favour, and the people of the country have been under the impression that the Government had already accepted the principle. But now I find that the Hon'ble the Home Member has not spoken one way or the other, and he hesitates to announce that the Government is in favour of the principle. I hope the Government will soon decide and will accept the principle. They know the opinion of the public. Without any exception the general opinion of the public is in favour of the separation.”

“In regard to the expenditure, I must say that for Bombay, Madras, the United Provinces and some other Provinces, Government will take some time to formulate separate schemes, but I think Bengal is a province where they have got a Permanent Settlement and where it will be very easy to try the experiment. Taking this view, Sir, I support the Resolution.”

The Hon'ble Mr. Wheeler:—“It is perhaps inevitable, Sir, that a certain air of unreality has crept into this debate owing to the fact that the Hon'ble Members who have spoken, and the Hon'ble Sir Reginald Craddock who spoke on behalf of Government, have not, perhaps, been looking at the subject on identical lines. The Resolution of the Hon'ble Mr. Banerjee has raised the merits of a long and interesting controversy in the history of Indian administration, and we have had a view put which, as is well known, is held by a certain section of the people in this country. Assuming the merits of the question be established, one point of view which we have heard to-day is—let us make a small entry in the Budget, because it is so small that it will not matter. On the other hand, another Hon'ble Member is whole-heartedly in favour of the wholesale and immediate marriage of the Judicial and Executive branches, oblivious of the fact that a hasty marriage may possibly lead to domestic disturbances hereafter, though in this view he apparently desires a more ambitious provision. To-day's discussion has opened up vistas and has raised points which have engaged attention for many years past. It is possible to pursue such a discussion with interest, and possibly with benefit, but that is not the question which at the moment is before the Council, and that is not the standpoint from which Sir Reginald Craddock invited the Council to consider this matter. We are at present dealing with the Financial Statement, and the question before us is purely a matter of financial provision. The intention of Resolutions moved at this stage is that in the place of the proposals for the expenditure of the public funds which may have been inserted in the Budget, other preferable objects should be substituted. But one essential condition for a financial provision, as having been once connected with that not always popular Department, the Finance Department, I have occasion to know, is that at the time the Budget is prepared a definite scheme, or at any rate a scheme of which a reasonably approximate estimate can be framed, can be laid before the Finance Department by the administrative Department concerned. The Hon'ble Sir Reginald Craddock has explained to the Council that fortunately or unfortunately,

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rightly or wrongly, this project is not at present in that position. The Hon'ble Member moving the Resolution naturally started its modern history from the statement of the Hon'ble Sir Harvey Adamson in this Council. Since that date, however, there have been discussions with Local Governments and correspondence with the Secretary of State. Those discussions are still proceeding, and it is not possible now to make any statement as to the results of them. The Hon'ble Mr. Vijiaraaghavachariar asks us to say whether this correspondence dealt with questions of detail or principle, and the reply can only be, as made by the Hon'ble Sir Reginald Craddock, that matters of principle and detail are so intertwined that it is impossible to distinguish between them for the present purpose. If then, Sir, there is no scheme of the kind at present ready which would satisfy the Budget requirements, according to the ordinary administrative procedure, the motion to insert in the Budget, either a small provision or a large one, necessarily fails, and without any pronouncement on the merits of this question which has been argued in so many quarters to-day, that, I take it, is the standpoint of Government with reference to this Resolution."

The Hon'ble Babu Surendra Nath Banerjee:—"Sir, I desire to associate myself with the Hon'ble Pandit Madan Mohan Malaviya in appealing to the Government to reconsider its position. I think the Government have now some idea, as the result of the discussion which has taken place in this Council, of the intensity of public feeling which exists with regard to this matter. Indian Members of this Council who may differ in other matters are altogether of one mind in presenting an united front, and pressing for the acceptance of the Resolution which I have had the honour to move. And, Sir, this feeling which has been reflected here in this Council to-day, is the feeling of the country only expressed with perhaps less moderation, and less self-restraint. I earnestly beg of the Government to take note of this feeling, for, since the visit of His Majesty to this country, the policy of the Government has been a policy of conciliation and a policy to walk in the light of public opinion. Sir, exception has been taken to this Resolution on the ground that no scheme has been formulated by me. Is it my business to formulate a scheme? I claim, Sir, as a Member of this Council, as representing the non-official members, that it is our business to recommend principles to this Council for its acceptance, and for the Executive Government to work out the details. It is not our business to formulate schemes. It is our business to lay down principles and to suggest the outlines of schemes which may or may not be acceptable to the Executive Government. And then, Sir, when you talk of formulating a scheme, the scheme that will do for Bengal will not do for Madras: the scheme that will do for Madras will not do for Bombay. The conditions and the circumstances of the different provinces differ so widely: and if I were to undertake to formulate a scheme that would be applicable to Bengal, my friends round this table may not accept it.

"If therefore a scheme has to be formulated, it has to be formulated by the Executive Government, and not indeed by the Executive Government sitting at Delhi, but by the various Provincial Governments subject to the supervision and control of the Government of India. Sir, I have no doubt as to what the ultimate issue of this contention will be. I am perfectly certain that British sense of justice and fair play will eventually triumph, and that, if not now, in the near future, the Resolution and its underlying principle will be accepted. But is it wise, I ask, to prolong the day of contention, the day of controversy, the day of disappointment? I cannot help thinking that the statement of the Hon'ble the Home Member, which has been repeated by the Hon'ble the Home Secretary, will create a sense of profound dissatisfaction throughout the length and breadth of the country. If there is one question more than another which is at the present moment exercising the minds of my country men and which will (before long) become the burning topic of the day, it is the question of the separation of judicial and executive functions, and it is the clear duty of the Government to take note of the rising tide of public opinion and to formulate administrative measures that will bridge the gulf between the administration and the people. Once again, most earnestly

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do I appeal to the Home Member to reconsider his decision and to give us the assurance that within a definite time a practical scheme will be laid before the Council, and that this experiment will be put upon its trial."

The Council divided as follows:—

Ayes—25.

The Hon'ble Mr. Ghuznavi; the Hon'ble Maharaja Manindra Chandra Nandi; the Hon'ble Raja of Mahmudabad; the Hon'ble Raja Kushalpal Sing; the Hon'ble Rai Sri Ram Bahadur; the Hon'ble Pandit Madan Mohan Malaviya; the Hon'ble Nawab Saiyid Muhammad; the Hon'ble Mr. C. Vijiaraghavachariar; the Hon'ble Mr. Panaganti Rama Rayanigar; the Hon'ble Khan Bahadur Mir Asad Ali Khan; the Hon'ble Sir Ibrahim Rahimtoola; the Hon'ble Khan Bahadur Rustomji Jehangirji; the Hon'ble Mr. Fuzulbhoy Currimbhoy Ebrahim; the Hon'ble Babu Surendra Nath Banerji; the Hon'ble Ranajit Sinha; the Hon'ble Raja Saiyid Abu Jafar; the Hon'ble Mr. Madhu Sudan Das; the Hon'ble Maharaj-Kumar of Tikari; the Hon'ble Mr. Qumrul Huda; the Hon'ble Rai Sita Nath Roy; the Hon'ble Malik Umar Hayat Khan; the Hon'ble Raja Jai Chand; the Hon'ble Mr. V. R. Pandit; the Hon'ble Sir G. M. Chitnavis; the Hon'ble Mr. Srijut Ghanasyam Barua.

Noes.—37.

The Hon'ble Sir Guy Fleetwood Wilson; the Hon'ble Sir Robert Carlyle; the Hon'ble Sir Harcourt Butler; the Hon'ble Mr. Syed Ali Imam; the Hon'ble Mr. Clark; the Hon'ble Sir Reginald Craddock; the Hon'ble Mr. Hailey; the Hon'ble Sir T. R. Wynne; the Hon'ble Mr. Monteath; the Hon'ble Mr. Saunders; the Hon'ble Sir A. H. McMahon; the Hon'ble Mr. Wheeler; the Hon'ble Mr. Enthoven; the Hon'ble Mr. Sharp; the Hon'ble Mr. Porter; the Hon'ble Sir E. D. MacLagan; the Hon'ble Mr. Gillan; the Hon'ble Major-General Birdwood; the Hon'ble Mr. Michael; the Hon'ble Surgeon-General Sir C. P. Lukis; the Hon'ble Mr. Gordon; the Hon'ble Mr. Maxwell; the Hon'ble Major Robertson; the Hon'ble Mr. Kenrick; the Hon'ble Mr. Kesteven; the Hon'ble Mr. Kinney; the Hon'ble Sir William Vincent; the Hon'ble Mr. Carr; the Hon'ble Sir C. Armstrong; the Hon'ble Mr. Macpherson; the Hon'ble Mr. Maude; the Hon'ble Mr. Arthur; the Hon'ble Major Brooke Blakeway; the Hon'ble Mr. Meredith; the Hon'ble Mr. Walker; the Hon'ble Mr. Arbuthnott; the Hon'ble Mr. Eales.

So the Resolution was rejected.

[*Mr. Gillan; Sir Robert Carlyle.*]

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FINANCIAL STATEMENT.

SECOND STAGE.

The Hon'ble Mr. Gillan:—"On behalf of the Hon'ble the Finance Member, I beg to open the second stage of the discussion on and to introduce the following heads of the Financial Statement for 1913-14:—

REVENUE.	EXPENDITURE.
II.—Opium.	1. Refunds.
XII.—Interest.	4. Opium.
XV.—Mint.	6. Stamps.
XXII.—Receipts in aid of superannuation.	10. Assessed Taxes.
XXIV.—Exchange.	14. Interest on obligations other than the Public Debt.
XXV.—Miscellaneous.	17. Mint.
	28. Civil Furlough and Absentee Allowances.
	29. Superannuation Allowances and Pensions.
	31. Exchange.
	32. Miscellaneous.
	36. Reduction or Avoidance of Debt.

"I do not think it is the intention of the Hon'ble the Finance Member to add anything to what was said in the Financial Statement or explanatory memorandum."

The Hon'ble Sir Robert Carlyle:—"I rise, Sir, to introduce the following heads of the Financial Statement for 1913-14:—

REVENUE.	EXPENDITURE.
I.—Land Revenue.	3. Land Revenue.
VI.—Provincial Rates.	8. Provincial Rates.
IX.—Forest.	11. Forest.
XXI.—Scientific and other Minor Departments.	26. Scientific and other Minor Departments.
XXIX.— } Irrigation.	33. Famine Relief.
XXX.— } Irrigation.	35 & } Protective Works:—Irrigation.
XXXI.—Civil Works.	42 A } Irrigation.
	43 & } Irrigation.
	45. Civil Works.
	49. Capital outlay on Irrigation.

"I will take first the heads dealt with by the Revenue Department.

"The distribution of the special grant of 10 lakhs for agricultural and allied purposes is explained in paragraph 24 of the Financial Statement.

"I have nothing to add to the Financial Statement regarding Land Revenue and Provincial Rates.

"While our forests are essential to the well-being of India from other aspects, they are also of very great importance from the revenue point of view. It will probably be generations before we can get from our forests anything approaching the results obtained in some countries of Europe. Yet even now our net revenue is not inconsiderable, though it is a trifle to what we may reasonably expect when forest industries develop on a considerable scale. I foresee a great advance in the near future. I spoke last year of experiments made by a private firm in connection with the preparation of wood pulp from bamboos. These experiments appear to have been successful, and several concessions have already been given, while others are now under consideration, with a view to manufacturing paper pulp from trees, grass and bamboos. Though a beginning only has been made, it is a very promising beginning in the direction of utilising what are now over thousands of square miles practically waste products. One of the most important functions of the Forest Research Institute is to examine into the possibility of increasing the wealth of the country by the commercial

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exploitation of our forest products. I would, in this connection, draw attention to a Commercial Guide to the Forest Economic Products of India recently issued by the Research Institute, and I can assure all desirous to investigate and utilize the resources of our forests that they will receive the co-operation of the Provincial Governments and of the Research Institute at Dehra Dun. Improved laboratories and apparatus are required to increase the efficiency of the Research Institute, also an increase of accommodation. For this purpose we have provided Rs. 30,000. We are also making small grants to aid two of the provinces, namely, Burma and Assam, where development is most urgent.

"Another very important line of development is to improve our methods of extracting forest produce, and a proposal is now before Government to appoint a Forest Engineer to enable us among other things to introduce more largely mechanical means of extraction. I am sure that once we seriously set ourselves to reduce the cost of extraction of forest products, the work will very rapidly expand, and in a few years the results on our revenue will be very marked.

"Under the head 'scientific and other minor Departments' I will deal with—

The Survey of India,
Meteorological Survey,
Bacteriology and Agriculture.

"So far as the Survey Department is concerned, the main point to notice is that with the sanction of the Secretary of State the pay and prospects of the Provincial Service have been greatly improved. Extra expenditure this year under the head of Provincial Survey was ₹78,000 and in 1913-14 it will be ₹80,000.

"The increase in the estimate under the head 'Meteorological Survey' for 1913-14 is due to our having decided to spend during the next ten years some three lakhs on inquiries into the conditions of the upper air, as knowledge of these conditions may enable us to form much more accurate forecasts than is now possible, and special arrangements will be inaugurated at Agra and elsewhere before the next rains to carry out this investigation. We have also under consideration the possibility of improving our arrangements for storm warnings in the Indian Ocean, and we have set aside ₹40,000 from our special grant of 10 lakhs for these and some other minor objects connected with the Department.

"Under the head of 'Bacteriology' I have to deal with the expenditure on bacteriological work carried out at the Government Laboratory at Muktesar and of the branch laboratory at Bareilly in the United Provinces. The laboratories now provide anti-rinderpest serum not only for India but also for other countries in the East, and we have during the year received a specially large order for the supply of serum to the Egyptian Government. Owing to the researches of the Officer in charge, Major Holmes, new methods of preparation have been discovered, which have enabled us to make considerable economies and to avoid the risk of a breakdown to which we were some years ago exposed. We hope to spend a substantial part of our special grant in providing increased accommodation at the branch laboratory at Bareilly, and in strengthening the staff at Muktesar.

"An increase of 3 lakhs, as compared with last year's budget, shown under the head 'Agriculture' in the Budget for 1913-14 is mainly due to that portion of the special grant which has not been distributed to Provincial Governments and includes the special provision which we are making for Bacteriology. So far as Agriculture proper is concerned, we propose to spend some ₹60,000 of this grant in connection with the Agriculture Institute at Pusa. At Pusa our officers continue to do excellent work for the country, and I would invite such members as are interested in the agricultural progress of India to peruse the report issued recently of the work done at Pusa during the last year. I would specially draw attention to the work which is now being done in the

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selection and cultivation of Indian wheats and in the examination of insect pests. We intend to expand and to improve the work done at Pusa by devoting part of our grant, among other matters, to the purchase of steam cultivating machinery, the development of fruit work, the testing of milling and baking qualities of wheats, bacteriological investigation into rice cultivation, the demonstration of improved methods of saltpetre refining, and the establishment of a dairy farm. We have distributed R4,85,000 of our special grant to Local Governments. We have not tied their hands, but we have indicated to them our desire that the grants should, as far as possible, be utilised for certain specific objects, such as the establishment of sugarcane farms, the extension and improvement of sugar and cotton cultivation, the boring of tube wells and the improvement of sericulture and fisheries. We hope too that the Local Governments may be able to utilize part of the general grant of one crore which has been made to them, on the development of agricultural resources.

"Famine relief is at present confined to the district of Ahmednagar and its neighbourhood in the Bombay Deccan and to the tracts round Mirzapore and Benares in the United Provinces, but the recent rain has done much good in the United Provinces. In Bombay the distress is at present almost entirely confined to classes incapable of earning wages. Test relief works were opened, but had to be closed as they did not attract labour, and gratuitous relief alone is being given. A serious feature of the situation is the want of water and fodder for cattle, and measures have been taken to cope with the situation in both respects. Among other measures, the rates for the transport of fodder by rail to the districts affected have been largely reduced. In the United Provinces the distress has been met mainly by relief on test works, but these have largely been supplemented by a considerable expansion of ordinary public works.

"The financial results for the current year of Major Irrigation Works are very satisfactory. The net profit after paying all charges inclusive of interest will be over 269 lakhs of rupees. This constitutes a record, the previous highest return being 228 lakhs in 1911-12. We anticipate for 1913-14 a slightly reduced net revenue but still higher than the previous record.

"The annual expenditure on new productive and protective works taken together continues to increase. The total provision in the Revised and Budget Estimates is 289 lakhs for the current year and 310 lakhs for the ensuing year. This is well in advance of the annual outlay of 220 lakhs contemplated by the Irrigation Commission. The Irrigation Commission submitted its report in 1903-04. It was not till 1908-09 that we were able to work up to anything near the annual expenditure of R2,20,00,000 proposed by them. Since then we have never gone back and during the last two years the expenditure in excess of the standard they suggested has been very considerable, and we will, I hope for many years to come, never go back to it. So far as productive works are concerned, I am glad to say that for several years in succession we have exceeded the original budget provision. This has not been the case with protective works. The estimated expenditure on protective works is 64 lakhs for the current year, and 90 lakhs for the next year. I regret that the original budget provision of 75 lakhs for protective works was not worked up to. There has again been some difficulty in working up to the programme in some provinces; but I am glad to say there is every prospect of a higher standard of expenditure being established in the near future. It is hoped that the contracts for the Nira Right Bank Canal in Bombay will be placed shortly and that construction will be pushed on rapidly. The expenditure on this canal in 1913-14 is expected to be about 28 lakhs, and the work will probably require an annual grant of some 25 lakhs for the next nine years to come. The Tendula Canal in the Central Provinces is in full progress, and will require ten lakhs or more of our annual grant during the next decade. The estimates for the Gokak Canal in Bombay, another large protective work, will, it is hoped, shortly be submitted for the sanction of the Secretary of State, and its programme provides for an annual expenditure of 15 lakhs for twelve years or more. These three large works are calculated to absorb about one-half of our annual protective works grant for several years to come and their prosecution will, I

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hope, enable us soon to utilise the full maximum annual grant of 100 lakhs which the Secretary of State has sanctioned. But it is not only by the construction of new works that we are increasing the area protected by irrigation. The area protected by existing works is being steadily and largely extended by improvements in the works themselves, by better methods of distribution, by reduction in the supply to areas which receive at present more water than is actually required to bring the crops to maturity and by measures for preventing loss of water by percolation from government channels. There is no doubt that in many cases more water than is required for their crops is used by the cultivators, and I hope it may shortly be possible to appoint an Agricultural officer working in close touch with the Public Works Department to inquire into the best means of ascertaining and bringing to the notice of the cultivators the amount of water which can be most effectively utilised. Nothing would more tend to check the excessive use of water for irrigation purposes than the introduction of a system of selling water by volume; and we trust that the modules which are now being introduced on certain works will in time lead to the introduction of such a system.

"As regards Civil Works the grant provided next year is 102.32 lakhs (excluding 1 lakh for Archaeological works) against the grant for the current year, of 86.57 lakhs. Of the sum provided in 1913-14, 4.43 lakhs represents the amount it is proposed to spend on Original Works chiefly to meet the requirements of Posts, Telegraphs, Customs and the Currency Department. Under Telegraphs there is a provision of Rs. 3.32 lakhs for Radio stations at Bangalore, Secunderabad, Madras, Peshawar, Quetta, Burma and Port Blair. As I pointed out last year, so far as the Original Works are concerned, the Public Works Department is practically in the position of an agent for other Departments, and the number and size of buildings to be put up must depend mainly on the demand of other Departments. The provision for repairs amounts to 18.75 lakhs which is 7.5 lakhs more than that allowed last year. The cost of repairs must necessarily increase *pari passu* with the maintenance of a larger number of civil buildings, roads, etc."

The Hon'ble Sir Harcourt Butler:—"Sir, I beg to introduce the following heads of the Financial Statement: Revenue—'Education,' No. XIX and the sub-head 'Sanitation,' under 'Medical,' No. XX of the Budget heads and the same heads under Expenditure. I think it will be for the convenience of the Council, as my statements consist largely of a table statement of financial figures, if I lay them on the table. I lay on the table a statement of the educational grants and an educational summary with statistics showing educational progress during the year, which will be published in the next Gazette; also a statement showing in detail the sanitary grants and the objects for which they are given. I will now ask the Hon'ble Surgeon-General Sir Pardey Lukis to make a statement as to what is being done in the important department of research."

The Hon'ble Surgeon-General Sir Pardey Lukis:—"Sir, as requested by the Hon'ble Member in charge of the Education Department, I rise to submit to Council a statement as regards both research work which has been carried out during the past year and the various inquiries which are either in progress or about to be undertaken in the immediate future. In so doing I will be as brief as is consistent with making clear to a lay audience this highly technical subject. The diseases with which I shall deal are seven in number. Five of these, namely, Malaria, Yellow Fever, Plague, Kala Azar, and Relapsing Fever are conveyed from man to man by biting insects. The remaining two—Cholera and Dysentery—are as a rule water-borne.

"I will first deal with what is being done in connection with malaria. There can be no doubt that this disease is responsible for more sickness and death in this country than any other individual cause. In some tracts it is a scourge worse than either plague or cholera, and in few places does the population escape entirely. To this the Government of India is keenly alive, and special exertions are being made to mitigate the evil. At the present time

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there are eight officers on special duty in different parts of India studying the local conditions which underlie and are causing the malaria and devising schemes for its reduction or abolition. Special grants have been made by the Government of India for such investigations, and as schemes have been prepared, further grants have been given either to cover their full cost or assist in bringing them into effect. To Madras Rs. 28,000 has been given for a malarial inquiry in Bangalore, and this as also a general investigation into malarial conditions throughout the whole presidency is in progress. A complete survey of the conditions favouring the prevalence of malaria in Bombay has furnished recommendations for the prevention of that disease within the City. A grant of Rs. 50,000 has been given to assist in carrying these out. Two other investigations—one in Sind and the other in the Canara District—are also in progress in this Presidency, and for these a grant of Rs. 21,380 has been made.

“In Bengal the conditions are very different from those in other parts of India, and, as the Hon'ble Member told you just now, malaria appears to be largely due to overgrowth of jungle. The Government of India suggested that an experiment might be made to see how far conditions could be ameliorated by the clearance of this jungle, and the grant of Rs. 50,000 has been made to help in carrying it out. Other experiments and investigations are in progress in this province which, it is hoped, will lead to further good results. In the United Provinces malarial surveys were undertaken in the towns of Saharanpur, Nagina, Kosi, Kairana and Meerut. These have all been completed and recommendations made for each place. In Saharanpur, Nagina and Kosi an active anti-mosquito campaign is being carried out with the aid of a grant of Rs. 1,80,000 from the Government of India. The schemes for Kairana and Meerut are still under consideration. From the Punjab Government a scheme regarding the town of Palwal, which lies in a specially malarious tract, has been received and Rs. 35,000 is being allotted towards its cost. In Burma the Malaria Officer has prepared a scheme for the town of Kyaukpnyu, and in Delhi a full survey of all the conditions tending to malaria has also been made. This survey has placed us in possession of accurate information as to the nature and extent of malarial infection in and around old Delhi—information which will be of great use to the authorities when they are considering the location of the new Imperial City. The list of work in progress is a long and satisfactory one, but it is Government's intention to further extend it to other places as men and funds become available.

“In this connection I may mention that several interesting points were brought into prominence during the discussion at the recent Malarial Conference at Madras. Thus investigations have shown that the cultivation of rice and of other crops for which an abundance of water is necessary need not lead to the formation of dangerous breeding grounds for mosquitos. In the interests of agriculture, therefore, we are endeavouring to ascertain the precise conditions under which such cultivation is, or is not, likely to be harmful. We are also pursuing inquiries with a view to discovering what are the most effective larvicides and natural enemies of the mosquito and which of them are best suited for use in particular localities and under different conditions of environment. Here I must mention a very interesting paper on insect psychology, which was read by Professor Howlett before the last meeting of the general malarial committee. This paper shows that we must regard the biting insects not as intelligent beings consciously shaping a path through life, but as being in a state of active hypnotic trance and influenced by external stimuli such as particular scents and sounds. If Mr. Howlett's view is correct, it is obvious that it opens up great possibilities in mosquito control. Once we discover the stimulus which determines a mosquito's action we hold the key of the position since we can apply our knowledge to the mosquito's undoing. As Professor Howlett aptly puts it ‘it is no intelligent foe we have to fight, but a mere battalion of somnambulists.’

“I turn now to Yellow Fever:—The Council will remember that Major James was sent to Panama to devise measures for keeping this disease out of the country. This officer has returned to India and submitted a most interesting and valuable report which will shortly be published. Meanwhile

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Hon'ble Members will be glad to learn that after a careful study of the trade routes Major James is of opinion that the immediate danger to India on the opening of the Panama Canal is not as great as was anticipated originally. His chief reasons for this view are first that the very thorough precautions taken at Honolulu which is the first port of call for the trans-Pacific voyage to the East, affords a strong protection against the infection of Asia and the East Indies, and secondly, that on the usual route to Hong Kong, the ships after leaving Honolulu pass northwards into latitudes not as a rule favourable to the life of the mosquito so that there is little likelihood at present of the introduction of infected mosquitos into our ports. This however does not justify the conclusion that little or no action is at present necessary. Major James makes a number of important recommendations which are now under consideration. Time will not permit of my dealing with these, but I must say a few words with reference to the extermination of the stegomyia or 'tiger' mosquito or its reduction to non-dangerous numbers in our ports. The surveys already carried out show that the stegomyia is essentially a domestic mosquito which breeds in small collections of stagnant water such as old bottles, tins, water-barrels, etc, within house limits. Its extermination therefore is essentially a matter of house sanitation. But from the observations made it is clear that the key to the problem of reducing the number of stegomyia mosquitos in Indian sea-ports lies in the improvement of the water-supply. We can easily deal with discarded tins, bottles, etc, thrown away in yards, but if we are to attain success, it is necessary that arrangements should be made for a continuous water-supply to the houses, thus obviating the necessity for water storage in houses, for it is the receptacles for such storage which constitute the most important breeding grounds of this mosquito.

"I now come to Plague:—In connection with this disease, two very important points have been brought into prominence at the recent Sanitary Conference.

- (1) The large part played in the spread of plague by grain stores and grain markets. Captain White has shown clearly that there is a close correlation between the import of grain into each trade block and the amount of plague from which such areas have suffered in the past. It follows, therefore, that the protection of grain in bunnias' shops, the construction of rat-proof grain godowns and where possible their erection at some distance from human habitations are useful preventive measures. There is also the problem of the disinfection of grain in bulk. Last year I informed the Council that experiments were in progress at Parel with a view to solving the problem of how to disinfect bags of grain without damaging their contents. These experiments have proved encouraging under laboratory conditions, but we considered it necessary to carry out a practical experiment of disinfection of grain on a larger scale, and for that purpose a sum of one thousand rupees has been sanctioned from the research fund.
- (2) The second important point is that if a locality is infected late in the plague season the disease does not burn itself out and the locality thus becomes the starting point of an early epidemic in the next season and thus a potential source of widespread infection. It is obvious therefore that special attention should be paid to the definite marking down of such localities, and that the energies of plague preventive staffs instead of being relaxed as is so often the case, should be specially concentrated on them during the quiescent period.

"I now come to the Kala Azar inquiry. The researches into this disease have been carried out under the direction of a committee consisting of Surgeon-General Bannerman as Chairman, and Major Christophers and Dr. Bentley as Members. The actual investigations have been entrusted to Captains Patton and Mackie and Dr. Korke, the division of labour being as follows:—Captain Mackie has conducted an epidemiological inquiry into the distribution and prevalence of Kala Azar in Assam, where the conditions for

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the spread of the disease appear to be peculiarly favourable. Captain Patton and Dr. Korke have worked in Madras, the former devoting himself chiefly to laboratory experiments in the King Institute, Guindy, while Dr. Korke undertook the investigation of the disease in the endemic area at Royapuram. Distinct progress has been made by all the officers working on this inquiry. Captain Patton has shown that under certain definite conditions the parasite of Kala Azar undergoes its full cycle of development in the body of the bug which he considers to be the insect-carrier of the disease. He has not yet succeeded however in transmitting the disease from one animal to another. The difficulty of course is to obtain a susceptible animal for the transmission experiments, but we hope that this difficulty will soon be surmounted. I must mention here that Colonel Donovan, who was the original discoverer of the parasite, has given good reasons for thinking it possible that the infection of Kala Azar may also be conveyed through the mouth and that Dr. Korke as a result of his investigations in Royapuram has elicited the interesting fact that the disease is not strictly speaking a house infection, but that it tends to cling to communities having close social intercourse with one another. It is obvious therefore that more work is needed, and it has been decided to continue the inquiry for another year both by laboratory experiments and investigations in the field.

"The last of the insect-borne diseases is Relapsing Fever:—This is a disease due to an animal parasite which from its peculiar spiral shape is called a spirochete, and the insect-carrier of the disease, as was proved some time ago by Captain Mackie, is the body louse. The disease had practically died out in this part of India, but it has recently re-appeared in the United Provinces, and there are reasons for believing that it is endemic in the Jumna Kadir where it is frequently unrecognised and treated as Malaria. We have therefore at the request of the Local Government deputed Captain Brown from the Research Institute at Kasauli to proceed to the United Provinces for a period of three months in order to investigate the causes of the recent outbreak.

"I now come to the two so-called water-borne diseases, Cholera and Dysentery.

"Major Greig working at Calcutta and Puri has during the year carried out a most important series of observations which go to prove that in addition to contaminated water the following three factors are of great importance in the spread of cholera:—

- (a) Convalescents, who though showing no symptoms, are still infective.
- (b) Healthy persons who have been in contact with cholera cases and who are acting as 'carriers' without having themselves contracted the disease.
- (c) Flies.

"Major Greig is still continuing his researches which will, I trust, prove of much value to the Committee which is now inquiring into the possibility of improving the sanitary arrangements at the different pilgrim centres. As regards dysentery which is the cause of so much sickness and mortality throughout India generally and specially in Eastern Bengal and the Andamans, all I need say is that much uncertainty and doubt still exist as to the causation of its different varieties. It has been decided therefore that the whole subject shall be carefully and thoroughly investigated, and we have selected for this purpose Captain Cunningham, the assistant to the Director of the Central Research Institute, Kasauli.

"One word more and I have done. It is obvious that in dealing with water-borne diseases we must be in a position to say definitely whether or no a given sample of water is fit for human consumption. Now this is a point on which there is much difference of opinion. It is recognised that the bacteriological standards fixed for England are not always reliable in this country. Moreover, when samples of water are sent to distant laboratories, they are liable to undergo decomposition *en route*, and thus the analysis may be of little or no value.

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It has been decided therefore to hold an exhaustive inquiry into the following points:—

- (a) What are the most suitable methods of water analysis?
- (b) Is it possible to fix definite bacteriological standards for India?
- (c) What plans should be adopted for conveying samples of water to and from distant laboratories?

“This, Sir, is our programme. I trust the Council will find it satisfactory.”

The Hon'ble Mr. Clark :—“Sir, I have to introduce the heads of Excise, Customs, the Post Office and Telegraphs, Stationery and Printing and Railways. As regards the heads of minor importance in this list, I have nothing to add to the memorandum explaining the details of the estimates, except that in relation to Stationery and Printing, I should like to take this opportunity of expressing an appreciation, in which I am sure Council will share, of the effective manner in which the difficult task of creating at Delhi a printing press adequate to meet the heavy strain imposed upon it during our Legislative Session, has been carried out by Mr. Cogswell, the Controller of the Stationery Department, and Mr. Meikle, the Superintendent of Printing. Great credit also is due to their staff for their loyal co-operation and for the excellent work they have done in their new surroundings.

“The record of the Post Office and of the Telegraphs for the year is eminently satisfactory. For the year 1911-12 the receipts of the Post Office amounted to £2,134,279 and the expenditure to £2,008,470, so that there was a surplus of £125,809. Adding to this the sum of £46,030, representing the surplus for the preceding year, we get a total of £171,839, which exceeds the deficit for the two years 1908-09 and 1909-10 taken together by £100,852. According to the revised estimates the receipts for the year 1912-13 will amount to £2,259,500 and the expenditure to £2,036,400; and, if our anticipations with regard to the coming year are realised, the surplus for the year will exceed £300,000. The expansion of business and the curtailment of expenditure during the past two years has fully restored the financial equilibrium of the Department, which was seriously disturbed for a time by the great reductions made in postage rates and the comprehensive measures taken to improve the pay of the staff in all grades. I think, therefore, I am fairly entitled to say that the financial position of the Post Office at the present time is highly satisfactory, and that we may look forward to even better results in the next few years.

“Turning to Telegraphs, the Revised estimates of revenue for the Indian Telegraph Department exceed the Budget estimates by £44,100 owing to the prosperity of the country during the year, while there is a corresponding increase of £36,500 in expenditure, which is chiefly accounted for by the purchase and installation of wireless apparatus. For next year we have budgeted for an increase of £50,600 in Revenue and £87,200 in Expenditure, of which Capital expenditure accounts for £44,500 and Revenue expenditure for £12,700. The former is due to the extension of the wireless system, and the latter is required to provide for the extra establishment necessary to deal with the growth in traffic and for the cost of remodelling the wireless stations in the Bay of Bengal. Provision has also been made for the expansion of the Telegraph and Telephone systems, and the Department has arranged to make their funds for this purpose go further than before by using cheaper material for erecting the less important lines.

“The details which I have just given belong to the every day life of the two Departments; I turn now to the event of special interest in their history during the current year, namely, the step forward which has been taken towards a permanent amalgamation of the Posts and Telegraphs. Last April, Sir Charles Stewart-Wilson, the Director-General of the Post Office, was placed provisionally in charge of the two Departments with instructions to report whether a complete fusion of the Postal and Telegraph services was feasible and advisable, and, if so, to prepare a scheme for their gradual amalgamation. Sir Charles

considered that the problem could only be satisfactorily solved by an experiment, and he accordingly proposed to Government that a tentative amalgamation should be carried out in two selected circles. The principle which he recommended for adoption was to entrust the traffic administration to the two Postmasters-General, and to place the engineering work of both Circles in charge of one officer of the Telegraph Department directly subordinate to himself. By this means he proposed to avoid the evils inseparable from the system of dual control which had long impaired the efficient administration of the traffic side of the Department. He proposed, in effect, that engineers should be employed solely for engineering work instead of also being entrusted, as has hitherto been the case in the Telegraph Department, with traffic duties, in the discharge of which specialised technical knowledge is not required. These proposals secured the approval of the Government of India, and the experiment was introduced in the Bombay and Central Circles, where it has worked smoothly and successfully. In addition to this experiment, Sir Charles Stewart-Wilson and the Hon'ble Mr. Maxwell have, either one or the other, visited nearly every important centre in India, and at every place have discussed the scheme with all bodies and persons who might be interested. They have devoted no less labour and care to the investigation locally of the interests and requirements of the staff, in accordance with the desire expressed by Government last year that all possible protection should be afforded to the personal interests and prospects of the existing staff of both Departments in all grades.

"The draft scheme which is the outcome of their investigations is now under consideration by the Government of India and the Secretary of State, and I cannot therefore discuss it to-day. But from what I have said I think Council will agree that Sir Charles Stewart-Wilson and the Hon'ble Mr. Maxwell, who has been his righthand man throughout, have dealt with their part of the task on an altogether admirable plan, which they have carried out at the expense of much time and labour to themselves. They have recognised—as Government have recognised from the beginning—that this is a matter in which the public have especial rights. Whatever affects postal and telegraphic communications, affects modern life on all its facets alike in its pleasures and its business, its public and private relations. They have spared no pains therefore to take the public, and especially the commercial public, thoroughly into their confidence, and the Chambers of Commerce on their side have been most helpful in meeting them and thoroughly discussing the scheme. They have equally spared no pains in investigating by personal discussion and inquiry the interests of the staffs of both Departments, with a view to devising proposals by which their prospects may be adequately and efficiently safeguarded.

"I cannot close this review of the work of the two Departments, without a reference, however brief, to the loss which they have sustained through the departure on leave of Sir Charles Stewart-Wilson, preparatory to retirement. Sir Charles Stewart-Wilson has been Director-General of the Post Office since 1906, and was made Director-General of the combined services of the Posts and Telegraphs, when the provisional appointment was created, in April of last year with a view to testing the possibilities of amalgamation. During the seven years of his rule over the Post Office, he brought that service to a pitch of efficiency of which this country has every right to be proud. His term will be especially memorable—apart from the question of amalgamation—as having witnessed the introduction of the reduced rates of postage which have conferred upon the millions of poor people in India the inestimable boon of probably the cheapest postal communication in the world. When the question of placing the two services under one head arose, there could be no doubt but that Sir Charles Stewart-Wilson was the best man who could be found for the post. Many men nearing the end of their service might have hesitated about accepting a task involving the heavy work and responsibility of the double administration and the preparation of the scheme of amalgamation; but Sir Charles undertook the duty readily and, in spite of health which was not at its best, threw himself into it with his accustomed energy and with a characteristic optimism which made light of diffi-

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culties. I have already referred to the manner in which that work has been carried out, and I need only add here that if, as I hope, amalgamation becomes an accomplished fact in the future, if it proves the success which I venture to hope it may, this result will be due in very large measure to the manner in which it has been initiated under Sir Charles Stuart Wilson's guidance. It has been my good fortune at different times to be associated with men of widely variant types who each in their way have been gifted with a real genius for administration; one characteristic they have all had in common. They have possessed the power of devolving non-essential work on others; of avoiding the burden of excessive detail; while at the same time owning an intimate and almost magical knowledge of every essential factor in the organizations under their charge. Sir Charles possessed this faculty in no small degree. He never allowed himself to be overburdened with masses of work which could be done by subordinates; he was never too busy to give full time and thought to matters of importance; yet he knew intimately all the intricacies of the complex machine which he controlled, and could meet any defect or emergency with unfailing readiness and resource. Add to this that he was a co-adjutor of imperishable good humour and kindness; a delightful companion and friend; and Council, I think, will realise that, ably as we know his work will be carried on by his successors, I, at least, as head of his Department, may well feel a very real sense of personal loss that the time has now come for his retirement.

"I turn now to the Railways. According to custom I will ask my Hon'ble friend, the President of the Railway Board, to lay before Council a review of the progress made during the year, but I think it is desirable that I should say a few words on the subject which has been of capital interest in the last 18 months—the question of congestion. It is a problem of far-reaching importance, affecting alike the commercial, industrial and agricultural interests of the country; and it is only right that Council should have Government's policy in the matter put clearly before them. First of all, as to the nature of the task which has been set the railways. There has been an enormous and altogether unprecedented expansion of trade in the last two years. Our total import and export trade in the calendar year 1912 showed an increase of £25½ millions over 1911 and of £42½ millions over 1910. Some of this increase must be put down to the rise in prices, but with all deductions made the figures are still enormous. The statistics of shipping tell a very similar tale. So great was the activity in foreign commerce that the total tonnage entered and cleared at Indian ports last year was more than a million tons in excess of the figures for 1911. The increases in exports of agricultural produce especially have been phenomenal. Shipments of grains of different kinds increased in the last two years by 48 million cwts. Barley alone, which in 1910 was exported in only a trifling quantity, amounted last year to 13½ million cwts. And it is not too much to say that, when foreign trade has been so markedly prosperous, the internal trade of the country, for which correspondingly recent figures are not yet available, will not have lagged far behind.

"Now these figures indicate two things. They indicate the great strain which has been put on the railways, and they also indicate that they have by no means broken down under it. I have no desire to minimise the serious losses caused to producers and manufacturers by the delays to traffic and by the undoubted failure of the railways to carry all that has been offered; but they are entitled to this much credit; for, if their failure had been anything like as complete as it has been represented in some quarters, this huge expansion of the country's trade could scarcely have taken place. Efficiency of railway transport is an essential factor of commercial expansion in any country, but especially so in a country of vast size like India, where a year of exceptionally good trade implies the movement of largely enhanced volumes of agricultural produce. In point of fact the carrying capacity of the railway has shown itself remarkably elastic. The actual weight of goods carried in 1912 reached the record figure of 84 million tons—18 million tons more than in 1911 and 19 millions more than in 1910. This, I venture to think, is no mean achievement.

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"The prosperity of the last two years has not been peculiar to India; it has been world wide. Similarly the strain on railways would seem to have been a very general experience in the great commercial countries of the world. Students of the railway papers will have noticed that the same complaints have been heard in France, Germany, the United Kingdom, Australia, Canada and the United States of America. A great railway expert in the United States recently spoke of the disaster. I use his own word, with which the commerce of the country was threatened by the deficiencies of the railways. I do not mention these examples as in any way desiring to whittle away Government's responsibility for the losses and difficulties which the defects of the railway have caused in India, any more than the responsibilities of railway administrations in the United States could be lessened by American railway magnates citing the troubles of Indian railways. But it is a significant fact that the same phenomena should be producing themselves simultaneously in countries like India, France and Germany, where Government takes a hand in the administration and management of the railways, and in those, such as England and the United States, where railway management is altogether a matter of private enterprise. I think the fact illustrates the true nature of the difficulty—the difficulty, namely, that railway facilities cannot beyond a certain point be rapidly expanded to meet a sudden and violent increase in demand. It will be said, no doubt, that Indian railways, even in altogether normal years, are not equal to the demands made upon them. That is not an entirely fair way of putting the case, for the difficulties of Indian railway administration are enormously complicated by the seasonal nature of Indian business, which means great pressure for a relatively short period of the year, pressure which is enhanced by an immense proportion of the produce exported having to be shipped from one of two ports. The railways are judged by their success or failure during this busy period, and little or no allowance is made for difficulties of organising traffic economically to meet the varying demands at different times of the year. But I do not deny that there is truth in the charge, and the railway policy of Government in the last few years has aimed steadily at its removal. The rate of progress has had to be conditioned by finance, but at least Government have had a clear end in view. Desirable and tempting as the further extension of railway construction would be, Government has consistently stayed its hand, and instead has devoted far the larger part of the capital available in each year to the improvement of open lines and the provision of rolling-stock. In the last five years the average proportion so utilised has been some three-fourths of the whole. My Hon'ble Colleague, the Finance Member, dealt in his speech on the 1st March with the provision of capital for railways. I need only remind Council that this year the sum of £12 millions is being provided, representing an increase of 1½ millions over the revised figures for last year, and of more than £4 millions over the average expenditure during the three years 1909-10—1911-12. At the same time the question has been taken up of making it easier for the Railway Administrations to spend their allotted grants within the financial year and thus avoid lapses. Some of the causes which lead to lapses are outside our control; they depend on the activity of the English markets, the demand for railway material in other countries or the occurrence of labour troubles. But in so far as they depend on our machinery for financing railways, they are being closely examined and good results have already shown themselves in the current year in which the anticipated lapse seems likely to be much smaller than recently. I hope that an even greater improvement may be achieved in future.

"One other point I must touch on and I will then not detain Council further. It is not enough to have plenty of money to spend; we must be sure that it is being spent the right way, and that the existing railway facilities are being utilised to the best advantage. It was this consideration no doubt which led the Bengal Chamber of Commerce and the East India Committee of the London Chamber of Commerce to press for an outside expert inquiry into our railways. Government have very carefully considered this suggestion, but, on the whole, its adoption in the present circumstances has appeared to them inadvisable. I need not

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give our reasons in detail, but broadly what has influenced us is that such an inquiry would inevitably take a very long time; it would *ex hypothesi* be conducted by a person or persons unfamiliar with the special conditions and difficulties of Indian railway administration, which has dangers of its own; and as there is no reason to suppose that the different Railway Administrations and the Railway Board are not fully cognisant of the immediate improvements required, insufficient grounds would seem to exist for risking these disadvantages. I think anyone who studies the detailed lists of works included in the Programme for the next three years will be satisfied that the needs of our railways are well understood and are being met. At the same time we are very far from wishing to debar ourselves from the advantage which may be reaped from experience in other lands. In a country such as India, cut off from actual railway contact with other countries, it would be always possible that our methods might be getting rusty; besides, every country has something to learn from another in railway matters, and it is of great value to see how difficulties have been surmounted or at least grappled with by other nations, whose railway problems are in some respects similar to our own. What has seemed to us the best policy is from time to time to send our own men, who of course are thoroughly conversant with Indian conditions, to study special methods in other countries and to examine how far they might be applicable in India; and to combine this with bringing over to India foreign experts to help us in specific cases and for specific purposes. We thus avoid the delay inseparable from a large inquiry; and we avoid the risk of having forced upon Indian railways methods not suited to their circumstances. In pursuance of this policy, Major Cameron, of the North-Western Railway, was sent early last year to Canada and America to study the possibility, of introducing on Indian railways the A. B. C. despatch system which has been specially devised to meet the requirements of traffic over long leads of single line—a very familiar condition in India. If in light of Major Cameron's Report, this system, which I understand has been amazingly successful in increasing the carrying capacity of American and Canadian lines, is found likely to prove workable in India, we shall endeavour probably to obtain the services of American or Canadian experts in introducing it experimentally on one of the State-worked railways. Similarly advantage has recently been taken of Mr. Merz, the well-known expert in electrification, being in the East, to obtain reports from him on the possibilities of electrification for suburban traffic on the Great Indian Peninsula and Bombay, Baroda and Central India Railways at Bombay and on the Eastern Bengal State Railway at Calcutta. The use of electrical power has played a very important part lately in western countries in expediting local traffic and preventing congestion in the neighbourhood of large terminal stations, and it has been well worth our while to obtain expert opinion as to its potentialities in our most crowded areas. It is on the lines, rather than by a general, and therefore perhaps rather diffuse, inquiry that Government think outside experience can be most practically and usefully applied to our railways. The two instances I have given are fraught with very far-reaching possibilities, and the Railway Board have under consideration whether action of a similar kind might not advantageously be taken in other directions. In the meantime, as Council is aware, Sir Henry Burt has been appointed temporarily as an Additional Member of the Railway Board solely to investigate on the spot causes of congestion, and to advise what steps might be taken to bring about some immediate relief; and I think the commercial representatives here in Council will agree that he has already achieved very valuable results in the areas which he has visited.

"I have not attempted to discuss comprehensively the whole problem of congestion on Indian Railways, a task which would involve far too large a draft on the time of Council. I have merely endeavoured briefly to explain the principles on which we are grappling with it. Let me conclude by summarising them. As a purely temporary measure, Government have placed one of their most capable railway officers on special duty in order to assist and advise Railway Administrations in congested areas. Their policy for the future is to continue to devote to open lines, until they have reached the necessary

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standard of efficiency, the lion's share of the annual capital grants. They are endeavouring to effect arrangements which will facilitate the expenditure within the year of the allotted grants and avoid the lapses which have been a too frequent characteristic of our railway finance in the past. Lastly, as I think I have shown, they are not neglecting the problem of how the grants may best be spent, and how India may best benefit by the experience gained by men responsible for the management of railways in other lands."

The Council adjourned to Saturday, the 8th March, 1913.

W. . VINCENT,

*Secretary to the Government of India,
Legislative Department.*

DELHI,

The 17th March, 1913.