

*Wednesday,  
8th September, 1915*

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

**Vol. LIV**

**April 1915 - March 1916**

# PROCEEDINGS

OF

# THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA,

ASSEMBLED FOR THE PURPOSE OF MAKING

## LAWS AND REGULATIONS,

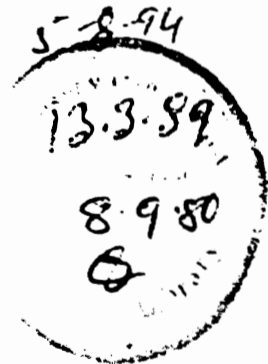
From April 1915 to March 1916.

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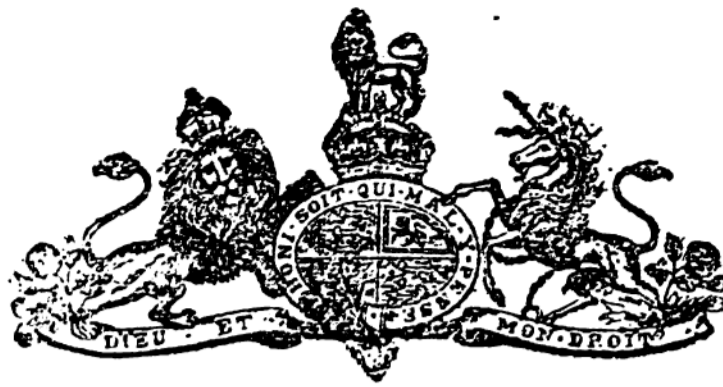
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1916



GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

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PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA  
ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS  
UNDER THE PROVISIONS OF THE INDIAN COUNCILS ACTS, 1861 to 1909  
(24 & 25 Vict., c. 67, 55 & 56 Vict., c. 14, AND 9 Edw. VII, c. 4).

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The Council met at the Council Chamber at Viceregal Lodge, Simla, on  
Wednesday, the 8th September, 1915.

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, P.C., G.C.B., G.C.M.G., G.C.V.O.,  
G.M.S.I., G.M.I.E., I.S.O., Viceroy and Governor General, *presiding*,  
and 44 Members, of whom, 37 were Additional Members.

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#### OATH OF OFFICE.

The following Additional Members made the prescribed oath or affirmation  
of allegiance to the Crown :—

**The Hon'ble Khan Bahadur Mian Muhammad Shafi.**  
„ „ **Mr. Alfred Hamilton Grant, C.S.I., C.I.E.**  
„ „ **Mr. Thomas William Birkett.**  
„ „ **Mr. Francis Hugh Stewart, C.I.E.**  
„ „ **Mr. Godfrey Butler Hunter Fell, C.I.E.**  
„ „ **Mr. Charles Holmes Harrison.**  
„ „ **Mr. Evan Ebenezer Biss.**

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#### STATEMENTS LAID ON THE TABLE.

**The Hon'ble Sir Reginald Craddock :—**“ My Lord, I beg to lay  
on the table a statement\* showing the number of Colonials employed in Gov-  
ernment service in British India, which was promised in reply to a question  
asked by the Hon'ble Mr. Surendra Nath Banerjee at the meeting of the  
Legislative Council held on the 6th September, 1914.”

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\* *Fide* Appendix A.

[*Sir Harcourt Butler*; *Mr. Surendra Nath Banerjee*; *Sir Reginald Craddock*.] [8TH SEPTEMBER, 1915.]

**The Hon'ble Sir Harcourt Butler** :—“ My Lord, I beg to lay on the table a summary\* showing the steps taken during the last two years in the various Indian provinces to promote free elementary education among the poorer classes in general, and Muhammadans in particular, which was promised in reply to a question asked by the Hon'ble Mir Asad Ali at the meeting of the Legislative Council, held on the 12th January, 1915.”

## QUESTIONS AND ANSWERS.

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

Confinement  
of one  
Nogendra  
Chandra  
Chandra as  
a prisoner in  
the Multan  
Central Jail.

1. “ Will the Government be pleased to state whether it is a fact :—
  - (1) that a prisoner named Nogendra Chandra Chandra is now confined in the Multan Central Jail ;
  - (2) that his admission weight was 123 lbs., that when he came to the Multan Jail his weight was 104 lbs., and that his weight now varies from 90 to 100 lbs.;
  - (3) that he was first given *sarkhi* pounding, then made to work with the well gang, and that recently he was awarded three months' bar-fetters, and with the fetters on was made to work as before with the well gang ;
  - (4) that he threw himself into a well and was put into a solitary cell and given a daily task of grinding 12 seers of grain ;
  - (5) that when this work was given to him he was in the convalescent gang, and that no prisoner in a convalescent gang is ordinarily given work of this description ;
  - (6) that since then he has been suffering from acute pain in the chest and was awarded twenty-five stripes for not doing his full task. ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ 1. It is a fact that a prisoner Nogendra Chandra Chandra is now confined in the Multan Central Jail. He is undergoing sentences of seven years under section 121A, Indian Penal Code, and of three months' rigorous imprisonment under section 52 of the Prisons Act (1894).

2. On his first admission to jail in October, 1910, his weight was recorded as 111 pounds. On admission to the Multan Central Jail on the 28th July, 1914, his weight was 104 pounds. Since then it has varied from 98 to 105 pounds.

3. As a task he was at first given *sarkhi* pounding and was subsequently put to work with the well gang. Recently he was awarded six months' bar-fetters, but was not made to work on the well while wearing them. In fact the fetters were removed from the prisoner shortly after their imposition to enable him to rejoin the well gang.

4. It is not the case that he threw himself into a well. He was relegated to separate (not solitary) confinement in pursuance of a punishment of six months' separate confinement passed upon him in October, 1914, the period of which had not expired. He was at the same time given a task of grinding twelve seers of grain.

5. He has been in the convalescent gang since July, 1914. He was medically examined and certified fit for the above mentioned task when it was given him. Such a task is commonly given to prisoners in the convalescent gang.

6. On the 12th April, 1915, he was awarded 15 stripes after having been medically examined and certified as fit to receive them. He then made no complaint of suffering from acute pain in the chest. This punishment was awarded, not for failing to turn out the full quantity of work, but for persistent refusals to do any work at all.”

\*Not included in Proceedings.

[8TH SEPTEMBER, 1915.] [Mr. Surendra Nath Banerjee; Sir Reginald Craddock; Rai Sita Nath Ray Bahadur; Sir William Clark; Mr. Huda.]

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

2. “ (a) Do the Government propose to consider the propriety of constituting an Advisory Board of a judicial character to deal with applications for exemption from internment under the Defence of India Act, 1915 ?

Constitution of an Advisory Board of a judicial character to deal with applications for exemption from internment under the Defence of India Act.

(b) Is it the case that Mr. Asquith has announced that an Advisory Board of a judicial character is to be constituted to deal with applications even by aliens for exemption from internment under the English Defence of the Realm Act ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ (a) The answer is in the negative.

(b) It is understood that an Advisory Committee of a judicial character has been constituted in England to deal with applications by aliens for exemption from internment. For further information as to the Advisory Committee, the Hon'ble Member is referred to the official report of Mr. Asquith's speech in the House of Commons on the 13th May 1915.”

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

3. “ (a) Has the attention of Government been drawn to a newspaper report of certain observations, regarding the advance of loans to promote industries in the United Provinces and in Bengal, stated to have been made by the Hon'ble Member for Commerce and Industry in the course of an interview with the members of the Southern India Chamber of Commerce at Madras on the 9th August last ?

Loans advanced to promote industries in the United Provinces and Bengal.

(b) Is it a fact that such loans were advanced in the United Provinces and in Bengal ?

(c) If the answer to (b) is in the affirmative, will Government be pleased to state the respective amounts of such loans in the United Provinces and Bengal, and the parties to whom the same were advanced ? ”

**The Hon'ble Sir William Clark** replied :—

“ I presume the Hon'ble Member refers to an inaccurate report of my meeting with the Southern India Chamber of Commerce which appeared in the press. I made no mention of any loans having been given in Bengal for the promotion of industries. As regards the United Provinces, the advances I had in mind were those to which I referred in my speech on the Resolution moved by the Hon'ble Member on the 17th March last on the subject of the Indian Sugar industry.”

**The Hon'ble Mr. Huda** asked :—

4. “ Will the Government be pleased to state the number—

(a) of alien enemy subjects (Austrians, Germans and Turks) interned in India since the commencement of the war in Europe, and

Number of alien enemy subjects interned in India.

(b) of such enemy subjects in India that are still un-interned, giving the provinces where they reside and the avocations they are following ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ As regards Austrians and Germans, the Hon'ble Member is referred to the Communiqué issued by the Government of India on the 13th August, of which a \*copy is laid on the table.

Turkish subjects may be broadly classified into European Turks and Asiatic Turks. The former have been repatriated. Of the latter (including

[*Mr. Huda; Sir Harcourt Butler; Maharaja Ranajit Sinha; Sir Reginald Craddock.*] [8TH SEPTEMBER, 1915.]

the crew of a Turkish steamer, of whom some may possibly be Europeans) 97 have been interned. There are many Asiatic Turkish subjects, for the most part in Bombay and Bengal, whose sympathies with Turkey are slight, and who have been left at liberty. They number approximately 1,100.

The Government of India do not consider it necessary to call for detailed information as to the avocations of those who have not been interned."

**The Hon'ble Mr. Huda** asked :—

Christian  
Missionary  
and educa-  
tional insti-  
tutions car-  
ried on by  
Germans in  
India, and  
grants to  
such institu-  
tions.

5. "(a) Is it a fact that Germans are still carrying on Christian Missionary and educational institutions in India? If the answer is in the affirmative, will the Government be pleased to state the number of such institutions and the places where they are located?

(b) If the answer be in the negative, will the Government be pleased to state the arrangements, if any, that have been made for the continuation of these institutions?

(c) Is it a fact that such German institutions have received grants or pecuniary assistance from the Government after the commencement of the war? If the answer be in the affirmative, will Government be pleased to state the amount of money paid, from time to time, to these institutions and the names of the recipients?

**The Hon'ble Sir Harcourt Butler** replied :—

"It is a fact that Germans continued their Missionary and educational institutions in India after the outbreak of the war. The Hon'ble Member is referred to the Communiqué issued by the Home Department on the 13th August, 1915, for a statement of the policy which the Government of India have pursued towards Germans and Austrians in India. In pursuance of the recent decision to repatriate German and Austrian men of non-military age, it has become necessary to make other arrangements regarding the educational institutions at present managed by these Missions. Since therefore the whole question is at present in a transition stage, the Government of India do not consider that it would serve any useful purpose to collect detailed information regarding the number of the institutions, the places where they are located, or the names of the recipients of the grants; nor are they in a position to make any statement regarding the various arrangements which are being or may be made by Local Governments for the safeguarding of educational interests.

The amount of recurring grants ordinarily allotted from public funds to educational institutions managed by German and Austrian Missions is Rs. 1,99,849 per annum. Should the Hon'ble Member desire it, a list of the Missions and institutions which have been in receipt of grants can be shown to him."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

Representa-  
tion of the  
Delhi Pro-  
vince on the  
Imperial Le-  
gislative  
Council.

6. "Is it a fact that, before the creation of the Chief Commissionership of Delhi, the people of this city had the privilege of electing a member for the Local Council? If so, will the Government be pleased to consider the desirability of giving to the people of the Delhi Province the privilege of electing a representative on the Imperial Council?"

**The Hon'ble Sir Reginald Craddock** replied :—

"Prior to the constitution of the Delhi Province the Delhi Municipality elected no member of its own to the Legislative Council of the Punjab, but shared in the privileges of election enjoyed by other Municipalities in that Province. As regards the possibility of creating a fresh electorate in the Delhi Province, I would refer the Hon'ble Member to the answer given by me on the 25th February, 1913, to a somewhat similar question asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi of Kasim Bazar."

[8TH SEPTEMBER, 1915.] [Maharaja Ranajit Sinha; Sir Reginald Craddock.]

**The Hon'ble Maharaja Ranajit Sinha** asked :—

7. "Is it a fact that two or more Sub-Inspectors are usually posted at every Police station? If so, do the Government propose to issue instructions to all Local Governments and Administrations to arrange that the services of the senior Sub-Inspector of each Thana may be solely utilised for investigating purposes?"

Utilisation of the Senior Sub-Inspector of each Thana solely for investigating purposes.

**The Hon'ble Sir Reginald Craddock** replied :—

"The recommendations of the Police Commission were in favour of placing all police-stations in charge of Sub-Inspectors, and of aiming at entrusting investigations to Sub-Inspectors only. In their Resolution of the 21st March, 1905, dealing with the report of the Commission, the Government of India endorsed this policy, and it is believed that all provinces have since been working towards it. The statistics do not support the statement that two Sub-Inspectors are generally posted at every police-station, and the policy must be affected so largely by local conditions that the Government of India do not consider that rigid instructions of the description suggested would be expedient."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

8. "Will the Government be pleased to state if the officers required for the Provincial Executive and Subordinate Services for Delhi Province are solely recruited from Delhi? If not, do the Government propose to issue orders that the officers required for similar services, both in the Punjab and United Provinces, may also be recruited from Delhi?"

Recruitment of officers for Provincial and Subordinate Executive Services.

**The Hon'ble Sir Reginald Craddock** replied :—

"Officers of the Permanent and Subordinate Executive Services for employment in Delhi are recruited from the Punjab. In recognition of the claims of inhabitants of Delhi an arrangement has been come to with the Punjab by which the Chief Commissioner makes certain nominations annually to the list of candidates. The matter is one which does not seem to affect the United Provinces."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

9. "Will Government be pleased to state how many of the vacancies caused by the deputation to the Military Department of officers of the Indian Medical Service holding appointments as Civil Surgeons have been filled by the promotion of Civil Assistant Surgeons?"

Filling up of the vacancies in the Indian Medical Service by the promotion of Assistant Surgeons.

**The Hon'ble Sir Reginald Craddock** replied :—

"Since the outbreak of hostilities, 84 Civil Assistant Surgeons have been temporarily promoted to act as Civil Surgeons in vacancies caused by the reversion of Indian Medical Service officers to military duty. This total does not include those Civil Assistant Surgeons who have been appointed to act as Civil Surgeons in place of Military Assistant Surgeons similarly reverted."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

10. "Will the Government be pleased to state if they propose to take any action in the matter of religious and charitable endowments regarding which a Conference was held at Delhi under the presidency of the Hon'ble Sir Reginald Craddock?"

Religious and Charitable endowments.

**The Hon'ble Sir Reginald Craddock** replied :—

"The Hon'ble Member is referred to the Communiqué issued by the Government of India on the 23rd January 1915, a copy of which is laid on the table. The position remains as then explained."

\* Vide Appendix C.

[*Maharaja Ranajit Sinha ; Sir Reginald Craddock ; [8TH SEPTEMBER, 1915.]*  
*Mr. Gillan.*]

**The Hon'ble Maharaja Ranajit Sinha asked :—**

Amendment  
of the Court-  
fees Act.

11. " Will the Government be pleased to state if the opinions of the Local Governments have been received regarding the proposed amendment of the Court-fees Act according to the assurance given by the Hon'ble Sir Reginald Craddock last year, when the Resolution on the subject was moved on 2nd March, 1914?"

**The Hon'ble Sir Reginald Craddock replied :—**

" Owing to the outbreak of war and the claims of more emergent legislative business, it has not yet been found possible to make the comprehensive reference to Local Governments on the subject of the amendment of the Court-fees Act which is under contemplation."

**The Hon'ble Maharaja Ranajit Sinha asked :—**

Refund of  
Court-fees  
in *ex-parte*  
cases.

12. " With reference to the statement made by the Hon'ble Sir Reginald Craddock in accepting my Resolution regarding refund of court-fees in *ex-parte* cases which was moved at the Imperial Legislative Council held on 2nd March, 1914, will the Government be pleased to state if the opinions of the Local Governments and Administrations on the subject have been received? If so, do the Government propose to take any action in the matter?"

**The Hon'ble Sir Reginald Craddock replied :—**

" The Hon'ble Member will see from the reply which I have just given that the point has not yet been further considered."

**The Hon'ble Maharaja Ranajit Sinha asked :—**

Discontin-  
uance of the  
running of  
the Loop Mail  
on the East  
Indian Rail-  
way.

13. " (a) Is it a fact that a fast train called the Loop Mail used to be run on the loop line of the East Indian Railway, and that this train has been discontinued since March, 1915?"

(b) Are the Government aware that the discontinuance of the train has caused much inconvenience to people living in the vicinity of the loop line?

(c) Do the Government propose to take any action in the matter?"

**The Hon'ble Mr. Gillan replied :—**

"(a) Owing to a considerable decrease in the Coaching earnings in consequence of the outbreak of war, the East Indian Railway Administration found it necessary to cancel, with effect from 1st December 1915, the running of a mixed train in each direction between Howrah and Jamalpur, and as their discontinuance caused some inconvenience to the public at stations where the Loop Mails were not booked to stop, the Loop Mails were converted into Loop Passengers stopping at every station on and from 1st March, 1915. The average speed of the Loop Mail prior to its conversion was only about 23 miles per hour, and it was never a fast train.

(b) The Government are not aware that these alterations of the train service have caused inconvenience to the travelling public. The only complaint that the East Indian Railway Administration have received so far, is from the residents of one station who asked for the number of halts at stations between Burdwan and Howrah on the main line to be curtailed, with a view to an earlier arrival of the Down Loop Passenger train at Howrah.

(c) In these circumstances, the Government do not propose to take any action in the matter."



[8TH SEPTEMBER, 1915.] [Maharaja Ranajit Sinha; Sir Reginald Craddock; Mr. Gillan; Mir Asad Ali.]

**The Hon'ble Maharaja Ranajit Sinha** asked :—

14. "(a) Will the Government be pleased to furnish a statement showing the names of officers of the Provincial Judicial service holding appointments as acting or permanent Judges in the High Courts of the different provinces ?" Officers of the Provincial Judicial service holding appointments as acting and permanent Judges in High Courts.

(b) Will the Government be pleased to state if any member of the Provincial Judicial service was ever permanently appointed as a Puisne Judge of the Calcutta High Court ?

(c) Do the Government propose to fill up any vacancy in the Calcutta High Court by promotion from the Provincial Judicial service from the rank of District Judges ?"

**The Hon'ble Sir Reginald Craddock** replied :—

"I place on the table a statement\* which answers the first part of the Hon'ble Member's question. It is understood that the Hon'ble Maharaja, in addition to the Chartered High Courts, refers also to Chief Courts and to Courts of Judicial Commissioners.

The answer to the second part is in the negative, and to the third that selection for a particular vacancy can only be made on a comparison of the relative merits of the candidates available at the time that it has to be filled, and with due reference to the composition of the Court. Permanent appointments to the Chartered High Courts, it may be added, are made by the Crown."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

15. "(a) Is it a fact that trains on the Bengal and North-Western Railway generally do not run according to the scheduled time, and that there is at present no fast train on that Railway ?" Improvement in the working of the Bengal and North-Western Railway.

(b) Is it a fact that there is no regular platform at most of the stations on the said line ?

(c) If so, will the Government be pleased to state if they propose to take steps with a view to improving the working of the said Railway ?"

**The Hon'ble Mr. Gillan** replied :—

"(a) The information before the Railway Board indicates that the Bengal and North-Western Railway use every endeavour to maintain the punctuality of their different services. The Company are peculiarly situated in that their trains run through many junctions, a large proportion of which are foreign. The maintenance of the punctuality of their trains does not therefore rest solely with themselves.

(b) By regular platforms it is presumed that raised platforms are meant. The Railway board are advised by their Senior Government Inspector that these have been provided where required by the traffic.

(c) The answer is in the negative.

The Government do not propose to take any action, but if the Hon'ble Member has any particular case to bring to the notice of the Railway Board in which the public interest is thought to have been neglected on the Bengal and North-Western Railway, it will be investigated."

**The Hon'ble Mir Asad Ali** asked :—

16. "Will Government be pleased to state—

(a) whether it is a fact that the Government-of-India-rupee is allowed free import in the Straits Settlements, given its full value of sixteen annas, and circulated freely without loss to persons importing it ?" Import into India of Straits silver dollar free of duty.

\*Iide Appendix D.

[*Sir William Meyer ; Mir Asad Ali ; Sir Reginald Craddock ; Sir William Clark.*] [8TH SEPTEMBER, 1915.]

(b) if so, whether Government propose to make a similar concession of allowing import into India, free of duty, in the case of Straits silver dollars ?”

**The Hon'ble Sir William Meyer** replied :—

“(a) As far as the Government of India are aware no import duty is levied on silver imported, whether as coin or bullion, into the Straits Settlements. The rupee is not the standard coin of that colony and, though it is understood to be used there to some extent, the Government of India are not in a position to state the conditions under which it circulates.

(b) The answer to the second part of the question is in the negative.”

**The Hon'ble Mir Asad Ali** asked :—

General revision of the pay of lower paid clerks in the several departments of the Government of Madras.

17. “ Will Government be pleased to state—

(a) whether they are aware of any proposals under consideration by the Government of Madras for the general revision of the pay of lower paid clerks in the several departments of that Government ?

(b) whether they propose to consider the advisability of consulting Local Governments as to the necessity for a general revision of the pay of lower paid clerks ?”

**The Hon'ble Sir Reginald Craddock** replied :—

“(a) Beyond some recent proposals for the raising of the pay of clerks in the Registration Department, the Government of India are not aware of any general scheme of revision under consideration by the Government of Madras.

(b) The attention of the Hon'ble Member is invited to the answer given to a very similar question asked by the Hon'ble Sardar Daljit Singh at the meeting of the Imperial Legislative Council on 3rd February, 1914.”

**The Hon'ble Mir Asad Ali** asked :—

Levy of fees under Act VII of 1912.

18. “ Will the Government be pleased to state—

(a) whether it is a fact that in the matter of the levying of fees under the Indian Companies Act, 1913 (VII of 1913), an Indian Company is taxed upon registration or when recording or registering certain documents more than an English Company with the same capital ?

(b) whether it is a fact that while an English Company is exempted from paying any fee for filing documents an Indian Company under the present Act is required to pay a fee of Rs. 5 for each document filed ?

(c) if the answers to the above questions are in the affirmative, whether the Government propose to consider any measure to obviate this differentiation between an English and an Indian Company ?”

**The Hon'ble Sir William Clark** replied :—

“ All companies to which the Indian Companies Act applies are liable to payment of the same fees for acts which they are required to do under that enactment. No distinction is drawn under that Act between companies registered in England and those registered in British India, or between companies owned by English and those owned by Indian shareholders.

It is the case, however, that the fees for registration and filing of documents in England prescribed by the English Company law are somewhat lower than those prescribed by the Indian Companies Act.

The Government of India have at present under consideration the question of reducing the fees payable under the Indian Companies Act.”

[8TH SEPTEMBER, 1915.] [*Mir Asad Ali; Sir William Clark; Mr. J. H. Abbott; Sir Reginald Craddock; Sir Harcourt Butler.*]

**The Hon'ble Mir Asad Ali** asked :—

19. " Will Government be pleased to state :—

(a) whether they have received a copy of the Resolutions passed at the eleventh session of the All-India Temperance Conference which was held at Madras in December last ?

(b) if so, what action, if any, they propose to take thereon, as regards Resolutions III and IV ?"

Resolutions passed at the eleventh session of the All-India Temperance Conference held at Madras in December, 1914.

**The Hon'ble Sir William Clark** replied :—

" As regards the first question, Government have received no information regarding the proceedings of the 11th session of the All-India Temperance Conference held in Madras last December, other than that contained in the local press.

As regards the second question, it is understood from the press that the third and fourth Resolutions dealt with questions relating to the powers and functions of Advisory Committees, and with measures further to restrict consumption. The policy of Government in regard to most of these questions is stated in the Excise Resolution of the 25th July 1914 and its enclosures to which I may refer the Hon'ble Member.

The only point not covered by the Resolution and its annexures is that relating to the prohibition of temporary licenses at fairs, festivals and melas and during public holidays. With regard to this, the grant of temporary licenses on such occasions is, under existing orders, already restricted to such extent as local conditions permit."

**The Hon'ble Mr. J. H. Abbott** asked :—

20. " Do the Government propose to consider whether European and Anglo-Indian Inspectors of Police, of proved merit and ability, may not be more freely promoted to the office of Deputy Superintendent of Police than is the case at present ?"

Promotion of Anglo-Indian Inspectors of Police to Deputy Superintendents of Police.

**The Hon'ble Sir Reginald Craddock** replied :—

" The promotion of Inspectors, whether European, Anglo-Indian or Indian, to be Deputy Superintendents of Police is a matter within the discretion of the Local Governments, and the Government of India do not think it necessary to issue any general instructions with the object indicated by the Hon'ble Member."

**The Hon'ble Mr. J. H. Abbott** asked :—

21. " Do the Government propose to consider the expediency of—

(a) establishing a Training College for men in the United Provinces on the same lines as that established at Snawar,

(b) establishing a similar College in the Bombay Presidency, and

(c) establishing similar colleges in each Presidency and Province where these do not already exist ?"

Establishment of a Training College for men in the United Provinces.

**The Hon'ble Sir Harcourt Butler** replied :—

" The question of the establishment of one or more additional training colleges was considered at the Conference on the education of the Domiciled

[*Mr. J. H. Abbott; His Excellency the Commander-in-Chief; Sir Reginald Craddock; Sir Harcourt Butler.*] [8TH SEPTEMBER, 1915.]

Community in India held at Simla in July 1912. It was pointed out, in the course of discussion, that the number of trained teachers annually required for India is limited. The Government of India are in agreement with the views expressed in Resolution IV of that Conference. Difficulties have arisen regarding the establishment of a college at Bangalore; but proposals are on foot for the establishment of a college at a suitable site in the Madras Presidency. The Government of India are not of opinion that it is necessary to establish similar colleges at present in the United Provinces, in the Bombay Presidency or elsewhere."

**The Hon'ble Mr. J. H. Abbott asked:—**

Increased rate of pay sanctioned for the Indian Subordinate Medical Department.

22. "(a) Will the Government be pleased to state whether the increased rate of pay recently sanctioned for the Indian Subordinate Medical Department also carries with it a corresponding increase of pension?"

(b) If the answer to part (a) is in the affirmative, has the Government notified the fact to the public and those concerned, or does it propose to do so?"

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

"The answer to clause (a) is in the negative.

The answer to clause (b) does not arise."

**The Hon'ble Mr. J. H. Abbott asked:—**

Anglo-Indian Settlements in India.

23. "Will the Government be pleased to state whether they propose to consider the advisability of aiding and supporting Anglo-Indian Settlements in India and encouraging British Soldiers and Territorials on the completion of their service to settle in them?"

**The Hon'ble Sir Reginald Craddock replied:—**

"I am afraid the question is in too vague a form to permit of a definite reply. Speaking generally there would not seem to be much room for action on the lines indicated. The extent to which the settlement of particular communities on land can properly receive encouragement at the hands of Government is a question with which Local Governments are primarily concerned."

**The Hon'ble Mr. J. H. Abbott asked:—**

Scholarships reserved for Anglo-Indians.

24. "Will Government be pleased to state what, if any, steps are taken to prevent scholarships reserved for the Anglo-Indian community being given to Indians with English names?"

**The Hon'ble Sir Harcourt Butler replied:—**

"Under the provincial Codes for European Schools, scholarships treated of in those Codes are reserved for Europeans, and it is incumbent on Local Governments, in all cases of doubt, to decide the proper application of that term as defined. The Government of India are not aware that any special steps have been found necessary to prevent the result alluded to by the Hon'ble Member."

QUESTIONS AND ANSWERS ; THE INDIAN TRUSTS (AMEND- 11  
MENT) BILL.

[8TH SEPTEMBER, 1915.]

[*Mr. J. H. Abbott ; His Excellency the Com-  
mander-in-Chief ; Sir Reginald Craddock.*]

**The Hon'ble Mr. J. H. Abbott** asked :—

25. " Will the Government be pleased to state the number of temporary or other Commissions granted during the war to :—

- (a) Warrant and Non-Commissioned Officers, Combatant Ranks.
- (b) Warrant and Non-Commissioned Officers, Supply and Transport Corps.
- (c) Warrant and Non-Commissioned Officers, Ordnance Department.
- (d) Commissioned and Warrant Officers of the I. S. M. D.
- (e) Civil Practitioners in India in the I. M.S."

Number of temporary or other Commissions granted during the war.

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

" (a) 214 combatant warrant and non-commissioned officers have received temporary commissions in India ;

- (b) None at present ; but seven names are under consideration ;
- (c) None at present ; but four names are under consideration ;
- (d) No temporary commissions have been granted ;
- (e) 113 commissions have been granted."

**The Hon'ble Mr. J. H. Abbott** asked :—

26. " Is it a fact that there are no arrangements for the training and employment of Domiciled European and Anglo-Indian lads in the British Navy ?" Employment of Anglo-Indians in the Navy.

If so, do the Government propose to consider the expediency of addressing the authorities in the United Kingdom with a view to securing that such arrangements are made ?"

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

" Men and boys recruited for the British Navy have to undergo training in establishments in the United Kingdom, and there are no arrangements for sending home recruits from India.

The Government of India do not propose to take up the question at the present time."

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**THE INDIAN TRUSTS (AMENDMENT) BILL.**

**The Hon'ble Sir Reginald Craddock** :—" My Lord, I move for leave to introduce a Bill to amend the Indian Trusts Act, 1882.

" The object of this Bill is to extend the powers of trustees in the matter of the investment of trust funds somewhat on the lines of the English Act of 1893.

" Section 20 of the existing Indian Trusts Act of 1882, unlike the English Act, does not allow the investment of trust funds in Indian Sterling Stock. It is proposed to remedy this defect.

" The Bill also extends the powers of trustees to invest trust funds in the securities of railways of which the interest is guaranteed by the Government of India. At present this power only applies to railways in which the interest is guaranteed by the Secretary of State. The Bill also lays down the rates at

[*Sir Reginald Craddock.*]

[8TH SEPTEMBER, 1915.]

which trustees may purchase such securities when they are redeemable at par or at some specified rate. On the other hand, it takes away the power of trustees to invest interminable annuities without sinking funds. Future investments, therefore, in trust funds in this class of security will no longer be permissible, but the case of investments already made under the powers given by the existing Act is saved.

“These modifications in the existing law are, I think, such as are likely to commend themselves to the Council, and I beg to move, therefore, for leave to introduce the Bill.”

The motion was put and agreed to.

**The Hon'ble Sir Reginald Craddock** :—“My Lord, I beg to introduce the Bill, and to move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the local official Gazettes in English and in such other languages as the Local Governments think fit.”

The motion was put and agreed to.

### THE INDIAN SOLDIERS (LITIGATION) BILL.

**The Hon'ble Sir Reginald Craddock** :—“My Lord, I move for leave to introduce a Bill to provide for the special protection in respect of civil and revenue litigation of Indian Soldiers serving under war conditions.

“This Bill repeals and re-enacts, with small additions, the Indian Soldiers Litigation Ordinance, II of 1915, which was issued by the Governor General on the 5th of May last. The only reason why this legislation took the form of an Ordinance, in the first place, instead of a Bill was that its terms required much correspondence and consultation in order that the measure might best serve the objects in view. The terms were not settled in time for a Bill to be introduced before the close of the last Delhi sessions of this Council, hence the present Bill to re-enact the Ordinance which would otherwise expire in November, and to put it permanently upon our Statute-book.

“The main objects sought to be secured are that cases to which Indian soldiers are parties should not be proceeded with unless their adequate representation in such proceedings has been secured, and that power should be given to the Courts to set aside decrees or orders passed when these conditions had not been observed. A further privilege conferred is the exclusion of any period of service under war conditions from the period of limitation. The changes made in the Bill from the terms of the Ordinance are those necessary in a permanent enactment as distinct from a temporary one. It has been the common complaint that, when Indian soldiers are serving under war conditions, advantage is often taken of their absence by creditors or other claimants to sue them in circumstances when they are unable properly to defend their suits. They may similarly be prejudiced as plaintiffs, being unable on account of their absence to prosecute a suit properly within the period of limitation. Representations have been made by regimental and military authorities in the past on occasions when Indian soldiers were absent with expeditionary forces. The present great war, however, in which the numbers of Indian soldiers serving under war conditions at home and abroad have attained totals quite unprecedented and unexpected, has brought these difficulties into greater prominence, and the Ordinance of May last and this Bill, which seeks to put it into permanent shape, have been designed to meet these difficulties.

“The term ‘Indian soldier’ will include any person subject to the Indian Army Act, and the Governor General in Council is given power to declare what is service under war conditions both inside and outside India, both during the

THE INDIAN SOLDIERS (LITIGATION) BILL ; THE REPEALING AND AMENDING BILL ; THE NORTH-WEST FRONTIER CONSTABULARY BILL.

[8TH SEPTEMBER, 1915.] [*Sir Reginald Craddock ; Sir Ali Imam ; Mr. Grant.*]

present war and afterwards on any future occasion when the necessity of protecting Indian soldiers on active service may arise. The last clause of the Bill, which is an addition to the Ordinance, takes notice of the fact that there are certain classes of servants of the Crown who are not technically within the definition of the term 'Indian soldier,' although it is possible that they may have a claim to protection of the same nature. Clause 12, therefore, gives power to the Governor General in Council to extend the protection conferred by the Bill to persons of this class.

"I feel quite sure that this Council will heartily approve of a measure designed to benefit the brave soldiers of the Indian Army now fighting in the cause of the Empire in three continents of the world."

The motion was put and agreed to.

**The Hon'ble Sir Reginald Craddock** :—"I now introduce the Bill, and move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English."

The motion was put and agreed to.

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**THE REPEALING AND AMENDING BILL.**

**The Hon'ble Sir Ali Imam** :—"My Lord, I move for leave to introduce an Amending and Repealing Bill. It is a small and formal measure involving no material change in the existing law. The reasons for the amendments are explained in the 5th column of the Schedule attached to the Bill, copies of which will be placed before Hon'ble Members. In this Bill opportunity has also been taken to repeal some superfluous words in another Act, VIII of 1915. I move for leave to introduce the Bill."

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam** :—"My Lord, I beg to introduce the Bill, and to move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English."

The motion was put and agreed to.

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**THE NORTH-WEST FRONTIER CONSTABULARY BILL.**

**The Hon'ble Mr. Grant** :—"My Lord, I move for leave to introduce a Bill to provide for the regulation of the Frontier Constabulary in the North-West Frontier Province. In the year 1904 an Act (the North-West Frontier Border Military Police Act, IV of 1904), was passed to provide for the regulation of the Border Military Police Force in that Province. This Force was, however, abolished under sanction conveyed by His Majesty's Secretary of State for India in December, 1914, and its place was taken by a new Force entitled 'The Frontier Constabulary.' The main object of the present Bill is to re-enact and apply the provisions of the North-West Frontier Border Military Police Act of 1904 to this new Force, and, further, to embody in the Bill certain provisions of the Indian Army Act of 1911, which experience has shown may suitably be applied to the Frontier Constabulary. The constitution of the new Force also differs in many particulars from that of the old Border Military Police, and on this account it has been necessary to introduce some new features into the Bill to regularize the administrative control. The Bill thus contains nothing of a novel character, though the necessity for passing it is

14 THE NORTH-WEST FRONTIER CONSTABULARY BILL; THE  
SIR JAMSETJEE JEJEEBHOY BARONETCY BILL.

[*Mr. Grant ; Sir Ali Imam.*]

[8TH SEPTEMBER, 1915.]

somewhat urgent in view of the desirability of conferring on the Local Government of the North-West Frontier Province and the officers concerned the necessary powers to deal on regular lines with questions of discipline and the general administration of the Constabulary. There is no element of contention in the Bill, and I feel confident that the Council will be able to support it without controversy."

The motion was put and agreed to.

**The Hon'ble Mr. Grant** :—"My Lord, I now introduce the Bill, and move that it, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the North-West Frontier Province Government Gazette in English, and in such other languages as the Local Administration thinks fit.

"I may mention that, if this motion is agreed to, I propose at a subsequent meeting during the present session of Council to move that this Bill be taken into consideration and passed."

The motion was put and agreed to.

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**THE SIR JAMSETJEE JEJEEBHOY BARONETCY  
BILL.**

**The Hon'ble Sir Ali Imam** :—"My Lord, I beg to move that the Bill to re-settle the endowment of the Baronetcy conferred on Sir Jamsetjee Jejeebhoy be taken into consideration.

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam** moved that after clause 27 the following clause be inserted, namely :—

"28. The person for the time being entitled to, and in the enjoyment of the title of Baronet conferred by the said Letters Patent as aforesaid, shall have power, with a view to the more advantageous sale of the land occupied by the said Mansion House and other hereditaments, called Mazagon Castle, in pursuance of the powers in that behalf conferred by section 10, and, notwithstanding anything in this Act contained to the contrary, to enter into an arrangement with the Government of Bombay whereby, in consideration of the waiver in perpetuity by the Government of Bombay of their right to enhance the amount of the assessment to land-revenue for the time being payable in respect of the land occupied by the said Mansion House and other hereditaments, called Mazagon Castle, either the amount of the assessment to land-revenue payable in respect of any land which may be purchased in pursuance of the power in that behalf conferred by section 8, may be enhanced, or an assessment to land-revenue of any land so purchased, which at the time of the purchase thereof shall not be liable to the payment of land-revenue, may be imposed thereon."

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam** moved that clauses 28 and 29 of the Bill be re-numbered '29' and '30', respectively.

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam** moved that the Bill, as amended, be passed.

The motion was put and agreed to.

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[8TH SEPTEMBER, 1915.]

[*Sir William Clark ; Sir Harcourt Butler.*]

## **THE INLAND STEAM-VESSELS (AMENDMENT) BILL.**

**The Hon'ble Sir William Clark** moved that the Bill further to amend the Inland Steam-Vessels Act, 1884, be referred to a Select Committee, consisting of the Hon'ble Sir Ali Imam, the Hon'ble Sir William Vincent, the Hon'ble Mr. Kesteven, the Hon'ble Sir Fazulbhoy Currimbhoy, the Hon'ble Rai Sita Nath Ray Bahadur, the Hon'ble Mr. Low, the Hon'ble Mr. Stewart and the mover.

He said:—"Hon'ble Members will recollect that this Bill was introduced in the last session of Council. Since then it has been circulated and opinions have been received from those interested in the Bill. While these unanimously approve the principles of the Bill, there have been certain suggestions made for amendments in matters of detail which will be considered in Select Committee."

The motion was put and agreed to

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## **THE BENARES HINDU UNIVERSITY BILL.**

**The Hon'ble Sir Harcourt Butler** moved that the Bill to establish and incorporate a teaching and residential Hindu University at Benares be referred to a Select Committee, consisting of the Hon'ble Sir Ali Imam, the Hon'ble Sir G. M. Chitnavis, the Hon'ble Pandit Madan Mohan Malaviya, the Hon'ble Mr. Kesteven, the Hon'ble Mr. Sharp, the Hon'ble Maharaja Sir Manindra Chandra Nandi of Kasim Bazar, the Hon'ble Mr. Surendra Nath Banerjee, the Hon'ble Mr. Cobb, the Hon'ble Lieutenant-Colonel Gurdon, the Hon'ble Dr. Sundar Lal, and the mover.

He said:—"I need not detain the Council at any length this morning. We have reached a further, but not the final, stage in the promotion of an Hindu University at Benares. It is hardly necessary to remind Hon'ble Members of the reason which induced the Government to proceed with this measure during the war, namely, that there was a very strong desire on the part of the promoters that this Bill should be passed into law during the Viceroyalty of Lord Hardinge with whose name the University will ever be associated, and to whose consistent encouragement and support the success of the movement is, in no small measure, due. Your Excellency was graciously pleased to accede to the request of the promoters in this respect, and I am very glad to be able to say that the negotiations have proceeded on lines which, I think, are worthy and practical, and that there is a general desire in this Council that the Bill should become law during Your Excellency's memorable term of office. It is not that there are not differences of opinion about the Bill. A great many people would like to see another form of constitution and other detailed provisions, but differences of opinion need not result in controversy, and I hope that the Bill will remain a non-controversial measure. In all the statements of opinion—and they are numerous and weighty—I can find no desire to treat this as a controversial measure, and so necessitate its withdrawal. On the contrary, I see a desire to recognise that the promoters of this movement have achieved a great success which reflects credit on India, and I think that I shall not be far from the general sense of this Council when I say that we shall all feel glad and rather proud if, during the greatest war in history, we can place upon the Statute-book a measure creating a new kind of University in India, which owes its existence to non-official effort. The Bill is not an ordinary Bill. It is in the nature of a private Bill which has been taken over by Government, and which is designed to meet, as far as possible, the wishes of the promoters, who have collected large sums of money from the public, amounting, I understand, already to over 50 lakhs of rupees, on certain understandings and with certain objects in view. I

[ *Sir Harcourt Butler* ]

[ 8TH SEPTEMBER, 1915. ]

wish to make it quite clear that the constitution is in no sense a constitution provided by Government. The attitude of the Government has throughout been this, that they desire to help the promoters in every possible way, subject only to those conditions without which neither the Secretary of State nor the Government of India could contemplate the existence of a new University of this kind. In accordance with this attitude, it has been our desire to put upon the Select Committee members of the Hindu community who are interested in the Bill. There are one or two names which we would have liked to have seen added, but the Hon'ble Members in question were unable to attend.

“ With these few remarks, I beg to move the motion.”

The motion was put and agreed to.

The Council adjourned to Wednesday, the 22nd September, 1915.

W. H. VINCENT,

*Secretary to the Government of India,*

*Legislative Department.*

SIMLA,

*The 14th September, 1915.*

## APPENDIX A.

*Statement showing the number of colonials employed in Government service in British India, the colonies to which they belong and the services or departments in which they are employed.*

Services or Departments.	NUMBER OF OFFICERS BORN OF FATHERS NATIVE OF OR DOMICILED IN.					REMARKS.
	South Africa.	Canada.	Australia.	New Zealand.	Total.	
Indian Civil Service ... ..	3	1	5	5	14	
Provincial Civil Service ... ..	...	...	1	...	1	
Police Department (Imperial and Provincial).	1	1	5	...	7	
Customs Department (Provincial) ...	...	1	1	...	2	
Agricultural Department ... ..	...	...	1	...	1	
Forest Department ... ..	2	...	1	1	4	
Educational Department (Imperial and Provincial).	...	1	3	2	6	
Public Works Department ... ..	1	1	2	1	5	
Pilot Service ... ..	...	...	1	...	1	
Indian Medical Service ... ..	3	7	4	3	17	
Survey of India .. ..	...	3	...	...	3	
Military Accounts Department ...	...	...	1	...	1	
Indian Post Office ... ..	...	1	...	...	1	
State Railway Department ... ..	...	...	2	...	2	
Ecclesiastical Service ... ..	...	...	2	...	2	
Total ... ..	10	16	29	18	67	

## APPENDIX B.

[*Referred to in the Answer to Question No. 4.*]

## COMMUNIQUÉ.

As some misapprehension appears to exist regarding the action taken by the Government of India since the outbreak of war with Germany and Austria to control the movements of subjects of these nations in this country, the following statement is issued for general information.

On the 4th August, 1914, the registration of all Germans and Austrians at defended ports was ordered to be effected, and on the 5th idem the registration of persons of these nationalities was made general throughout the country. At the same time all were placed under police surveillance, and the extension of sections 5 *et seq.* of the Foreigners Act, 1864, was notified throughout British India, thus preventing these hostile foreigners from travelling without permission.

On the 12th August, the exemption enjoyed by Germans and Austrians under the Arms Act was cancelled, and their disarmament was ordered.

On the 20th August, the Foreigners Ordinance, 1914, was promulgated, which gave power to prohibit or regulate the entry, departure and residence of foreigners in British India, and on the 22nd idem, these powers were delegated to the military authorities with reference to Germans aged not less than 20 or more than 39, and Austrians aged not less than 21 or more than 33. [On the 7th October, when it was known that the military ages in Germany and Austria had been extended, these age limits were put at 17 and 45 years in the case of Germans, and 19 and 42 in the case of Austrians]. As regards all other hostile foreigners of these nationalities Local Governments were similarly empowered, with instructions to exercise such degree of control as circumstances might demand; written paroles vouched for by responsible British subjects were allowed to be taken, though a free hand was reserved to resort to more drastic measures should that be required. The departure from British India of hostile foreigners of military age was prohibited, and that of others restricted to certain ports and dates.

In the case of those of military age the net result of these orders has been their removal (unless for special reasons exceptions were permitted) to the prisoners of war camp at Ahmednagar. The latest figures show 1,143 persons as there interned.

As regards those outside the military ages, although the general policy followed as regards all has been the same, namely, that they should be subjected to whatever degree of restraint was requisite to ensure that they were unable to do harm to the State, orders were issued on the 2nd September that missionaries who were not considered to be obnoxious or dangerous might remain on parole at their posts so long as they continued to be of good behaviour, although failing the observance of this condition other measures were to be resorted to. This was in accordance with the answer in Parliament given by the Under-Secretary of State for India on the 27th August, 1914, to the effect that His Majesty's Government were confident that sympathetic consideration would be extended to German and Austrian missionaries who were engaged in purely religious work.

On these lines Local Governments have since been proceeding, discretion as to individual cases having been left to them. As a general statement it may be said that it has been found necessary in a number of instances to make the restraints more strict than was at first directed, but this has been done on consideration of individual facts and circumstances. It is true that on the 23rd May, 1915, the Government of India ordered the movements of all foreigners to be restricted to the narrowest possible limits, but provincial action as regards persons to whose conduct objection has been taken has mainly consisted in their removal to Ahmednagar (if of military age) or otherwise their concentration at various centres in civil charge, thus ensuring their removal from their normal place of residence and the exercise of a closer supervision than is possible in the case of scattered individuals.

The latest figures available show the following details regarding German and Austrians in civil charge :—

Province.	NUMBERS CONCENTRATED AT VARIOUS CENTRES AWAY FROM THEIR HOMES.				NUMBERS RESIDENT AT THEIR NORMAL PLACE OF RESIDENCE.					
	MISSIONARIES.		OTHERS.		MISSIONARIES.		OTHERS.			
	Men.	Women.	Children.	Men.	Women.	Children.	Men.	Women.	Children.	
Madras ...	24	68	57	...	...	...	...	...	...	
Bombay ...	40	9	10	65	31	34	72	16	...	
Bengal ...	...	...	...	41	11	19	12	24	...	
United Provinces ...	...	...	...	...	...	...	0	52	...	
Punjab ...	2	5	...	7	9	...	...	...	...	
Burma ...	...	...	...	1	2	3	5	9	...	
Bihar and Orissa ...	14	34	43	...	...	...	20	30	...	
Central Provinces ...	13	4	...	...	2	2	0	7	...	
Assam ...	1	...	...	3	...	...	...	...	...	
<b>Total</b> ...	<b>94</b>	<b>120</b>	<b>110</b>	<b>117</b>	<b>55</b>	<b>68</b>	<b>121</b>	<b>144</b>	<b>...</b>	
<b>Grand totals</b> ...	<b>324</b>			<b>230</b>			<b>265</b>			<b>286</b>
<b>Grand total of all classes</b> ...										<b>1,232</b>
										<b>+127 unspecified.</b>

\* Details as to the composition of this figure are not available.

It will be apparent from what has been already said that these figures have been and are liable to fluctuation from time to time according as alteration in the treatment of individuals has been found necessary. The Bombay figures, in particular, were compiled some time ago, while the concentration of missionaries in Bihar and Orissa is understood still to be in progress.

Circumstances have now however changed. The prolongation of the war and the methods of savagery adopted by Germany in the conduct of it have engendered feelings of bitterness which cannot be ignored. This is inevitably reflected in the attitude of Germans and Austrians in India towards the British administration, while the strain of exercising supervision over them is bearing heavily on officers already fully employed with other duties.

The Government of India, with the approval of the Secretary of State, have accordingly decided to adopt a general policy of repatriating all German and Austrian women and children and men of non-military age who are not interned as prisoners of war at Ahmednagar, and this will be effected as soon as the necessary arrangements can be completed.

As bearing on the subject it may be of public interest to note that the Secretary of State for Home Affairs stated in the House of Commons on the 27th July that the Repatriation Committee had repatriated from the United Kingdom, since this policy was adopted there, 6,802 alien enemies (including children). Of 14,117 applications presented to the Internment Committee, 7,325 had been refused, and 6,092 granted, while 700 were pending. Consideration had been shown to Austrians and Hungarians in recognition of the fact that British subjects in Austria Hungary had been treated with much more leniency than in Germany.

Connected with the general question is the matter of the grants which German and Austrian missions had prior to the war been receiving from public and local funds. As is known, these institutions had in various instances been conducting educational and philanthropic enterprises, particularly among the backwards races, of benefit to the community, and they had been legitimately assisted from public revenues. On the 15th June, however, orders were issued that all such subsidies should be discontinued.

The question whether anything further is required to safeguard the State from danger from the presence of naturalised Germans and Austrians is engaging the attention of the Government of India in consultation with Local Governments. Effective powers of control have already been taken under the Defence of India Act and the rules made thereunder. In the United Kingdom, the subject has been treated on the following lines. No distinction has been made between naturalised aliens originally of hostile nationality who can establish denationalisation in their country of origin and those who cannot do so, and as regards those who have statutory rights to continue as British subjects the *prima facie* presumption has been that they should not be subjected to special treatment, unless their attitude or action is shown to be hostile. Action can be initiated either by the military authorities or by the police to establish the need of special treatment and such restrictions are then imposed (extending, if need be, to internment) as the circumstances of each case demand.

The foregoing statement does not deal with such measures of supervision as censorship, etc., which affect others besides hostile foreigners. Neither does it touch upon the action taken in respect of hostile trading.

HOME DEPARTMENT,

(POLITICAL);

*Simla, the 13th August 1915.*

## APPENDIX C.

(Referred to in the Answer to Question No. 10.)

## COMMUNIQUÉ.

As is generally known, the subject of the administration of religious and charitable endowments in this country has, for some time past, been occupying the attention of Government, and private Bills on the subject have actually been promoted in Madras by Diwan Bahadur L. A. Govindaraghava Ayyar in conjunction with Mr. (now the Hon'ble Justice) Seshagiri Ayyar, and in Bombay by the Hon'ble Sir Ibrahim Rahimtoola. The Government of India had the advantage of discussing the whole question with a mixed conference of officials and non-officials held at Delhi on the 16th March 1914, and the general conclusions then arrived at were made public in a Communiqué dated the 17th March, 1914. As intimated at that time, the Secretary of State was addressed, and His Lordship has now approved of the proposal of the Government of India, that at a convenient season Imperial legislation should be undertaken dealing with certain main aspects of the matter which, it is thought, may appropriately be provided for in all provinces. Such a Bill will now be drafted, although its introduction is improbable until after the close of the war. Pending its becoming law, it would obviously be inconvenient for separate Provincial legislation to proceed on the same subject.

H. WHEELER,

*Secretary to the Government of India.*

HOME DEPARTMENT:

*Delhi, the 23rd January 1915.*

**APPENDIX D.**

*(Referred to in the Answer to Question No. 14.)*

*Statement showing the members of the provincial judicial service at present holding permanent or acting Judgeships in the High Courts of the various provinces.*

1. The Hon'ble Mr. Justice Sadasiva Ayyar, B.A., M.L., Diwan Bahadur, Puisne Judge, High Court, Madras.
2. The Hon'ble Mr. Justice C.V. Kumaraswami Sastri, B.A., B.L., Diwan Bahadur, Temporary Additional Judge, High Court, Madras.
3. The Hon'ble Justice Sir P. C. Banerji, B.A., B.L., J.P., Puisne Judge, High Court, Allahabad.
4. The Hon'ble Mr. Justice Muhammad Rafiq,\* Barrister-at-Law, J.P., Puisne Judge, High Court, Allahabad.  
\* Appointed *qua* barrister.
5. Pandit Kanhaiya Lal, M.A., L.L.B., Rai Bahadur, Second Additional Judicial Commissioner, Oudh.
6. Mr. H. J. Stanyon,† C.I.E., Barrister-at-Law, Second Additional Judicial Commissioner, Central Provinces.  
† Appointed *qua* barrister.

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*N.B.—There are no members of the provincial judicial service holding Judgeships, acting or permanent, in the High Courts in other Provinces.*