MINUTES OF EVIDENCE
TAKEN BEFORE THE
ROYAL COMMISSION
UPON
DECENTRALIZATION
IN
BENGAL.

VOLUME IV.

Presented to both Houses of Parliament by Command of His Majesty.

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The tendency towards rigidity or uniformity is marked in the relations which exist between the Supreme and the provincial Governments in regard to financial matters. The present system is, on the whole, a good one. The changes which seem desirable are in the direction of allowing to the Local Governments more latitude than they now enjoy in the application of the rules contained in the Codes of the Financial Department. The Government of India should lay down principles and leave to Local Governments their application to particular cases. No wholesale revision of the restrictions imposed on the Local Government by the Civil Service Regulations or the Civil Account Code is required, but the rules in the Codes are, in some cases, too detailed, and they are interpreted with too great rigidity. In many cases, the Local Government might be empowered to make exceptions for special reasons.

The powers of the Government of India in respect of new appointments and deputations have recently been enhanced by the Secretary of State, and the Local Governments might be given more latitude than they now enjoy. As regards appeals, the Local Government should not be given power to appoint or promote otherwise than from grade to grade. The Local Governments should not be given power to introduce reforms of an important or far-reaching character, if any considerations of general policy are involved, without the previous sanction of the Government of India. It should, however, be recognized that proposals should not be rejected merely on theoretical grounds, or because they differ from the existing practice elsewhere.

I do not think there is much need for curtailing the right of appeal to the Government of India or to the Local Government in respect to administrative action. It should, however, be clearly recognized that the Government of India should not interfere with the Local Government unless there are strong grounds for so doing. It should not do so merely because some other course of action seems preferable, but only when the orders of the Local Government appear to be seriously wrong.

Appeals against dismissal or reduction should lie to the Government of India only in the case of Gazetted Officers drawing a salary of Rs. 500 and upwards a month. No appeal should lie against a refusal to appoint or promote otherwise than from grade to grade. As regards appeals to the Local Government, the rules were revised only three years ago, and I do not think that any further alteration is necessary.

I do not think that there has been any serious increase in recent years in the demand for returns and information from Local Governments.
A good deal has already been done in Bengal in the direction of delegating powers to the Board of Revenue, the other offices subordinate to the local Government. The general principle underlying these proposals is that powers should be delegated in respect of matters which are sanctioned as a matter of routine in the office where the power is now exercised.

Commissioners at present have allotments from which they can make grants to local bodies for works and for other purposes of public utility. These grants have proved most useful. Similar grants on a smaller scale should be given to District Officers.

The opportunities for personal contact with the people are naturally not so great in Bengal as elsewhere, owing to the Permanent Settlement, which reduces the outdoor work and increases considerably the work to be done in office in connection with collections, partitions, mutations, revenue sales, and the like. Most officers, moreover, are overworked, and have not the leisure necessary for free intercourse with the people. The only remedies I can suggest are in the direction of increased establishments, including Sub-Divisional Officers for headquarters sub-divisions. Our correspondence regarding routine duties of the like might be carried on direct between the subordinates concerned. The importance of free intercourse with Indians has often been pointed out. Attention is drawn to it in the letter sent to Collectors when new Civilians are posted to their districts. The matter also deals with the Board’s rules. Many officers do not possess a sufficient knowledge of the vernacular. Bengal, Bihar, and Orissa each has its own language, while numerous aboriginal languages are spoken in Chota Nagpur. Proposals have been submitted to the Government of India with a view to encouraging a more adequate study of the vernaculars, but the question will always be a difficult one in Bengal.

A considerable increase in the Provincial Service was sanctioned last year, but it has not yet become effective. The Civil Service is weaker in Bengal than in any other province.

Transfers are undoubtedly frequent. This is due partly to the weakness of the staff, which leads to transfers whenever officers go on leave, and partly to the large number of special appointments which have to be filled by selection. The number of transfers might be reduced to some extent by regulating the dates when officers may proceed on, and return from, leave.

I am not in favour of Advisory or Administrative Councils to assist Divisional or District Officers, but they should have the right to consult leading Indian gentlemen of their districts in respect of all important measures, not only in cases where reports are required by higher authority, but also, in respect of matters with which they deal on their own initiative.

There are no village communities in Bengal. The only local institution is the chukdari panchayat which is an invention of our own. Attempts are being made to develop them and to encourage the people to employ them as arbitrators, but progress must necessarily be slow. Proposals have recently been made for giving a few of them petty criminal powers.

14239. What is the organisation of the Government of Bengal?—The Head of the Government of Bengal is the Lieutenant-Governor; he is assisted by five Secretaries—three Civil Secretaries and two Public Works Secretaries. The Civil Secretaries are, the Chief Secretary, the Judicial Secretary, and the Financial and Municipal Secretary; one of the two Public Works Secretaries is in charge of roads and buildings, and the other of irrigation and railways.

14240. Then below that is the Board of Revenue?—The Board of Revenue deal with all matters in connection with revenue and the administration of land. The Board consists of two members, one taking land revenue, survey and settlements, land registration, the management of ward’s estates, the collection of cesses, and the other taking miscellaneous items, foreign revenue, including excise, opium, income tax, salt, customs, &c. Each member is vested with the full powers of the Board in respect of his own department. In all revenue matters the Board is the final Court of Appeal, or of revision when the appeal is not allowed. The Board refer to Government all matters of general importance, as well as those requiring the sanction of the Government according to law or practice.

14241. Below the Board of Revenue are the Heads of Departments?—Yes, among the Heads of the Departments subordinate to the Board are the Director of Land Records, the Director of Agriculture; the other Heads of Departments are immediately below the local Government, such as the Inspector-General of Police, the Judicial Secretary, the Financial and Municipal Secretary, the Commissioner of Excise, and so on.

14242. Then come the Commissioners of Divisions?—There are six Commissioners of Divisions, and below them are 33 District Officers—Collectors in Regulation districts and Deputy Collectors in Non-Regulation districts. In a few districts there are Joint Magistrates; there are Assistant Collectors, Deputy Collectors, and Sub-Deputy Collectors. The Deputy Collectors constitute the Provincial Service, and the Sub-Deputy Collectors constitute the Subordinate Service.

14243. Are there any village officers?—There are practically no village officers in Bengal.

14244. There is nothing below the Sub-Deputy Collector?—No, except in Government estates where there are tahsildars, &c. There are also a few kanungoes.

14245. I understand that you are speaking here on behalf and with the authority of the Government of Bengal?—That is so.

14246. Your Government thinks that there should be some further devolution in the matter of financial control?—In matters of detail. We are not in favour of any wholesale alteration in the relations which at present exist between the Government of India and the Local Government.

14247. There must be some control over the provincial Government, and that must be exercised by the Government of India?—Yes. That is essential.

14248. But in matters of detail there might be further devolution?—There are a great many matters of detail in which we might have more latitude. Every petty deviation from the letter of a rule at present requires the sanction of the Government of India. Among other things, we might have more power in regard to appointments than we have at present.

14249. You consider that while the central Government ought to control matters of principle, so far as details go, you ought to be free?—Yes, entirely. We think that very often improvements in the details of a scheme might occur to the Government of India, and that if so they should be put in the form of suggestions to be considered in the light of local conditions, but that it should be left to the Local Government to adopt them or not as it may think fit.

14250. Subject in financial matters to the control of the Accountant-General?—Yes, but I would not allow the Accountant-General to insist on references to the Government of India simply because they do not altogether fit in with the rules. He would only do so if he were of opinion that the order contemplated was of such a character that the Government of India would not be likely to pass it if the case was referred to them.

14251. Suppose you have the power practically to over-ride the Accountant-General, how is the Government of India going to exercise its control?—I would not propose to have power to over-ride the Accountant-General, but that the Local Government should have power to put a liberal interpretation on the rules which they are laid down. For instance, there was recently a case of an officer on fixed pay who was posted to Foreign Service. Under the rules he could not have retire on full pay for three years; he was subsequently put into a Graded Service; if he had been in that Graded Service at the time he was posted he would have been allowed, as he obtained promotion in the Graded Service, to draw, in Foreign Service, the pay of the next highest taking miscellaneous items, foreign revenue, including excise, opium, income tax, salt, customs, &c. Each member is vested with the full
Foreign Service, therefore he could have no increase of pay until the time came when he would get an increase under the rule for officers not in Graded Services. Obviously, some more liberal interpretation of the rule would have been that, having gone into a Graded Service, he should have the benefit of the rule which applied to Graded Services.

Is that a case of too strict adherence to rule? —Too strict an interpretation. The Local Government in a case of that sort should have power to say "The reasonable interpretation of the rule is this."

Suppose you pushed that to an extreme, would not the provincial Government override the Accountant-General? —No; I would give the Accountant-General power always to insist on a reference to the Government of India, but I would lay down certain principles for his guidance in deciding whether he would do so or not.

If he has the power always to say that a reference must be made, how are you going to get over his interference? —I would tell him to exercise reasonable latitude in interfering.

You would get the Government of India to give him that kind of instruction? —Exactly. I would lay it down, as the general rule that he should not interfere if the order which the Local Government proposed to pass was one which the Government of India might reasonably be expected to pass if reference was made to them.

Would you have some sort of tabulated list or forwarding to the Government of India from time to time showing the cases in which exceptions had been made? —That might be done as a safeguard; I would have the Accountant-General draw up a list, and the General would give them to the Government of India so that if the latter were to increase work to a certain extent, it might get over the objection that the Government of India might otherwise have to interfere.

It is true that the difficulty at the bottom of the present arrangement is that the District Officer is overwhelmed with correspondence? —Yes.

All of which is in English? —It is all in English now.

Is that a good thing? —It would be very difficult to go back now; but I do not think it is a good thing. Men know far less of the vernaculars now because of this correspondence in English. When I first came to India (Assam) all the revenue work was done in the vernacular. The sub-divisional Peshkars seldom knew English at all; all the reports came in in the vernacular, and all the investigation of cases was done in the vernacular.

Did that make for efficiency? —It is of course much easier to inspect an office if the records are kept in English now. The sub-divisional Peshkars could not have understood what was going on if everything were in English. The sub-divisional Peshkars could not have understood what was going on if everything were in English. The sub-divisional Peshkars could not have understood what was going on if everything were in English.

If you had a perfectly free hand in the matter, would you return to the old system? —I think it would be rather difficult to return to the old system because we have gone so far in the other direction. In some ways I would return to it. I would have police reports again in the vernacular.

Has the adoption of English led to a multiplication of correspondence? —Correspondence has always been in English; it was the reports and the returns from the subordinate staff which were in the vernacular.

Then has the adoption of English led to a multiplication of reports and returns? —No, I cannot say that it has.

Is not nearly everybody in agreement that transfers are much too frequent? —Yes. Transfers are very bad indeed; the difficulty is to find a practical remedy. It is a thing we have been seeking for many years, and we have never yet succeeded in finding. One great cause of transfers is that the cadre is so weak; there are practically no Joint Magistrates at present. There are 33 collectors; there are 18 to 20 appointments higher than that of Collector; every vacancy in those appointments has to be filled by transferring a Collector and a selected man. We have sent four men to the Government of India this year; this alone involves four transfers. Leave is much more frequent than it was formerly.

You can suggest no remedy except an increase in the number of Joint Magistrates? —The only remedy is the strengthening of the cadre.

You are responsible for all transfers and appointments? —Yes.

Have any efforts been made in your department to decrease the number of transfers? —One thing is that leave is not given unless it is convenient; a man has to wait till an opportunity occurs for taking him. But it is difficult to apply that rule in the case of higher officers. Before I became Chief Secretary I thought, as I have no doubt all my predecessors did, that one of my first steps would be to stop transfers; I did not realise the enormous practical difficulties in the way of stopping them. Here is a case now of a district in which several transfers have recently taken place; a man was sent with the intention of keeping him in the place for a term of years; a short time afterwards he was found to be the only man suitable for a particular appointment, and he was taken away; another man was sent there with the intention of keeping him in the district; then the Director of Land Records was taken up to the Government of India and he had to be replaced, and the only man we could find was a man from the same district. There you have three transfers in 18 months, although we have recognised all the time that it was most desirable that there should be none at all.

When you put an officer into a position such as that of Inspector-General of Police or Director of Public Instruction, do you consult with that officer that he shall not expect further promotion or further transference even though it comes in the way of promotion? —That is the condition that is made or understood, but very often Government itself has to break through it, either because the man is in no sense suited for the post or because he is wanted for the Government of India. At present it is very possible that a new Inspector-General of Police will be appointed, and the man who will be selected for the post will be told that he must not accept it unless he is prepared to stay for at least three years, and that he has an expect to get an acting or permanent Commissionership in the meantime.

Do you not think that even at the risk of some other Secretariat difficulties having put a man into a responsible position such as that of Director of Public Instruction or Inspector-General of Police, you ought at all hazards to keep him? —It is very desirable in theory, but sometimes in practice other considerations arise.

The promotion could be made up to him afterwards? —As far as he is concerned I think he ought to have no claim; it may be that Government wants him.

You mean the Government of India? —Or the Local Government possibly; one has to weigh the disadvantage of having a transfer with the disadvantage of not getting the best man available for the other appointment.

Do you know whether these same difficulties occur in the case of Crown Colonies? —I am not able to answer that. I believe in Colonial Governments promotion goes more inside the Colony; it is comparatively rare for a man to be transferred except at regular intervals.

One of the consequences of this system of transfers, whether in the higher or the lower appointments, is that the man does not know his business, and that the people who live in the district do not think it worth while to get into touch with him? —That is so.

And that is a very serious drawback to good government? —Yes.

The Government of India itself have issued some resolution upon this question of transfers? —I was chiefly with regard to short leave vacancies, saying that they were to be filled within the district. But that is being done. We can appoint a Deputy Magistrate, for instance, to hold charge of a vacancy in the post of District Magistrate for any period not exceeding 6 weeks; for a longer period we have to go up for sanction.

When a Collector goes away for short leave —say three months' privilege leave—do you fill his place with a temporary collector?
post by a Deputy Collector?—That is occasionally done, but it requires the sanction of the Government of India.

14277. Is that necessary?—I do not object to having to go up for sanction to make such appointments for a longer period than three months, but, for anything up to that, I think we ought not to be required to get sanction.

14278. But why should you be required to go for a period more than three months?—In the case of short vacancies it does not matter so much who acts. Important cases can be left over till the permanent incumbent returns. But in the case of long acting appointments it is necessary to avoid the risk of incompetent men being appointed.

14279. What knowledge has the Government of India of the man?—No direct knowledge.

14280. Then what is the necessity of applying to the Government of India?—For more than three months I think there should be sanction. I think the facts are thus much more fully considered.

14281. Suppose the responsibility rested with you, not with the Government of India, would you then recognise the responsibility of taking greater care?—Yes, I think I should. As a matter of fact I do not think this Government ever would put in an officer of the Provincial Service unless he was a really good man. Certain petty Colleens?—It would be directed to the Deputy Collectors too freely.

14282. But the Government of India can have no knowledge of the officer, whether he is replacing somebody for three months or six months, beyond what you give them?—No.

14283. And if you had the responsibility of putting in the acting officer, do you not think that you are quite as well qualified to do it as the Government of India?—Yes.

14284. What reason is there why you should not accept the responsibility?—There is no reason except that if reference has to be made, it ensures full consideration. The practice might grow up of appointing Deputy Collectors too freely.

14285. What harm would that be?—If it happens to be the senior Deputy Collector in the district, he might not be qualified to hold the office for a long period. It would often save trouble to put in a Deputy even though it might not be sound to do so from the point of view of the work.

14286. You also tell us that a great number of reports and returns which are now called for might be abolished?—We have already, so far as our reports and returns are concerned, four or five years ago, and a very great number were abolished.

14287. I understand that the Lieutenant-Governor would like to do away with a whole series of annual reports?—Yes. We have had the responsibility of putting in the acting officer, do you not think that you are quite as well qualified to do it as the Government of India?—Yes.

14288. What reason is there why you should not accept the responsibility?—There is no reason except that if reference has to be made, it ensures full consideration. The practice might grow up of appointing Deputy Collectors too freely.

14289. What harm would that be?—If it happens to be the senior Deputy Collector in the district, he might not be qualified to hold the office for a long period. It would often save trouble to put in a Deputy even though it might not be sound to do so from the point of view of the work.

14290. Instead of having to report upon police, education, and so on separately, he would combine the whole in one report?—Yes. We used to have a General Administration Report, containing an abstract of all these other reports, and also detailed reports on each subject. The detailed reports on each subject survived, but the General Administration Report has been more or less abolished.

14291. Is there anything to prevent your doing away with all these annual reports now?—They are prescribed for the whole of India; the initiative would have to be taken by the Government of India. They are sent in justice to the rules and regulations of the Government of India, and we have to obtain leave from the Government of India to abolish them.

14292. Are you approaching the Government of India on this question?—No; the question has only been mooted in connection with the present Commission.

14293. Then with regard to the selection of officers. How would you go about in the selection of officers here?—Yes, we may say that we have a free hand. Of course, an officer might appeal to the Government of India if he is passed over: we do get such cases; the Government of India do not ordinarily interfere, but we have to justify our action.

14294. At what stage in an officer's career upwards does the principle of selection begin?—A man is only passed over for a Collectorship if he is manifestly unfit. At the stage of promotion from Collector to Commissioner a little more selection is exercised; there are generally two or three men at any rate who have been passed over.

14295. If you had a free hand, would you begin your selection at the stage of a Collector?—I would do so, if I could compulsorily retire a man who was not selected. I think officers who were passed over and kept on would be a great incumbrance to the Service.

14296. What would you like to do is to select at the end of about ten or twelve years' service, and pension those whom it was undesirable to promote?—Yes; I would give them the same pension as they would have retired for medical reasons.

14297. More or less—a pro rata pension?—Yes.

14298. Suppose you were able to apply that system to your present Service, would you have to get rid of, or pass over, a considerable number?—I should not say a considerable number, but there would be two or three that one would like to weed out.

14299. As to those exceptions, would it add largely to your difficulties if your officers were promoted to be District Officers?—It would, for there are defects not only of mental capacity but of character.

14300. The Lieutenant-Governor has inaugurated a system by which Commissioners have allotted a certain sum of money which they can dispose of more or less as they think fit?—They have two grants—one for minor works, as they are called, works costing not more than a certain sum, and the other for distribution to local bodies or for public purposes.

14301. With regard to the Minor Works grant what is the sum total which is put at the disposal of the Commissioner?—The total for the province is Rs. 60,000 at present, but it is going to be increased.

14302. That is, roughly, Rs. 10,000 to each Commissioner. Within that sum can be spend on any minor works without reference?—Yes, unless it is an addition to a residential house; that requires sanction if it exceeds the permissible limit of expenditure.

14303. What is your definition of a minor work?—A work costing not more than Rs. 2,500. If any work costs more than Rs. 2,500, it has, under the Public Works Code, to be sanctioned by the Government.

14304. Has the price of materials gone up very much?—It has undoubtedly gone up. I am not in a position to give figures, but building is very much more expensive than it was ten or twelve years ago.

14305. Therefore the kind of work which the Local Government or the particular officer can sanction now for Rs. 2,500 is of a much smaller character than he could do, say, ten years ago?—That is so.

14306. Both on account of the fall in the value of the rupee and also on account of the increased cost of labour and materials?—Yes.

14307. How long has this system been at work?—Since 1904.

14308. You have had no reason to grumble at the result?—I think the result has been highly satisfactory.

14309. Has not the Government here a system of conferences of Commissioners?—Every year, in September or October, there is a conference, and all questions of importance, which at the same time are not urgent, are kept over and discussed at the conference.

14310. The senior member of the Board of Revenue ; the other member attends, also the Heads of Departments, and the Secretaries to the Government.

14311. How long does the conference last?—It varies; the first two or three conferences were longer than they have been passed over for a free hand. A Mr. for nearly three weeks, sitting on alternate days and towards the end daily.
recommendations were not acted upon, it would do great deal on the extent to which their recommenda-
gentlemen of position be prepared to serve upon
were made for widening the basis of representa-
tion they are not a success, it would be a very awk-
tion on District Boards. I think if that is adopted,
formal consultations must be held by District Officers,
the District Board would be a very useful body for the
ward thing to abandon them.

But you would deprecate the formation of a
formal body which would, perhaps, by its very con-
stitution prevent him having these informal consulta-
tions which he now ought to have, and perhaps does have with native opinion on subjects of importance, especially subjects connected with their religion, or racial customs, and
that he must be accessible to everybody, making them real
is to be said ; that as time goes on and different
will be made permanent ?—Yes, I think so. Of course there is
so advantageous that it should be made permanent ?

Do the Commissioners extend that system
conferences have been called to consider special

You rather wish us to understand that you
are not in favour of what may be called Advisory
Councils for District Officers ?—Not in the sense of a
rigid body. I think it ought to be very clearly understood
that every officer must consult the leaders of native
opinion on subjects of importance, especially subjects
connected with their religion, or racial customs, and
that he must be accessible to everybody, making them real
and feel that he is glad to see them if they wish to
consult him.

But if you begin by establishing formal
Advocacy Councils and you find that for any reason
they are not a success, it would be a very awk-
ward thing to abandon them.

If such bodies were formed would native
gentlemen of position be prepared to serve upon
them?—I think they would, but it would depend a
great deal on the extent to which their recommenda-
tions were acted upon ; if they found that their
recommendations were not acted upon, it would do
more harm than good ; it would create a sense of
irritation.

Therefore your view is that a mere Advisory
Council would be superfluous ?—At present. Proposals
have been made for widening the basis of representa-
tion on District Boards. I think if that is adopted,
the District Board would be a very useful body for the
Colleagues to consult informally about many matters.

The interests of self-government would be
better forwarded, perhaps, by the extension of the
powers of existing bodies than by the creation of new
tones ?—Partly, but in any case I would proceed slowly.

But if that were the alternative you would
say that, because the system has existed at intervals
for a century and a half, and for a considerable time,
and it is now insisted on.

Is it at all commonly done now?—It is fairly
frequent. Very often when officers are asked for a report
it is stated that public opinion must be ascer-
tained. The best of the men of course always
to ascertain it, but some treat references as a matter of
routine, and deal with them without consulting
anybody.

If such bodies were formed would native
officials be prepared to serve upon them?—I think if
the system is adopted, the Colleagues would be
cooperated with.

But is any effort made to see that the young
Civilian is taught these things ?—I cannot say that any
systematic effort is made.

But in that event you would deplore the
formation of a system which would, perhaps, by its very con-
stitution prevent him having these informal consulta-
tions which he now ought to have, and perhaps does have with native opinion on subjects of importance, especially subjects connected with their religion, or racial customs, and
that he must be accessible to everybody, making them real

Is there less knowledge of Indian customs
and etiquette amongst officers in the Civil Service than
there used to be?—I cannot say that. The decennial
census gives an opportunity for enquiries with regard
to marriage customs and so forth; and Settlement
Officers make a point of finding out what they can
about the people, but, as far as regards social intercourse,
there may be less knowledge of Indian etiquette than there
was formerly.

Is it desirable that it should be?—It would be very desirable.

Has the Government of Bengal the means of
collecting and disseminating information upon these
points?—It can only be done by the senior officers.
Young Civilians are generally sent to selected officers,
and the best officers no doubt to teach them.

In this province do not most young Civilians
go to Bihar?—Yes, the majority do. There are several
reasons. One is that Behar is the healthiest part of the
province; it is thought that when a young Civilian
first joins it is necessary that he should get accustomed to
it and it is only fair to appoint him to a healthy station.

Is the language spoken in Bihar the language
most prevalent in Bengal?—There are three languages
spoken in Bengal—Hindi in Bihar, Bengali in Bengal
proper, and Urdu in Orissa.

Is Hindi as common in Bengal as the other
two?—Hindi is by far the most widely spoken lan-
guage.

Is that an effort made to see that the young
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guage.
new-comers; the first essential is to post them to fairly healthy stations. They might be transferred more quickly to Bengal than is now the practice. A man has to pass in two vernaculars when he has passed in Hindi he might be transferred to a Bengal station; by that time he will be more acclimatised. There is, however, another point. In the Bihar districts, there are a large number of sub-divisions in which there are numerous indigo planters and it is considered desirable to have European officers in charge of those sub-divisions. We are so shorthanded that as soon as a man is passed he is posted to a sub-division; we need more of our junior men to man our sub-divisions.

14339. Have you any rule in this Government as to the employment of officers in the Secretariat?—The rule is that no officer should be employed for more than three years continuously in the Secretariat.

14340. And is that observance strictly carried out?—Yes, I can think of no case in which it has not been of late years. In the last seven or eight years, at any rate, there may have been one or two exceptions before then.

14341. When the Government of India call for men from you, do they generally take a man from the Secretariat or from the districts?—Almost invariably from the Secretariat.

14342. So that, though you may make a rule that a man shall not be employed more than three years in the Secretariat, the Government of India may step in and wipe your rule out?—Yes.

14343. Does that constantly happen?—Yes, it constantly happens. Most of our men who have gone to the Government of India have been men who have been some years on end in the Secretariat.

14344. How long as a rule do they go to the Government of India for?—Three years is the present rule, but it has not been enforced until lately.

14345. So that practically, if a man is once employed by the Government of India, it means that he is at least six, and probably a dozen, more years away from district work?—If he were appointed to the Government of India when he had just finished his three years in Bengal, it would mean six years.

14346. Is he not generally so appointed?—It is difficult to say, because there has only been one recent appointment of a Bengal Secretary to the Government of India.

14347. I am not talking only of a Secretary, but an Under-Secretary also?—It is generally towards the end of his time that he goes; practically you may put it as six or seven years.

14348. Does he generally come back to you at the end of the three years with the Government of India?—Yes; I am talking of since this rule has been made; it has been recently been applied to Secretaries of the Government of India. An Under-Secretary would come back at the end of three years.

14349. Will you tell us about your relations with the Board of Revenue?—The old system was that the Board of Revenue, when their powers did not allow them to dispose of matters themselves, or when the Government of India called for a report on any matter, wrote official letters to the Government of Bengal. About four years ago that was changed to a certain extent, and we now get no official communications from the Board of Revenue except annual reports, and in certain matters where it is desirable that the opinion of the Board, as a Board, should be properly on record. If the Government of India call for a report, the report is received in the Secretariat, and is based on unofficially to the Board; the Board collect the opinions of the District Officers, and the Board's Secretary, instead of putting up the case to the Minister as he formerly would have done, passes it on to the Government Secretary concerned with the department; the Government Secretary submits it to the Honorable Member, who expresses his opinion; then it goes to the Lieutenant-Governor, and the reply is issued from the Government. So that one official letter is saved both ways.

14350. Do the Board sit as a Board?—As a rule they do not. On important matters both members sit, but as a general rule each member deals independently with his branch.

14351. You tell us that a great deal of work of a routine nature is disposed of by the Under-Secretaries?—Yes.

14352. Is there a certain amount of routine work which comes up to you from the Board of Revenue?—The routine work which comes up from the Board of Revenue is now disposed of by the Board of Revenue Secretary, but the official orders are signed by the Chief Secretary or his Under-Secretary.

14353. Is there not a certain amount of revenue work which comes to you from the Board of Revenue?—Yes, a great deal; but it is not routine.

14354. Nothing comes to you from the Board of Revenue which is routine?—I cannot say that either.

14355. Is there an increase in the routine work?—I do not think that the routine work which comes to me from the Board is appreciable in quantity.

14356. Does some of it come which might not come to you at all?—Certain things, undoubtedly; some matters have to be referred to Government under the law; if the law was changed these things might be disposed of by the Board.

14357. Is that a general Act or a Bengal Act?—There are various Acts under which references have to be made; for instance, the Board of Revenue has no power to cancel a sale for arrears of revenue on the grounds of hardship; only the Government can cancel it.

14358. Is practically all the routine work that comes to you from the Board of Revenue, and all the routine work which goes to the Board of Revenue and is settled by their Secretary, included in these schedules of devolutions which you have put in?—We have endeavoured to include all. Those schedules have been prepared partly on an examination of the tables of cases disposed of in the Secretariat, and partly on an examination of the rules, etc.

14359. Have you found that the Government of India, either in the case of Medical Officers or in the Public Works Department, have sent you officials who have been unsuitable for the work which the Local Government desired to send them to?—Take the case of a Superintending Engineer who is wanted for irrigation; have they ever selected a man who knew nothing except about roads? That is only an illustration?—We have had cases of unsuitable men being sent.

14360. Have you any remedy against that?—I do not think there is any remedy, except more careful selection, and that is difficult, because if you have an incompetent man and want to pass him on, there is a tendency not to stand in the way of his promotion.

14361. When he is promoted Superintending Engineer he often goes on to another Government.

14362. As regards the Inspector of Civil Hospitals, has he any control over the promotion of the officers under him?—Their promotion is a matter of seniority mainly until they get near the top of the tree, but the Inspector-General has influence in the selection of the stations or appointments to which they are posted, which is a very important thing.

14363. With regard to the power of the Government of India to criticise the details of any scheme proposed by a Local Government, is it not generally the case that if one provincial Government adopts a particular scheme all other Governments agree to adopt the same course of procedure?—I do not think so at all, unless pressure is put upon them by the Government of India to be uniform. Local conditions vary very much.

14364. Is there any uniformity come from above?—Is there no sort of trend of public opinion, quite apart from the Government of India, which forces one Local Government to adopt the proceedings of another?—I cannot think of any particular case.

14365. Would there be no danger of that kind?—I think not. I think under my suggestion (viz, that the Local Government submits a free hand in matters of detail) there would be less danger than exists at present.

14366. Have you any particular complaint to make with regard to Directors and Inspectors-General?—No; I think, generally speaking, their work is found to be beneficial: the Inspector-General of Agriculture at any rate has been most useful.
Is that not the course now adopted?—I think not.

Do you mean that he disposes of differences at headquarters and the officers in charge of sub-divisions?—Yes, the Deputy Collector has practically no local staff at all.

Which afterwards they might actually employ themselves?—That is possible.

Have you had a good deal of experience of district work?—I have been in Bengal, but very few of them are manned by civilians.

Do you not approve of Advisory Councils? Will you explain why you do not?—My reason is that I would not go too fast. It is always difficult to make a backward movement, and it is quite possible that they might not prove to be a success for various reasons.

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district with whom he might consult?—A darbar list is a list of people who are entitled to be invited to darbars.

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14403. Are there any recognised means by which a new-coming Collector can ascertain who are the men in his district upon whom he may be worth consulting?—I know of none except a reference to the notes left by previous Collectors; you would probably find several such notes left by each.

14404. But such notes may or may not exist?—They always do exist. For instance, when I left Ranchi, I left not only my own behind me, but the notes of my predecessor.

14405. But those notes are not public, and no man in a district, however important he may be, would feel that he was a personality whom the Collector might wish to consult?—I think any man of importance would tell you that he finds successive generations of Collectors consulting him as a matter of course.

14406. Would not the publication of such a list be a safe step to take, and would not the people think it an honour to be placed upon a darbar list of that character?—I think it would be a little invidious to publish a list of that kind; inclusion in a darbar list depends largely upon a man's berth, but what you are suggesting would depend upon certain qualifications.

14407. The darbar list would not include men of certain castes of course?—No.

14408. Then would it be a wise step to take?—I do not think so.

14409. In the Commissioners' conferences, is the non-official element represented at all?—The matters which are to be discussed at conferences are divided into different classes, those which are purely of official importance, and those which are of general importance; and at the discussion of the latter Indian gentlemen are asked to attend. At the last conference, for instance, several Members of Council attended, and one or two other leading men.

14410. Is the Commissioner expected to introduce any gentlemen from his division whom he may think desirable?—We state beforehand what subjects are coming up for discussion, and ask each Commissioner to nominate one or two gentlemen in his division who he thinks would be qualified to represent public opinion, and to assist in the deliberations.

14411. Do such gentlemen attend?—Yes, they are glad to come.

14412. Has a Collector an effective influence over every branch of Government work in his district, or not?—It all depends upon the Collector; I should think a good Collector would.

14413. Does the system secure to the Collector an effective influence over every branch of Government work?—I think the amount of business very often prevents him exercising that close control that he ought to do.

14414. If he had time, would attention to the outside departments be considered part of his work? For instance, taking excise, has the Collector direct control over excise matters in his district?—Yes. It is his duty to inspect all excise shops, and to look into proposals for the opening and closing of shops; and he may hold the excise sales himself.

14415. Suppose when inspecting shops he found something of which he did not approve, what would he do?—That would depend. If he finds an offence under the Act has been committed, he would prosecute.

14416. That is as to the law, but has he any personal authority to act, supposing he finds a shop is being conducted to be clearly a nuisance?—When sending up his proposals for the next year's settlements he would suggest either removing the shop to a new site, or closing it altogether.

14417. Has he any power over Public Works?—He has not very much power. The Commissioner is very often shown the budget for the next year, but if I think, generally speaking, the Executive Officer might be consulted more than they are at present.

14418. At present the administration of Public Works stands in an entirely isolated position?—It does to a certain extent, but in practice a great deal depends on the personal element. I think a Commissioner who wished to interest himself in Public Works would have his views listened to. When I was Commissioner of Chota Nagpur I succeeded in getting the Public Works Department to take up the question of making roads and bridges where they were needed.

14419. Supposing the grossest frauds were being perpetrated in Public Works in a district, would the Collector be held responsible?—Not at all.

14420. Has he any control with regard to education?—Yes, over lower education he has considerable control. In the case of secondary education he has not very much power.

14421. Is he bound to pay visits to schools?—He is not bound to do so, but he is told it is desirable that he should do so, and he does all that he can to raise an interest in regard to school work.

14422. Supposing that the discipline in a Normal School had become very lax, would it be held to reflect upon the Collector at all?—It would depend upon whether he had had opportunities of finding it out. It would be his duty to report it if he had found it out, but I do not think he is bound to keep himself sufficiently informed upon such a matter as that.

14423. Do you not think, in his position as the representative of the Government, he ought to have a hand in all branches of administration, such as education and Public Works?—Certainly, up to a certain point, but I think higher education is, more or less, a special subject.

14424. I do not mean that the Collector should interfere in technical work, but ought he not to have an authoritative standing to prevent abuses in all Government matters?—If he found that discipline was lax, and reported it, there is no doubt his report would receive every attention from the educational authorities.

14425. Would blame attach to him if he did not report?—Yes, it is the law, and it is the duty of the Collector to report such a matter which was so notorious that he ought to have known of it.

14426. With regard to municipalities, do you think that any development of self-government or delegation of powers would be advisable?—I do not think so, but I think that the control of education might very well be vested in the Municipality of Calcutta.

14427. Is the Chairman of a municipality usually elected?—Yes.

14428. Is he usually a non-official?—When he is elected, he is practically always a non-official.

14429. Is any further development with regard to that advisable?—Not immediately.

14430. Is it the fact, as we have been told, that Government has power to get an assessment of the house-tax made by a specially appointed assessor?—Yes. There are two modes of assessment, one by the municipal Commissioners themselves, and the other by an assessor whom they may ask Government to appoint.

14431. If they do not ask for his appointment, may the Commissioner impose it?—If the assessment is inequitable the Local Government on the report of the Commissioner may call on them to raise it, and in the last resort may insist on the appointment of an assessor.

14432. As to District Boards, have you any suggestion to make as to the way in which they are appointed?—We have submitted proposals recently to the Government of India for widening the basis of selection and securing the representation of different classes.

14433. Is the main portion of the Road Cess spent on the roads?—It is spent on the roads and sanitation. A comparatively small portion is spent on sanitation.

14434. Does sanitation include dealing with wells and tanks?—Yes.

14435. Are those small works done by the people, or by the staff of the Board?—They are usually done by the staff of the Board, but periodically Government makes special grants-in-aid for the construction of tanks. What usually happens is that the Local Government gives a third, the District Board gives a third, and the other third is given by the person wishing to create the tank, who makes his own arrangements for carrying out the work. As a general rule wells are always made by the District Board's staff.
14436. In the case of a road through the estate of a zamindar, is the grant in respect of that road ever handed over to the zamindar to spend himself?—The saving in time would be considerable, and the Government be somewhat strengthened?—I do not think it would be difficult to do so.

14441. Would not the panchayat be able to carry the help from the village with them in such a road as constructing a tank, for instance?—I do not think it would be easy for them unless they were persons with considerable influence, such as a zamindar or a zamindar's agent.

14442. Does it not often happen with regard to transfers that if a minority against the Council, would dispose of matters instead of with the Lieutenant-Governor's orders, and the present system?—There have been at times cases of the Under-Secretary does an immense amount of work in his department, and know the principles underlying the plans, how much better the work might be done. The Local Government at present has no power to make an exception?—He would be justified in carrying out the orders of the Government of India, and if the Accountant-General is there to interpret the rules, he is bound to interpret them as strictly as he can, and if the Accountant-General is told that he must not interfere if a case was such that the Government of India would be likely to support the local Government, and any interpretation they might have put upon the rules?—Would orders in those very important matters have to be made of such points?—I think it might, very well be left to his discretion, because he would have been trained in the department, and know the principles underlying the rules.

14443. With regard to the Under-Secretary, it has been suggested that all the work done by him alone without reference to the Secretary should be handed over to the Commissioner, or to some inferior officer;—I think it does; and it needs first-hand knowledge of the draft, and makes a selection, and we try as far as possible to obtain representative people.

14444. With regard to the Under-Secretary, it has been suggested that all the work done by him alone without reference to the Secretary should be handed over to the Commissioner, or to some inferior officer;—I think it does; and it needs first-hand knowledge of the draft, and makes a selection, and we try as far as possible to obtain representative people.

14445. Is the Under-Secretary generally chosen for his special ability from among the junior officers?—Yes.

14446. What would you say as to the appointment of a permanent Under-Secretary?—I do not think it would be a success as a rule.

14447. The work performed by the Under-Secretary is not work which calls for any special ability?—I think it does; and it needs first-hand knowledge of the draft, and makes a selection, and we try as far as possible to obtain representative people.

14448. You would not approve of any change?—Not as a general rule, but there may be exceptional cases.

14449. With regard to the Board of Revenue, you have described the work under the new system inaugurated in Bengal, and, as I understand, the Board of Revenue is now brought into more immediate contact with the Lieutenant-Governor's orders?—But only as advisers; there is no attempt to divide the control.

14450. The next step would be to make them his colleagues?—No; there is an essential difference between that and the present system.

14451. Would it not strengthen the Government if you were to associate those two members with the Lieutenant-Governor, so that any action taken should be their joint action?—I think with a Governor in Council the different Members of the Council dispose of a great bulk of the work without its being seen by the Governor himself.

14452. But it issues with the authority of the Government?—It issues with the authority of the Government, but there is a divided responsibility.

14453. At any rate, it would obviate a great many official references?—The Board would not have to take the Lieutenant-Governor's orders, and the present system. It is done largely in planting districts where the owners or managers of indigo concerns or tea-gardens undertake to repair their own roads.

14454. As a matter of fact many things do not go before the Lieutenant-Governor?—All important things go before the Lieutenant-Governor; in all cases in which it is proposed to over-rule a Commissioner or a Head of a Department go to him; and all letters to and from the Government of India are seen by him.

14455. (Mr. Dutt.) If the members of the Board were made colleagues of the Lieutenant-Governor, all important matters would be attended to by the three?—Very important matters would.

14456. Would orders in those very important matters be passed by the Government as a whole?—No doubt.

14457. Therefore in that respect would not the Government be somewhat strengthened?—I do not think it would be necessary that the Government of India would be strengthened. The Lieutenant-Governor is the responsible authority, and he always has the opinion of the Board before passing any orders.

14458. But still the orders at present are his own?—Yes.

14459. While, under my proposal, the orders would have to be the orders of three Members?—This might resolve itself into the orders of one, because there might be a conflict of opinion.

14460. In that case it would be a majority of the three Members which would decide?—Quite so; but the majority would consist of one, and it might happen that the opinion of a junior Member would in that case prevail.

14461. That is to say if he agreed with the Lieutenant-Governor?—Whether he agreed with the Lieutenant-Governor or not; the latter might be in a minority against the Members of the Board.

14462. But the majority would have to agree?—Two out of three, of course, would agree.

14463. You would allow the Local Government to give a liberal interpretation of rules?—I do not think it would be easy for them unless they were persons with considerable influence, such as a zamindar, or a zamindar's agent.

14464. Would the Accountant-General, as Actuarial General, be justified in carrying out the orders of the Government of India, very often a thing is allowed as a matter of course; the Accountant-General knows from his experience that the Government of India is likely to deal with a particular case in a particular way, and if he thinks the order proposed by the Local Government is one which would under the present system be sanctioned by the Government of India, he would not interfere.

14465. Would a schedule have to be made of such points?—I think it might, very well be left to his discretion, because he would have been trained in the department, and know the principles underlying the rules.

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14466. But when rules are framed, the Accountant- General, or the Accountant-General, would be bound to see that they were carried out strictly?—It would depend upon the instructions given him. He is quite right in insisting in as a reference to the Government of India, but if a rule was laid down giving the Local Government a certain latitude, he would only insist upon references when he thought that the Local Government was going too far.

14467. It would be rather difficult to allow him latitude in such matters?—Of course it would have to be left to his discretion.

14468. Do you say that it would not be wise to provide for delegation of legal powers which have formed the subject of debate in Council, except by an amending Act?—I think that this procedure should be adapted only in cases where the question as to who should exercise those powers has formed the subject of animated discussion when the bill was passing through Council.

14469. Would it not be difficult to find out in what cases a point has been the subject of animated discussion in Council?—The proceedings of the Council would show.

14470. Would you refer to the proceedings of the Council to make a distinction of that nature?—If a question arose, one of the points to ascertain would be whether the question as to what authority should exercise the power, or had not, formed the subject of discussion in the Council, and if it had, I would say, "This is not a case which ought to be dealt with under the general delegating Act? or vice versa.

14471. In cases where the power was reserved to Government, there would not be any occasion for discussion?—Yes, that is so.

14472. If the Government propose that the power should be kept in its own hands, it would not form the subject of discussion at all; under those circumstances would you not rather recommend that in every case, if a delegation was intended, it should be done by an amending Act?—No, I would not go so far as that, because that gives a lot of trouble. I think some other safeguard might be found. I think it would probably meet the difficulty if no delegation was allowed until previous publication of the intention of Government to delegate, and if no delegation were allowed except with the sanction of the authority superior to the authority proposing to make the delegation.

14473. But that would not secure a debate in Council?—It would not secure a debate in Council, but it would secure the ascertainment of public opinion.

14474. Would it minimise labour if a schedule of the powers proposed to be delegated were prepared, which, at the same time, would give an opportunity of raising a debate with regard to anything mentioned in the schedule?—That would be a circular method; and would involve delay. Some Act containing powers of delegation is necessary, and in future I think it might be a good thing if the power to delegate were expressly provided for in the body of the Act. This is already done sometimes, as in the case of the Epidemic Diseases Act. I think delegation should be made with a certain amount of caution under a general delegating Act, but I think notification would meet the case. If Government announced an intention to delegate in the Gazette, I think that would be a sufficient safeguard. I assume, of course, that Government would listen to hostile representation. If public opinion was strongly adverse to the proposed delegation, Government should either abandon the proposal or make it the subject of an amending Act.

14475. With regard to appeals to the Government of India, would you only give the right of appeal to an officer holding the rank of General and above?—I think we should.
14482. You would not extend that rule beyond the Indian Civil Service?—I would not extend it to the Provincial Service.

14483. Or to the Ministerial Service?—No, I would deal with any case there under the ordinary rules.

14494. Have you had experience in the management and working of District Boards in different districts? I have not had much experience with many District Boards.

14495. Have you known men upon them who do give some assistance to the District Officer in the performance of his work?—Yes, undoubtedly.

14496. As a body, do you think the elected members go there mainly for the purpose of self-advertisement?—Mainly? Certainly not. Of course there are a good number of elected members whom it pays to be deal with any case there under the ordinary rules.

14497. You would not agree with the criticism that the work is mainly confined to men whose object is self-advertisement?—It is difficult to say. My own opinion is that it is not the main object, but I think the elected members belong largely to a class whom it pays to be before the public.

14498. In the Civil Service Regulations the rule is laid down that a recurring honorarium or reward requires the same sanction as an increase of salary. Is that a sound rule?—Quite, and we do not propose to make any exception to it.

14499. But you say that it should be for the Local Government to decide whether an honorarium is, or is not, a recurring fee?—That is not an exception, it is only an interpretation of the rule. The Local Government is to decide whether the fee which is paid is of the nature of a recurring fee or not that is all. Supposing, for instance, a man gets an honorarium for presiding at an examination, the Accountant-General may say: "This man has presided two years running therefore it is a recurring fee"; it should be open to the Local Government to say it is not recurring.

14500. And you think the decision of the Local Government ought to be accepted as final?—Yes. The Local Government knows all the relevant facts.

14501. Are not mining leases granted by the Government of India in Native States?—Yes.

14502. Is there any reason for making an exception with regard to Orissa?—We are not suggesting an exception; we are proposing that all Local Governments shall have the same powers to grant mining leases as they have in British territory.

14503. You do not see any difference between British territory and the Feudatory States in that respect?—No essential difference.

14504. Would there not be more danger of abuse in a backward State?—We begin by assuming that the Chief wants to give the lease.

14505. But the Chief is not always a man of very sound education?—No, but the Local Government is on the spot, and knows the conditions, and I do not think there is any danger in giving that power.

14506. With regard to the transfer of officers, it is suggested that the power to transfer a Deputy Magistrate might be delegated to Commissioners; would that not sometimes lead to difficulties, because a Deputy Magistrate is transferred sometimes from one division to another?—It is only intended to delegate the power to transfer within the division. A man who has been serving in an unhealthy division for some time might come and say: "I should like to be transferred somewhere else"; in a case of that kind the Local Government would still have its discretion order a transfer, but usually, I should think, it should be regarded that the posting of all officers within the division is a matter for the Commissioner.

14507. Are not Deputy Magistrates considered to be officers for the whole province?—Yes.

14508. And is it your idea that hereafter they should be considered officers of a division?—They should remain in a division unless there was a strong reason for removing them. A man who was in the Presidency Division might say: "I have been in this place a long time, my health has suffered, please transfer me to a better climate"; but usually I would keep them in one division. This is desirable for some purposes. The proposed powers are already in vogue with regard to Sub-Deputy Collectors, and it gives rise to no trouble whatever; in fact it is very convenient, because the Commissioner is able to post men to places where they are likely to be most useful, and it saves delays.

14509. When leave is granted to a Deputy Magistrate, do you propose that the Commissioner should have power to grant it?—Yes, provided the Commissioner can arrange it without asking for an officer from another division.

14510. With regard to appointments, would not a man carry a higher prestige if appointed by Government?—The order appointing him would be signed by a Secretary to the Government, and I do not know that that would make much difference.

14511. With regard to the sanction to forest leases, if your proposal were carried out might it not sometimes lead to abuse?—Sometimes injudicious leases might be granted, but I do not think that much danger, as the Conservator of Forests would always be consulted.

14512. Would it not be safer to leave that in the hands of the provincial Government as the number of cases is very few?—I do not think there is such a strong case for delegating that power as there is in regard to some of the others. I may mention, however, that the only case we have had this year involved a good deal of correspondence, and that we ended by accepting the recommendations which the Commissioner had originally made.

14513. Then there is a recommendation that the appointment and promotion of certain Gazetted officers should be decided by the Local Government. Do you think that the appointment and promotion of those officers should not be retained in the hands of the provincial Government?—I think that the recommendation should be made to Government in the case of proposals for supersession, but a great majority of the proposals for promotion are purely routine, and I do not see the necessity for referring them to Government.

14514. Are promotions and appointments ordered on the recommendations of the Heads of Departments?—The Heads of Departments send in their lists which are approved.

14515. If that is so, does it give the Government of Bengal much trouble in sanctioning and gazetting?—If you take one of these proposals for delegation by itself, it does not involve much trouble, but in the aggregate it means an enormous burden of routine work.

14516. But would not the officers themselves rather like the order to issue from the Government, as it would give them greater prestige in the eyes of the people?—That is possible, but I am not sure that the people know who gives them their promotion.

14517. Do not the orders appear in the Gazette?—But who sees the Gazette? Only their brother officers; the people know nothing about it.

14518. Do you not think that, in the estimation of those who do know about it, these officers would carry more prestige if appointed by the Government instead of being appointed by the Heads of Departments?—Possibly.

14519. (Mr. Hichens.) With regard to recurring honorarium, how would you apply the control in this case?—It is purely a question of fact. The local Government give an honorarium to a man, and it is for the local Government to say whether it is an isolated case, or whether it is a recurring charge. For instance, if a man has been appointed a regular examiner for a particular subject, whatever reward he gets would be a recurring one. But if the question is reconsidered each time, it would not be, even if the same man happens to be selected.

14520. Supposing the Local Government sanctioned an honorarium to-day, which in the opinion of the Accountant-General was a recurring charge, would he report it to the Government of India?—He would ask the Local Government to refer it.

14521. How would you alter the powers of the Accountant-General?—I merely want to limit them. I would only let him insist on a reference where the interpretation of the rule is unreasonable.

14522. But who is to judge if it is unreasonable?—I would leave the Accountant-General the right to it.
judge; from his previous experience of the way in which the Act was applied, he knows perfectly well what the Government of India would be likely to do if the case were to come up to them.

14523. That would give him a good deal of power?—Yes, but he already has that.

14524. Are you prepared to allow the Local Government to say absolutely that such a fee is not a recurring honorarium, and that the Accountant-General should not raise any question?—Yes; it is purely a matter of fact.

14525. Why are you not prepared to say generally with regard to all regulations that the interpretation of them should be left with the Local Government?—I think that is going rather further than I should be prepared to do. I think the Accountant-General ought to be able to say, "You are straining the interpretation; the Government of India would not approve of this sort of procedure." Under the present system, if a rule is infringed, we have to refer to the Government of India, and in many cases they allow the exception. The Accountant-General knows from his experience whether they are likely to allow it, or not; therefore, I would give him power to ask for a reference to the Government of India, but I would tell him only to do so in cases where he thinks that the interpretation of India would not approve of the action taken.

14526. Do you say that the police are the administrative agents of the Sub-Divisional Officer?—They are the agency through which the Sub-Divisional Officer gets his information. I think it is unfortunate that in Bengal we have no other agency.

14527. Can you suggest any remedy for that?—No, I am afraid I have none to suggest.

14528. You do not suggest the appointment of any officer?—No, it would be too big a business altogether.

14529. So that although it is unfortunate, it is unavoidable?—It is almost unavoidable in the circumstances of Bengal.

14530. How long has the new procedure as regards the Board of Revenue of which you have spoken been working?—About four years.

14531. Has it been a success?—It has brought the Board into much closer touch with the Government. It has certainly expedited work, and it has prevented misunderstanding. The whole of the papers come up now, and if an official letter is incomplete you can remedy the omission by reference to the file, so that there is no correspondence backwards and forwards, and orders are thus issued more promptly. Therefore, as a matter of fact it has been distinctly a success. It imposes, however, a certain amount of work upon the Secretary to Government which was formerly done by the member of the Board.

14532. Does it mean in practice at all that the Board's Secretary becomes, so to speak, Under-Secretary to the Secretary to Government?—To a certain extent, under the circumstances at all.

14533. He submits it as an Under-Secretary might?—Yes; the Under-Secretary to Government is eliminated from the chain.

14534. And for all practical purposes he is the Under-Secretary?—Yes; or Deputy Secretary; of course a great part of his work is not seen by the Government Secretary at all. The bulk of this work is connected with ordinary revenue administration, for which the Board are responsible themselves. It is only in very special cases, if a reference has to be made to Government, that the Board's Secretary submits cases to the Government Secretary.

14535. We have been told that the number of rules and regulations, speaking generally, is excessive, and that the tendency is to pass a rule or regulation to cover every conceivable case which might arise, rather than to allow certain matters to the discretion of individual officers. I should like your opinion with regard to that?—I do not think I can agree with that altogether. In some directions the rules have reduced work a good deal.

14536. You would not say that regulations in practice were passed upon matters which were too minute to be regulated by a rule?—I do not think I should say so, generally speaking. It is easy enough to turn up a rule.

14537. Then is it your opinion that that criticism is not a fair one?—That is my opinion. I do not think the rules are too elaborate, and in fact I think it is desirable, when further powers are delegated, to lay down the principles which should be followed in exercising those powers.

14538. Would you agree that it is desirable to allow a large amount of initiative to an individual officer?—Undoubtedly, but in dealing with the case, for instance, of allowing an officer to take his horse by train at Government expense, it is desirable to specify the circumstances under which this should be done; otherwise there will be no uniformity of procedure. I do not think, as a rule, the regulations are too detailed, but they are applied too rigidly.

14539. It has been alleged that officers spend most of their time in trying to find out precedents, what do you say as to that?—I do not agree with it, and another thing is you can always ask the office to quote the rule if it is one you are not familiar with.

14540. Is your position with regard to the interpretation of rules and regulations that rules and regulations to be framed under an Act should be made by the Local Government?—That is not the point; the point is, supposing the Local Government propose to introduce some new scheme which has to be submitted to the Government of India, the Government of India should pass orders only on the general principles, and should leave the decision as to the details to the Local Government, after consideration of any criticism that may be made by the Government of India.

14541. Another way of putting that would be that the Government of India should lay down general principles in an Act, but that the regulations or rules for the carrying of them out should be left to the Local Government?—I think that rules which are applicable to the whole of India might very well be laid down by the Government of India. I was not thinking so much of rules under Acts, as of general administrative work.

14542. Would you agree that there are a large number of regulations of a more or less minor type—certain regulations which could not be called general principles, but which it is desirable to have uniform?—Undoubtedly; for instance, under the Explosives Act, it is most desirable that the rules should be issued by the Government of India would not approve of the whole of India might very well be laid down by the Government of India. I was not thinking so much of rules under Acts, as of general administrative work.

14543. What is the procedure to-day with regard to matters of that sort? Are uniform rules issued by the Government of India as a matter of course?—No, it would be too big a business altogether.

14544. Is that a satisfactory procedure?—Yes.

14545. Does it not lead to great delay?—I do not think delays are so much to be deprecated when it is a case of elaborating rules under which action is to be taken in future; these rules merely replace existing rules of procedure and the change is seldom very urgent. It is in the disposal of individual cases in which prompt action is called for that delays are so harassing.

14546. In the case of explosives, for example, would it be a good thing to have a small conference of the officers of the different Governments to deal with this subject and so reduce correspondence and delay?—It very often happens that the officers of the different Governments have very much to do about special subjects like that; for instance, with regard to the rules under the Explosives Act, the Secretary is not an expert in explosives, and his personal opinion would not be of much use; he would first have to obtain his information from other people qualified to advise.

14547. The Local Government to-day can put forward its views in writing, but there is no opportunity for general discussion?—No.

14548. Would that not be a good thing in regard to the rules and regulations with reference to explosives?—I do not think so; I think that the matter can be
very well dealt with under the present system. It is mainly a matter for experts, and I am not aware that it has given rise to any marked differences of opinion.

14549. Have you any suggestion to make with regard to the class of regulations that should be left to the Local Government and the class which should be culled general?—It would perhaps be easiest to answer that it is in connection with the Local Self-Government Act. We proposed to amend it in such a way as to ear-mark the Road Cess for Public Works and sanitation. The Road Cess was originally levied under an Act, a section of which laid down that the cess was to be spent on communications and sanitation, and afterwards that section was repealed, and for some years the Road Cess was spent partly on other items, such as education. Then the Indian press agitated about it, charged us with a breach of faith in devoting the Road Cess to objects for which it was not intended, and so forth. There was a great deal of dissatisfaction, and we, therefore, proposed to revive the old section and ear-mark the Road Cess as before ; but the Government of India, while agreeing with us that it was original intention, said it was inexpedient to tie ourselves down by legislation. I think that is a case which the Local Government ought to have power to deal with. The principle was accepted, and the only objection was that it would be inconvenient to tie ourselves down.

14550. With regard to Inspectors-General, would it be advisable if the Local Government consulted them before submitting any scheme to the Government of India.—I do not think it is desirable; the Local Government consults its own experts, and I think any further consultation would cause unnecessary delay.

14551. Is not one of the main purposes of these Imperial Officers to advise?—Yes, they do advise.

14552. Then surely, in a big scheme it is not advisable that they should be consulted?—Yes, there is a limit to the number of appeals that can be made. I think a man has a sort of feeling that there is safety in a second appeal. I mean that there is a man with better education feels more secure when he has another appeal. I do not think it is a case of giving advice before a scheme is submitted, but the Local Government must have the last word and there is always a danger that the Government of India may accept their opinions and decide accordingly, without giving due weight to the views of the Local Government.

14553. What, briefly, is the general principle underlying the revised rules as to appeal?—The general principle that in the case of inferior servants, that is to say, in the case of men whose pay is Rs. 10, or less, a month, there should be only one appeal; that in the case of other people there should be two appeals, subject to the condition that, with a man whose pay is less than Rs. 50, there should be no appeal against the order of the Commissioner, or Head of Department, or Board of Revenue.

14554. Under that practice what is the maximum number of appeals that can be made?—There can be two appeals in practice; the appointing officer would dismiss and there would be an appeal to the Commissioner and an appeal to the Board.

14555. Broadly, can the man who appoints dismiss?—Yes, that is the rule.

14556. Speaking from the point of view of the public, the function of appointment is just as important as the function of dismissing?—Exactly; of course, that there is no appeal in the case of a refusal to appoint.

14557. Should a man who is capable of appointing be capable of dismissing?—Yes, subject to appeal.

14558. Do you not think one appeal is enough? why do you want more than one?—We only allow one for subordinates, but in the case of a man with better pay I think it as well he should have an opportunity of appealing twice. I think a man has a sort of feeling that there is safety in a second appeal. I mean that a ministerial officer, liable to dismissal, feels more secure in his appointment when he has a right of second appeal. Supposing he is in a sub-division and is dismissed by the Sub-Divisional Officer, he would feel more secure with two appeals.

14559. Is it not the result of having more than one appeal to keep inefficient members in the Service who ought to be turned out of it?—I do not think there is very much risk of that. Of course one has known cases of men being put back; who, one thinks, ought not to have been put back.

14560. Does it prevent the officer who would dismiss taking action, because the procedure is so tedious and troublesome?—I do not think so; and after all it gives no more trouble to the officer who originally dismisses a man if that man appeals a second time, because he has no fresh report to write.

14561. But there is the additional risk of his decision being upset?—Yes, but I do not think that is a great thing.

14562. (Mr. Moyer.) With reference to your evidence with regard to the interpretation of the Civil Service Regulations, all financial powers are delegated powers?—I suppose they are.

14563. Under the Act of Parliament of 1858 the control of expenditure is vested in the Secretary of State?—I am not sure.

14564. The Secretary of State delegates the powers to the Government of India, and then, in turn, they are delegated to the Provincial Governments. Are not these Civil Service Regulations intended to sit forth the limitations of these powers thus delegated?—From a theoretical point of view, it may be so.

14565. Would it not be dangerous to allow Local Governments to be themselves the judges as to the limits which should be imposed upon them?—We are not suggesting that we should be the judges; we are suggesting that the Government of India might give them some further powers.

14566. It is suggested in certain cases that you may tell the Accountant-General to stand aside; for instance, that you have to settle what a recurring item of expenditure means, and what it does not mean?—Yes, that is a question of fact which we know.
14572. What would be the use of a rule then, saying that a recurring honorarium should be treated as apart of salary? Could not the Local Government evade this rule if it had power to say whether honoraries are recurring or not? — Of course, if it were so. A question of evasion it would not be safe to delegate anything to the Local Governments. You must give Local Governments credit for common honesty.

14573. Would it not be far better to relax the general rule, than to give discretionary dispensing powers to Local Governments? — We are not asking for discretionary dispensing powers to Local Governments; we are asking that the Local Government's statement should be accepted on what is really a question of fact.

14574. Would you maintain that in the case of an action on a point of law the Local Government should interpret it? — There is a great difference between the two things, because the certainty of the law is the essential thing. If there is no great expenditure involved in it, it had been carefully worked out by the Government of India; if it is a small thing, a large amount of time and trouble would be saved by the Local Government dealing with it.

14575. Do you say that the Accountant-General is to be overruled by the Local Government? — Yes, if it is the case like the one recurring honoraries with which the Local Government can deal best as being mainly a question of fact.

14576. Are you aware, as a general principle, that an officer of the Government is supposed to do work for municipalities and District Boards? — No.

14577. Are there not claims now and then on the part of officers for allowances for doing municipal work? — I cannot recall them at the moment.

14578. Might not that principle be evaded in general practice by the granting of liberal honoraria? — If a Local Government is to be looked upon as likely to be overruled by the Local Government, it might be supposed to do work for municipalities and District Boards.

14579. There are many rules under which the sanction of the Secretary of State is required, and you are probably aware that the Audit Officer can challenge the Government of India; would you similarly allow the Government of India to interpret those rules? — It seems to be quite reasonable that the same thing should be held to apply.

14580. You spoke of the desirability of giving the Local Governments larger powers in matters of detail as apart from principle; do you include appointments and pensions, and matters relating to the Civil Service Regulations generally, in detail? — The detailed powers which have been delegated to the Local Governments under the Act are mentioned in the schedule appended to my letter.

14581. I was speaking of your answer in which you say: "The Government of India should avoid interference in matters of detail." When a scheme goes up it includes a number of appointments; do you consider the creation of an appointment a mere matter of detail? — No, I do not.

14582. By “detail,” do you mean such instances as you gave with regard to Road Cess? — Yes, or to take another instance recently applied to the Government of India for funds to alter the best system in Calcutta. We sent up a scheme to the Government of India which had been carefully worked out with the Commissioner of Police, and in reply they said they did not approve of it, and suggested a different scheme. I think that was interference in matters of detail.

14583. Is it not sometimes an advantage that you should have an opportunity of thinking over a scheme and testing it? — It is sometimes, but the result is, as a rule, that the thing is delayed so long that everyone gets tired of it. In this particular case the alteration in the best system, which we suggested, was recommended by the Police Commission and had been mentioned at the time with approval by the Government of India, and we had sent it up with an intention that we found it would be peculiarly suitable for Calcutta.

14584. With regard to the Road Cess, which you mentioned, was not the original provision set aside by actual law? — It was not set aside exactly, but the section was repealed.

14585. Was that not setting it aside? — To a certain extent, of course it was; but for a long time past it had been recognised that it was wrong to set it aside.

14586. Is it not the case that four or five Lieutenant-Governors took one view of the matter and the present Lieutenant-Governor took another view? — It may be so.

14587. And the Government of India said: "We agree with you, but you had better not put it into a stereotyped form of law," because it was thought that other Lieutenant-Governors might differ again. Do you not think that reasonable? — I do not think you should veto things because you think the opinions of the Local Governments may change.

14588. Let me take another case. There was an educational matter in which a Lieutenant-Governor wanted a wholesale transfer of educational institutions and the Government of India objected. Do you consider that a matter of detail? — No, I do not think the whole scheme was a matter of detail. It included the transfer of the Engineering College to Ranchi, and it was a big scheme. But you desire that the question of referring matters to the Council should be transferred from the Viceroy to the Lieutenant-Governor or the Head of a province? — Yes.

14590. And that the Viceroy may direct any matter to go to Council? — Yes.

14591. But you desire that the question of referring matters to the Council should be transferred from the Viceroy to the Lieutenant-Governor or the Head of a province? — That is right. The Local Government wants to have a matter reconsidered, it ought to be considered by the Council.

14592. Are you aware of any authority in England subordinate to the Government which could require the Prime Minister to submit a case to the Cabinet? — No, but I do not think the cases are at all parallel. We are not asking that the Local Government should have power to insist on a reference to Council, but that the Government of India should themselves consider the objection which you have raised.

14593. Is not the Government of the Lieutenant-Governor a single-man Government? — It is a single-man Government, but the Lieutenant-Governor does not pass orders until he has the opinions of all his advisers.

14594. A Lieutenant-Governor might be a man of impulsive character, and be delegated to conduct certain questions out of the advice of his advisers? — Of course, all things are possible.

14595. There would be nothing to indicate to the Government of India that that was so, and conceivably there might be a Member, or a Secretary in the Government of India, who knew more about the province than a Lieutenant-Governor? — Yes.

14596. Would you still propose that the Lieutenant-Governor, under such conditions, should not be overruled except by council on matters of detail? — That is right.

14597. With regard to Imperial Inspectors-General, you resent the Government of India overruling you and your advisers, but at the same time you are not prepared to seek their advice? — That is not quite true. I put it. I think the business of an Inspector-General is to furnish information or give advice to local departments; if the local departments think it necessary to obtain that advice regarding any scheme, I would not object, but I would not make it a rule that they should be obliged to seek it.
14598. What is to prevent you seeking the advice of any one else?—There is no necessity for it, and as it is already sometimes done, I would not have a regular rule laid down that it should be done.

14599. You may be overruled as to details on the advice of Inspectors-General, but is it not more likely you would be overruled as to details if there were no Inspector-General acquainted with the details of the provinces and the matter went to some one who did not know the province?—The latter would probably not have the time to go into detail which the specialist could devote to.

14600. Have you been overruled more since there have been Inspectors-General than you were before?—I have not sufficient experience to enable me to say, but I think the tendency is probably in that direction.

14601. As regards listed appointments, did you say that you could not ordinarily fill appointments that were not listed by Deputy-Collectors?—Yes.

14602. Is the reason that the Act of Parliament, subject to certain exceptions, vests the appointments in the Indian Civil Service?—Yes.

14603. Are you of opinion that this Act should not be departed from save in exceptional cases, and for short vacancies?—I was only dealing with the question of expediency without any reference to existing law.

14604. But you recognise the distinction between a listed appointment and one which is not listed?—Yes.

14605. The Lieutenant-Governor has not full power over the appointment of members of the Board of Revenue?—He has to get sanction.

14606. Is that under one of the local laws?—Yes; he has to go for sanction to the Government of India. I remember only one case in which there was any interference.

14607. With regard to the system of dealing with the Board's work, have you not a double office doing the same work?—I think there has been a good result from the double office, because you have an independent examination of the case, and very often the Government is able to look up precedents and things which are not open to the Board, so that it corrects the Board, so to speak. It does seem to be redundancy, but at the same time I think it has its advantages.

14608. As I understand, a matter goes from the Board's clerks to the Government clerks; then from the Government clerks to the Board's Secretary; then from the Board's Secretary to you, skipping the Under-Secretary?—Yes.

14609. And you can, if you like, call upon your clerks again to give you information?—I could, but I usually deal with the Board's Secretary.

14610. You say more precedents would be available, but if the Board's separate office were abolished they would not get the precedents in the Secretariat here. The Board's office could not be abolished because a great part of their work is concerned with the revenue administration of the country, in which their authority is final and no reference is made to Government.

14611. But they could still deal with that as a branch of the Government Secretariat?—I should prefer to see the present system continued, for some years longer, at any rate.

14612. But is it necessary to keep on your Under-Secretary?—My Under-Secretary still has plenty to do. He does not have to do with the Revenue Department, except in respect of famine and forest; but he has to work up all cases in the Political, including the Police and Appointment Departments. This is quite enough for one man.

14613. You do not think the reduction sufficient to warrant dispensing with the Under-Secretary?—No; I think he is still over-worked.

14614. In regard to the chaukidiar pension system and an extension of it, do you understand you to say that before giving further powers you want to see how the present works in other provinces?—Yes, before widely extending the powers.

14615. Is there any other like system in existence?—There is no similar system, but there are village agencies in other provinces.

14616. One is a natural village, and yours is an artificial agglomeration of villages?—Yes; therefore I would not give any more powers to the people in charge of this artificial agglomeration of villages until we see how the people are able to exercise those powers where there is a natural system.

14617. Would that afford you any evidence?—It might afford negative evidence, but not always better to proceed by way of experiment in small areas?—Yes, I think so.

14618. On what grounds do you allege that Bengal is worse off than other provinces in respect of establishment?—We have only six Commissioners for our 54 millions, as compared with nine Commissioners for 45 or 50 millions in the United Provinces.

14620. But you have hardly any revenue work to do compared with that of the United Provinces?—We have an enormous amount of revenue work to do, but it is of a different kind; our tanzil roll, for instance, involves separate accounts and an immense amount of trouble; we have no petty Government estates in every district; there are 2,000 altogether mainly on the banks of the rivers; they are continually being washed away and thrown up again; there are partitions, land registration, revenue sales, Court of Wards work, etc.

14621. Surely you have no work in connection with reminiscences and reassessments?—No, but we have other things instead.

14622. You spoke of the desirability of having more Joint-Magistrates; your Joint-Magistrate, I understand, is a sort of personal assistant to the Collector, or District Magistrate, is he not?—Where we have a Joint-Magistrate he is practically in independent charge of all the criminal work. He receives complaints, disposes of police reports, looks after the conduct of cases before the subordinate Magistrates, and sees their registers every week.

14623. But he has no independent territorial charge?—No, but he has well recognised functions.

14624. Would you keep the headquarters subdivision at its present size, putting under the Joint-Magistrate as a Sub-Divisional Officer?—I think I would keep it at its present size as a rule.

14625. And convert the Joint-Magistrate into a Sub-Divisional Officer?—Where there is a Joint-Magistrate he might be in charge of the headquarters sub-division, but we should never have enough Joint-Magistrates to go round; we have only asked for Joint-Magistrates in 12 or 14 of the biggest districts.

14626. Do you see any objection to the system in force in Madras being applied to Bengal?—It would be very difficult to have a wholesale re-arrangement of the existing administrative arrangements.

14627. Have you certain sub-divisions allotted to the headquarters sub-division?—Yes.

14628. With regard to the point that you have no intermediate officers, might you not increase the number of your Sub-Deputy Collectors?—If we increased their authority it might involve expenditure; do you see any advantage or disadvantage in it?—I am not sure whether there would be enough work for them to do.

14629. Would the supervision of the chaukidiar covenants be part of the duty they would attend to?—Yes.

14630. Are there not enough Sub-Deputy Collectors to go round?—Not when you consider the number needed for special work such as settlement, and so forth.

14631. I put it to you as a possible solution, though it might involve expenditure; do you see any advantage or disadvantage in it?—I am not sure whether there would be enough work for them to do.

14632. Would the supervision of the chaukidiar covenants be part of the duty they would attend to?—Yes.

14633. You have these Sub-Deputy Collectors in your provincial list?—Why should not the Commissioner appoint them?—They are appointed mainly on the recommendation of Commissioners; each Commissioner sends up his nominations.

14634. Why not go a step further and make the Commissioners the appointing authority?—We have other sources of appointment as well; we get a few from nominations by Heads of Departments.
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[Paragraph 14653:]

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regard to particular detail is the work of the Local Government. It is simply to settle the principles on which the Commissioner should be regarded as the executive head of the District Board.- I think that the Commissioner should be regarded as having a great deal of control already, and a little power may be more than adequate for what is required.

I hold that the Commissioner should have the control of the works of his division, with regard to expenditure on schools and so forth. With regard to primary education, the Board has the control; with regard to secondary education, I am rather doubtful; I think the Commissioner should have any views on the subject he would be always listened to by the Director of Public Instruction.

14640. To put it generally, one view which has been held is that the Commissioner should be regarded as the executive head of the District Board. An appeal, for example, to the Board for a change in the Board of Revenue action; would you be in favour of that?—I think it would be in favour of that.

14641. Are there not a great many appeals in regard to administrative matters to the Board of Revenue?—In most cases it is a matter of revision, not an appeal, when a case gets to the Board of Revenue; the Board have power to revise, but they do not exercise it very freely.

14642. The power can be exercised so as to make it a complete appeal?—There is no cause of complaint in that respect.

14643. Might it not be possible to limit the powers of delegation in this respect?—No, I do not think it would; I think it might be possible to abolish the Excise Commissioner.

14644. At any rate an economy could be effected somewhere?—Yes, it does, but I think in most matters he has a great deal of control already and a great deal has been done of late to increase his powers.

14645. (Sir Steyning Edgerley.) Do you think the function of the Government of India in relation to Local Governments is simply to settle the principles and rules of administration and that everything with regard to particular detail is the work of the Local Government?—Yes.

14646. Would you make that an absolute line of division?—I would lay that down as the principle. Of course there may be exceptions, but it would be in the interest of the Government of India to say to themselves: "Our expert advisers of the Government of India should be responsible for the consideration of the Local Government.

14647. Would you advocate a general revision of the Civil Service Regulations and the Government of India Codes on that basis?—I think it would probably suffice if the local authorities were given to the Local Government to make exceptions in certain cases.

14648. In fact you would bridge the gap by a system of delegation subject to the submission of a return. Would that be sufficient?—There would then be two safeguards; one is that the Accounts Officer, if he does not think reasonable, can insist on a reference, and the other is the return you refer to.

14649. But do you think that would get over the difficulty of construing the relations between the Government of India and the Local Government?—I think it would be difficult for the Government of India to have exactly what was the case in point. A return, to be of any use, would take much trouble to prepare. 

14650. If a general delegation took place, would you base it on that principle, namely, that the functions of the Government of India should be simply to lay down a general policy, and that all details and particular cases should be left to be disposed of by a lower authority?—Yes, I certainly would.

14651. Taking it broadly, would that be your principle, subject to whatever exceptions there might be?—Yes, that would be the general principle.

14652. As to the Delegation Act, taking it altogether, you are in favour of a general Act?—I am in favour of a general Act, but I think there ought to be safeguards.

14653. The safeguards are, I take it, preliminary notification, the sanction of higher authority, and the power to withdraw?—Yes.

14654. As regards the sanctions of higher authority, supposing your preliminary notification disclosed that there was no objection at all, would it be necessary?—No. It would only be necessary in cases where there was a conflict, or where objection had been raised.

14655. Was it not suggested that it might be possible to define certain spheres which a general Delegation Act should not touch?—Yes, we have thought it over, and we think there would be great difficulty about it.

14656. One sphere, for instance, was taxation, which it has been suggested should be dealt with by specific legislation; what do you think about that?—It is difficult to lay down rules.

14657. Do you think the other safeguards sufficient?—I cannot quite say that, but I cannot see any practical safeguard which one could add.

14658. As to the expert advisers of the Government of India, whether they are called Inspectors-General or Directors-General, would you limit them to offering advice on principles only?—I see no objection to their advising on details if the Government of India pass on that advice in the form of comment which the Local Government may adopt or not.

14659. But if the functions of the Government of India are confined to principles, what is the object of their advising on details?—If the Local Government send up a scheme which requires the sanction of the Government of India, the Government of India goes into it as a whole, and if certain criticisms or minor points present themselves, which very likely may be improvements, it is desirable that they should be stated for the consideration of the Local Government.

14660. They would say: "Our expert advisers have noticed these matters of detail which we hope you will consider."—Yes.

14661. In certain cases you rather object to the advice of the Inspector-General being obtained before the Local Government has expressed its opinion?—I would not mind the local officer consulting the Inspector-General at any stage informally, but I should object to its being laid down as a rule that he was to consult him.

14662. Taking the illustration which was given in Burma of forest working plans, they go from the Chief Conservator to the Inspector-General, and then to the Local Government which passes final orders. Do you see anything in that to object to?—We have had one or two cases in which the criticism has been valueless, perhaps due to ignorance of the local conditions, but I do not object in the ordinary way.

14663. If the Inspector-General's criticisms preceded those of the Local Government, would you then not make the former very much more careful how they dealt with these matters?—I do not think so, and I think it would tend to make the correspondence more cumbersome.

14664. Assuming the procedure that I put to you were adopted, it would not be possible for the Government of India to say to themselves: "Our expert
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has advised, or will advise, therefore we can at once give the Local Government final power?—Yes, it might be so.

1466. Do you think they might in that way become an instrument of further decentralization?—I am not quite sure on that point; it might or might not.

1466. You used the word "inspection," with regard to the advisers of the Government of India: do you mean inspection, or do you mean study?—I would go further than study. Take, for instance, the case of an experimental farm: I think it would be a very good thing that the Inspector-General of Agriculture should make an inspection, the result of which he would not necessarily send to the Government of India, but to the local Director of Agriculture for his information.

1467. Then assuming you once permit inspection, would it be right that the Inspector-General should, on leaving a province, send a memorandum of everything he has seen in the province to the Lieutenant-Governor?—Yes; or to the head of the Department.

1468. Is it the case that they occasionally take information past the Local Government, and the first you hear of it is by letter from the official department of the Government of India?—I cannot think of any case, but I cannot help thinking it might be likely.

1469. The other system suggested would prevent that?—Yes. In fact we have just suggested that in connection with the proposal made by the Inspector-General of Forests to send a man to report on our working plans.

1470. Have you not had to deal recently with the proposals of the Police Commission. You mentioned a controversy with regard to the beat system in Calcutta which arose out of the Police Commission's report on our working plans.

1471. And you told the Government of India that you did not like the alternative scheme?—We have not replied to it yet.

1472. Have you had any great difficulty in carrying out your proposals with reference to the Police Commission?—No, not generally speaking.

1473. Can you give any illustrations of Acts of general delegation passed in Bengal?—I have here two lists of statutory provisions in force in Bengal authorizing delegation, and also a list of delegations made under those Acts.

1474. Are you aware whether the existence of such provisions, or the use of them, has led to any controversy with regard to inspectors?—I have seen no trouble about them.

1475. Supposing you were laying out the area of Bengal again, what would be your constitution of the province with regard to the Local Government?—I think I should advocate the existing one.

1476. You would have the Board of Revenue plus the Commissioner?—Yes.

1477. Do you know that a system of Chief Commissionerships has been recently publicly suggested?—Yes.

1478. Do you think that a system of six Commissioners with very large powers under the Local Government would be a good one?—It is practically our system now; except that we think the Commissioners might have more powers; we already have only six Commissioners for 54,000,000 people.

1479. Would it be a good change in your opinion to increase the number of your Commissioners, and simply to absorb the Board of Revenue in the Local Government?—I do not think the Board of Revenue could be done away with; they correspond on the revenue side to the High Court on the civil side; you must somehow conserve the government authority, and randmills have great faith in the Board of Revenue.

1480. Do you think the Government so constituted could not deal direct with the Commissioners?—I do not think you would have the same continuity as now when the two most experienced men in the province are members of the Board; I think you would have the risk of friction and divided responsibility.

1481. Practically, are you in favour of the principle of maintaining as much power as possible in the higher offices?—It is very difficult to think of any powers now exercised by Government, other than those included in the schedule of proposed delegations, which could be delegated with advantage and safety; you want a certain amount of uniformity of procedure throughout; a great many have been engaged in delegating powers which can be safely delegated.

1482. What would be your criterion for a division of functions as between the Local Government and the officers subordinate to it?—I think the Local Government should deal with questions of policy or principle and other matters of general public importance and leave the subordinate authorities to deal with the details of local administration and matters of local interest.

1483. And you told the Government of India that they might in that way become an instrument of further decentralization?—Yes, I think so. In fact we have just suggested that it would be possible to avoid them in that case, but if it is a printed case, we take out the papers which would otherwise form the Government record and print them only.

1484. Will that cause any difficulty, say, twenty years hence?—Of course it is a thing that wants watching. I have found difficulty in some respects owing to delays, but I think difficulties of that kind will be avoided as the system settles down.

1485. You have six Commissioners in Bengal: how far do their charges represent natural linguistic divisions?—The Orissa Commissionership is confined to the Oriya-speaking people; in Chota Nagpur the language is chiefly Hindi; in Bihar, we have here two Commissioners it is Hindi; and in the Commissionerships of Bengal proper the people speak Bengali.

1486. With regard to transfers, it has been suggested that it would be possible to avoid them in some small degree by distributing the reserve of offices. At present the whole reserve is kept in the lowest grade of Civilians, is it not?—Yes.

1487. The suggestion was that in order to be able to provide for leave and a reserve for special duties there should be two or three Collectors in excess of the number of districts?—Yes, either that or our proposal for extra Joint-Magistrates.

1488. Would it be a good thing to have several extra Collectors?—I think if you had the extra Joint-Magistrates, you could do without them.

1489. What is a Sub-Deputy Collector exactly?—He was originally intended to be an officer for local enquire in, but he has gradually developed into a Magistrate of a subordinate grade, either at district or subdivisional headquarters; if he is at subdivisional headquarters, he generally does treasury work.

1490. One witness has pointed out the great hardship to people engaged in petty cases, in getting their cases disposed of at present; where does a petty case come from? In many great many of them are tried by the ordinary Magistrates.

1491. If the Sub-Deputy Collector could be developed into a revenue enquiry officer and residential
The Hon. Mr. H. C. C. Streetfield was called and examined.

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Magistrate, would that add considerably to the convenience of the people?—Yes, but you would have largely to increase their number.

14695. Could some reduction then be made in the police force?—No. I do not think you could do that, and our thanks are very big as it is; there are very few thanas of less than 100 square miles.

14696. But you could relieve them from all this outside work?—You could, but still I do not think it would be possible to reduce their number.

14697. Would you allow compulsory retirement for Civilians who had fai led, on the same terms as retirement under a medical certificate?—Yes.

14698. That is to say you would put inefficiency on the same footing as misfortune?—I think it would be an administrative gain to get rid of incompetent men even on those terms; and in order to avoid hardship as much as possible, I would treat them liberally; I might have said, perhaps, that unsuitable men should be retired on the same terms as were allowed until recently for those who have to go on medical certificate. The rules for the latter have recently been made more liberal than they were formerly.

14699. Have you a strict probationary period for the Provincial Service?—We have probationers, but there are very few cases in which they are not confirmed.

14700. From the point of view of pensions, would it not be wise to consider longer the period of probation so as to enable you to fully test a man?—It would be so in theory, but it might make it more difficult to recruit the same class of men; men who are willing to come to us now, might not come if they thought they were liable to be turned out.

14701. Does any recruit come into any Service with the idea that he is going to be a failure?—No.

14702. Then how will it affect you?—Because a man might see another cast adrift after a time, and he would say to himself that it was not safe to run the risk of a similar fate.

14703. (Chairman.) Has the Commissioner power to post officers, not merely in the subordinate ranks but in the First Service?—No, the only officer he can post is the Sub-Deputy Collector; he has no power to post Deputy Collectors, but I think he should have. It has always been decided to give him this power when the recent increase in the cadre becomes effective.

14704. What is the training for an Accountant-General?—The Accountant-General is generally a Civilian who has been dealing with general work for several years; then he is transferred to the Accounts Department as an Assistant Accountant-General, and after serving as Assistant Accountant-General in several provinces, he is promoted to Accountant-General.

14705. Is he an officer of sufficient experience and capacity, as a rule, to be entrusted with the rather large powers which you propose to give him?—Yes, I think so, you might have an eccentric man now and again, but generally I would entrust him with all those powers.

14706. Are you certain, as a class, that Accountants-General should be trusted with the delicate and extensive powers which you propose?—I do not consider that I have proposed to give any more powers than are necessary to do the work. I have proposed to define the cases in which he might insist on reference to India.

14707. Are there a great number of manuals in existence?—Yes.

14708. Has any attempt been made by the Government of Bengal to codify them, or amend them and bring them up to date?—That is being done constantly. (The sivitra bichwik.)
devolution in matters of detail has been done in Bengal of recent years—and probably more might be done—but I see no opening for any general change.

Bengal of recent years—and probably more might be admitted. Court of Wards' work is of a specialised nature and in favour of charity requires little local knowledge. On the other hand, the work, especially where newly-appointed, encumbered, or little estates are concerned, falls very heavily on the Collector. Expert managers are rare, and the Collector is constantly called on at a moment's notice to go into complicated legal questions and decide off-hand the action to be taken with regard to pending litigation.

Allotments to local officers for special objects may be made more freely than at present, but the idea of separate budgets for divisions and districts seems to be quite impracticable. This would necessitate small Secretariats and greatly increased audit offices.

There can be no question that the authority of local officers has fallen off of late years. This is in part due to the pursuit of departmental efficiency. For instance, in the Registration Department, the old system of part-time local Registrars has been supplanted by a whole-time provincial establishment. But in the main the improvement of communications has made this inevitable—formerly the officers of appeal to higher authority rendered it wiser to accept the decision of local officers. There is now no doubt that in a great part of the province the ideal is of a local officer who is regarded merely as a vehicle for an appeal to higher authority. Transfers also have much to do with this. It is vitally important that a District Officer should know his people, and even more important that his people should know him. Transfers are certainly far too frequent, but this is owing to unavoidable circumstances, specially the shortness in the supply of officers capable of managing important districts. In Bengal the difficulties of appointing transfers are increased by the unhealthiness of many of the districts, and the language difficulty is accentuated by the fact that the Bengali-speaking districts are, as a rule, the least desirable in every respect. No officer would wish to be in the Bengal area longer than he can help, and has therefore little motive to become expert in Bengali. No officer should be confirmed in the charge of a district until he knows its language really well, and special allowances should be attached to those districts of which the quantities the least.

Office work is certainly too heavy to allow sufficient contact with the people. Many districts are too large, and the absence of competent men is the District Officer to his desk. A good Joint-Magistrate is a necessity for every large district. Selection of officers on a freer scale than at present is desirable. If obviously unsuitable candidates could be weeded out before the open competition, it would save much vexation later. At the same time every safeguard is necessary to ensure that the power of selection is used reasonably—it would ruin the Service, and with it the administration, if any suspicion of personal animus governing promotion once got established. There is no question that we are short of officers in Bengal, and that the ever-increasing demand for picked officers for special work has lowered the average qualifications of District Officers. The ordinary district administration is infinitely more important than any department, and it would be lamentable if the idea were ever entertained that it was carried on by junior men and comparative failures.

I am not in favour of the grant of larger powers to local bodies or the creation of Advisory or Administrative Councils until, by a new election system, or some other means, we have contrived to arouse more general public interest in local institutions than exists at present.

In my personal opinion the Village community in Bengal is defunct past any possibility of resuscitation.

14710. With what matters do you deal?—I have to deal in the General Department with education, emigration (that is inward emigration and emigration to the colonies), registration, ecclesiastical, and miscellaneous matters such as mines, factories, explosives and things of that kind. In the Judicial Department I deal with all questions directly affecting judicial matters, criminal and civil appeals in which Government is concerned, departmental appeals of all kinds from all departments, and with the Jail Department.

14711. Have you any remarks to make upon Mr. Earle's suggestions as to making the Director of Public Instruction a Joint-Secretary to Government?—I am not in favour of that proposal myself. Educational matters, when they come up from a specialist such as the Director of Public Instruction, should be considered from a non-departmental and general point of view before they are finally submitted to the Lieutenant-Governor, and although it might be very well that matters should be discussed by the Director and Secretary before the Director formulates his proposals in an official letter, I think it is right that he should have the opportunity of putting generally what he has to say in a final form before it is criticised by the Secretary, as it would be very difficult for the Secretary to criticise it before he had the proposals in a complete form before him.

14712. Is the Director of Public Instruction invariably a specialist?—At present he is not, but as a general rule he is.

14713. Would your objections to this principle be fatal?—I think it would be better for his own sake that the Director should have the chance of fairly stating any scheme which he might wish to push through.

14714. While you think the Local Government should have freedom in detail is there any objection to there being some control in matters of principle?—No.

14715. How are you going to draw the line between principle and detail?—The principles, I should say, were laid down by the financial rules. For instance, if a scheme costs more than ten lakhs of rupees, it would have to go up for sanction. Possibly principle and detail are hardly the right words to supply, but what I mean is if the Government of India objected to a scheme in toto, they have a full right to veto it, but, on the other hand, if they approve of a scheme, it leads to a good deal of delay and discouragement on the part of the officers who have sent it up, if it comes back on minor matters of detail, such as the class of construction and size, and other things of that kind.

14716. You have referred to a work costing ten lakhs of rupees which you have now power to sanction. Have the Government of India an adviser in the Public Works Department?—Yes.

14717. Suppose on examination of the principle of your scheme their expert adviser detects serious defects in detail, are the Government of India to make any objection?—Certainly, I should say they could make an absolutely final objection in that case.

14718. But they ought not to object to details although they might object on matters of principle?—Where they simply advise alterations in matters of detail, it should be left to the discretion of the Local Government to accept those amendments or to go on with the scheme as originally devised; but where fatal objections, even in the matter of detail, were discovered by the Government of India, it is only right that they should say the scheme should be altered.

14719. Who is to be the judge of whether an objection is a fatal one or not?—The Government of India themselves.

14720. Therefore they must examine the details?—I think they should examine the details.

14721. Then with regard to educational matters, you think there has been rather a hypocractic attitude taken up by the Government of India? Will you give an example of what you mean?—The transfer of the Shibpur Civil Engineering College, which was a very large scheme, came back with the objection that the playground and laboratories of the College should be amalgamated with those of another College. The suggestion did not cause any
delay, but it might have been taken for granted that the Local Government would be able to deal with a point of that kind.

14722. But upon the details of education, do you intend that they should be so sensitive?—No, do not and I am not prepared really to say that in any particular case the objections of the Government of India have been unreasonable, but a large number of schemes have come back during the six months I have been in the office and the experience has been such as definitely to discourage the sending up of big schemes.

14723. Do you say that a large number of matters have come back to you in the last six months?—Four or five matters. Upon smaller matters, such as the salary proposed for a Head Mistress and things of that kind.

14724. Do you know whether that would be because the teachers were similarly employed by other provinces at a rate similar to that which you proposed should be paid?—No, I think in that particular case of the Training College for girls at Patna the idea of the Government of India was that a lower salary would have been sufficient, and that a lady employed in the country would be as good as a lady got out from home.

14725. Is the Director of Public Instruction inclined to correspond, without your cognizance, with the Director-General of Education?—I have never heard of such a case.

14726. As a matter of fact, does such correspondence as it were exist?—I do not do knowledge shorten your thinking?—I do not think, while I have been in the office, there has been any correspondence with the Director-General, which has come to my knowledge at all.

14727. Or any conference?—Just recently there has been a conference which tended to help matters, I think.

14728. Would you alter the title of the Director-General to that of Adviser-General, as rather connoting what his duties ought to be?—That might be of advantage.

14729. Have you ever found in disciplinary matters the Director-General has trench upon the jurisdiction of the Local Government?—I have only been six months in the Department, and during that time the permanent Director-General has been on leave, so that nothing of the kind has occurred.

14730. So far as you know, has there been any trace of it in former times?—No.

14731. Do matters connected with the Court of Wards come before you?—No.

14732. You say that the final authority as regards the Court of Wards work might rest with the Board of Revenue; whom does it rest with now?—The final authority is the Board of Revenue, and my proposals were that they should be brought into direct touch and control of the whole thing. I think the Board of Revenue should be brought into control through a special officer who should be advised by the Commissioner and District Officers, but that these officers should no longer be directly responsible, as they now are, for the management of any estate.

14733. Would that not tend to put a fifth wheel into the coach; things must go through the Collector and Commissioner?—The thing I was principally thinking of was litigation in which the Court of Wards is concerned. In one case I had to get into, and immediately come to a decision upon, a legal matter, although I am not in the least a specialist as regards Civil Law matters.

14734. Was it a case of a question of law, or a question of fact, in regard to the administration of the estate?—It was a question of debts, and whether we should admit certain debts or not.

14735. Surely that is more a question of common sense than of law?—No, there were some very complicated matters to deal with. It is principally with a view to relieving the Collector of what, by experience, takes up a great deal of his time that I make this proposal.

14736. And you would like to see an expert Director at headquarters?—Yes. It is a very special branch of work.
with authority upon, say, a Bengal matter?—The only Director-General of Education, and I should have thought that directly he came out he might recommend on matters like the training of teachers, though, of course, subject to criticism by local authorities; and I have thought that there can be no objection to their coming before the Local Government.

14756. With regard to appeals, you wish for some understanding that they should not be considered in detail as a matter of course, but how would that understanding operate in practice? —That is a question for the appellate authority really to decide for itself, as to whether it will send a case back and call for a report on matters of detail.

14757. Have you any suggestion to make by which it could otherwise be secured? —I think that there is too great a tendency to treat the matter almost as a legal appeal which has to be considered in all its details.

14758. Should there be an appeal in all cases as a matter of course? —In many cases, yes.

14759. Are you against limiting the right of appeal? —Yes. When I said that the order of a local officer is subject to appeal for an appeal to a higher authority, I was alluding more to the case of ordinary executive orders which are not so much the subject of a regular appeal as a reference to a higher authority, in order to get an order set aside. Departmental appeals against punishments and supersessions are on a different footing.

14760. Are the appeals laid down by law in most cases? —By law or rule.

14761. With regard to the Court of Wards, you suggest a special appeal as we know in Bombay as the Manager of Encumbered Estates. Is that the total number of encumbered estates under management in the province? —It is very large, and it is increasing.

14762. Could one man do that work? —Perhaps not.

14763. Would it not practically require one man for each division? —That is quite possible.

14764. In other words a new department? —Yes, I am afraid it would mean that.

14765. Might not another remedy be to decentralise and to delegate the work to the authorities below the Board of Revenue? —That is another remedy.

14766. With regard to the question of litigation, what assistance has the Collector got in dealing with these estates? —None, except the Government Pleader, as a rule.

14767. Does the estate pay the Government Pleader? —Yes, some estates pay their own pleaders, but the standing rule is for the Government Pleader to be employed.

14768. Does he advise the manager in litigation? —My experience is that he comes to the Collector and goes through the whole thing probably in company with the manager.

14769. Mr. Earle, and some of the other witnesses, complained very much of the difficulty in getting the stores they wanted; have you had any experience with regard to that, or found there is any difficulty in that respect? —Only one case has come to my personal knowledge, and that was with regard to some machinery which was required for an Engineering School; it was a lathe and some other machine which ought to have been got from home but we found it necessary to get them locally, which was more or less an evasion of the rules.

14770. Supposing that in one of the schools they wanted a Singer's sewing machine, how would you get that? —I think it would have to come direct from the Director-General of Stores, unless it was urgently required.

14771. You can see them in every village in East Bengal, and it would be quite possible to get a thing of that kind without going to the Local Office. Could not a schoolmaster be trusted quite as much as a villager to get as good a one as he could? —I think so.

14772. (Mr. Meyer.) You say that allotments to local officers for special objects might be made more freely than at present; but you think that budgets for divisions and districts seems to be quite impracticable, as it would necessitate small local Secretaries and a great number of Audit Officers; why do you think that? —Because I do not think a Commissioner would be able to control a budget under some of the various heads under which expenditure occurs in his division without, at any rate, a financial assistant, or something of that sort, and I think there would be a tendency for departmental subordinates to gather round him.

14773. There has been a point, which was put before us in Burma, as to whether the Commissioner should not decide which Public Works should be executed and provide for the cost out of funds available; have you considered that possibility? —I have had very small experience as a Commissioner, but I should think that that is quite practicable.

14774. But would that require an accountant's staff and all the rest of it? —But the Superintending Engineer does everything surely, and the Commissioner would simply be consulted.

14775. But the suggestion is that instead of being consulted, the Commissioner should have a say as to the allocation of funds, the professional control remaining with the Superintending Engineer, as now. —Do you think that thing? —No, I think it would not involve any special staff for the Commissioner? —Yes.

14776. If you gave him a small allotment from which to make any payments, that involved Secretarial functions? —No, possibly not, but if you gave him a dozen or fifteen heads under which he had to make definite budget allotments, it would be very difficult for him not to exceed the amount under certain heads and there would be difficulties about re-appropriation.

14777. But not the Accountant-General see to that? —I take it, it would simply be an allotment from Government, and I do not think there would be any difficulty. I should object that there should be a tendency to increase expenditure, because you would have to allow each Commissioner a reasonably liberal allowance, and he would make a point of spending it, instead of being distributed, as wanted, from headquarters.

14778. Is not one of the complaints now that there are constant lapses? —Yes.

14779. And so far, assuming that the Commissioner spent the money wisely, it would be rather an advantage? —Yes, if he dispensed it wisely.

14780. You are not against giving Commissioners larger spending powers, subject to budget allotment, provided it does not mean starting a small Secretariat? —Certainly.

14781. You referred to the Registration Department as having assumed the authority of local officers —will you tell us how? —Previously a Rural SubRegistrar was a local zamindar, or pensioner, appointed by the Government of India ; —will you tell us how? —Previously a Rural SubRegistrar was a local zamindar, or pensioner, appointed practically by the District Officer, and he did the registration of documents in his spare time; but gradually, in addition to the checking of documents to see that they were not forged, he was called upon to classify them under various heads, which required more or less the work of a specialist, and the result is that now they are appointed from headquarters like everybody else.

14782. How does it interfere with the authority of the District Officer? —Because formerly he had the appointment in his own hands.

14783. Then the District Officer has lost a little patronage —but the authority as regards that department? —Certainly.

14784. You referred to the Registration Department as having assumed the authority of local officers —will you tell us how? —Previously a Rural SubRegistrar was a local zamindar, or pensioner, appointed practically by the District Officer, and he did the registration of documents in his spare time; but gradually, in addition to the checking of documents to see that they were not forged, he was called upon to classify them under various heads, which required more or less the work of a specialist, and the result is that now they are appointed from headquarters like everybody else.

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14786. Then the District Officer has lost a little patronage —but the authority as regards that department? —Certainly.

14787. Is it not a department which was bound to increase as time went on? —It is not a department which was bound to increase as time went on; but I do not know that it was so at the beginning; it was intended formerly m-rely as a check upon fraud, I imagine, and not as a statistical department in any way.

14788. You say that every safeguard is necessary to ensure that the power of selection is used reasonably; do you see objections to selection by one man, however highly placed? —No; but I see objections to any...
one man having a final power of supersession. I think
every man superseded should have a second period of
three years, or should be tested again; and that there should not be any feeling that
merely the dislike of a certain superior officer might
result in the ruin of a man's career.

14788. Taking the case of a man not fit to be a
Collector, would you leave that to the entire discretion of
the Lieutenant-Governor, subject to an appeal to the
Government of India, or is your idea that there
should be a Committee selected to sit and decide the
point?—I do not think you could lay it down as a
rule that representatives of the Service were to be
consulted, and thereby limit the powers of the Govern­
mint in the matter.

14789. But it would not be limiting the powers of
the Government if a man had to be found unfit by a
carefully selected Board, and the sentence had to be
confirmed by the Lieutenant-Governor. That would
afford a safeguard against any individual prejudice?
—Yes.

14790. Would you allow, in that case, an appeal to
the Government of India?—I think so, certainly.

14791. Taking the case of a man who has been
passed over for a Commissionership, would you allow
him to appeal to the Government of India, or should the
decision of the Local Government be final?—I think
he should have an appeal.

14792. You spoke about evading some rule with
regard to stores; is that frequently done?—No, I do not
think it is.

14793. But there is a tendency, if a rule happens to
be unpleasant, to try and evade it?—I suppose there
is a tendency, but I think, on the whole, the rules are
loyally obeyed, though there are occasions when
amendments have been made to evade them.

14794. And if there was a dispensing power vested
in the Local Government, or any other authority, with
regard to Articles of the Civil Service Regulations,
might there not be a tendency to use that
dispensing power so as to break down a rule altogether if
it was found to be an unpleasant one?—No, I think
not, if the responsibility was placed on the Govern­
ment.

14795. (Mr. Hiebem.) Would you add that the
Local Government would interpret the rule in
accordance with the interests of the province as a
whole?—I think so.

14796. And if the rule was found to be undue or
in the view of the Local Government, the probability
is that it would be a bad one as far as the province
was concerned?—I think so.

14797. You say that the control of the Government
of India has the effect of creating a general continuity of
policy; is that because the leading officers of the
Government of India are permanent?—I do not
know whether it is that, or whether it is that they
simply work more on precedents and so on. I have no
experience of the Government of India myself
14798. Is it not conceivable that the Government of
India might be just as liable to be influenced by
new ideas as a provincial Government?—That is so,
but I think the originating authority is more likely to
vary its lines of policy than a controlling authority,
as a general rule.

14799. At any rate you did not mean that the
Directors-General, for example, were more permanent?
—No, that was not my intention at all.

14800. It was simply on the general ground that the
critic, that is to say, the Government of India,
would be more likely to be conservative?—Yes.

14801. But, on the other hand, the Government of
India might initiate, in which case they would not be
the critic, and in that case your general principle
would not apply?—No.

14802. How is primary education financed?—The
money is distributed by the local authorities, but it
originally comes from a Government grant; the local
cess pays only for communications and certain local
requirements, and a contribution is made to meet the
cost of education.

14803. Is nothing paid out of the District Cess
Fund in aid of education?—Theoretically they pay
nothing. The municipalities pay something, but the
Road Cess is supposed to be devoted to communi­
cations and some kind of roads of that sort, and be tested
again; and that there should not be any feeling that
merely the dislike of a certain superior officer might
result in the ruin of a man's career.

14804. Does the money for education come from
provincial sources?—It comes from provincial
revenues.

14805. Does it come from any definite cess?—No.

14806. Have District Boards a free hand with
regard to the disposal of that money?—Technically
they have, but practically the requirements for grants
and so on are drawn up by the sub-inspectors who are
under the Education Department, and the Board, as a
whole, very rarely criticise them; the District Officer,
as Chairman of the Board, may do so.

14807. After the budget is drawn up, is it submitted
to the Education Department?—Yes.

14808. And approved by them and then sent on to
the Board, and if they disapprove, is it sent back to
the Education Department?—I am not quite sure.

14809. At any rate, speaking as the Secretary in
respect to education, would you say that the control
exercised by the Government was complete?—Now it
is. Sub-inspectors have recently been placed under
Government. They were formerly under the District
Boards.

14810. Might some independence be given to the
District Boards?—I doubt it; as they are at present
constituted, we do not get on the District Boards men
with a real knowledge of the interior who would be
able to say that a certain village school required more
help.

14811. If you were satisfied that the District Boards
were more representative of public opinion, would you
give them a freer hand in matters of primary educa­
tion?—Yes.

14812. What would you say with regard to
secondary education?—I do not think I would be
prepared to extend the power with regard to secondary
education, that is, to give the District Boards, in
addition to primary education I mean the high schools. I think that those schools
should not be under the Boards, for the present at
any rate.

14813. It was stated in Madras that the tendency
of the District Boards would be to encourage
secondary education, because the collector who
gets on the Board was rather composed of those who
would require education of that class—what do you
say with regard to that?—That is a tendency which
has to be fought against.

14814. (Mr. Dutt.) It has been suggested that the
power of transferring Judicial Officers may be
definite?—it stated that at present it is to leave to all Gazetted Officers
granted by Government?—Yes.

14815. Is there any strong reason for changing that
rule?—Questions of leave and transfers do not come
to me in the Judicial Department, but I should think
there is no particularly strong reason.

14816. Of course leave would very often necessitate
transfers?—One man's leave necessitates the transfer
of another man, and possibly of a string of men.

14817. With regard to the appointment of Honorary
Magistrates, are they now appointed by Government?
—They are appointed by Government.

14818. A question has been raised with regard to
giving Commissioners of divisions power to appoint
Honorary Magistrates with third class powers; is there
any strong reason for making any change?—I
know of no strong reason beyond the general desire
of local authorities to be delegates, as far as possible, to the local
administrative officials.

14819. Would not the Honorary Magistrates them­selves rather like to be appointed by Government?
—I take it they would sooner be appointed by
Government.

14820. And similarly in vesting ordinary Magistrates
with powers, is there any reason for taking that out
of the hands of the Government and giving it to
Commissioners?—It is purely a formal matter; if a
Commissioner recommends that second class powers
should be given to a certain man, Government would
practically never refuse it, and I do not suppose the
Commissioner would know whether the Commissioner empowered
him, or whether the Government did so.
But it would appear in the Gazette?—Yes.

Then there is no very strong reason for changing the present procedure?—No, there is no very strong reason.

A proposal has been made that the promotions and postings of Provincial and Subordinate Educational Officers might be delegated to the Director of Public Instruction; are not the Provincial Educational Officers sometimes officers of standing?—Officers of the Provincial Service are often of considerable standing; the Subordinate Service goes up to about Rs. 200.

Would you not rather keep that in the hands of the Government?—I am inclined to think that promotions and transfers in the Provincial Service should remain in the hands of the Government, of course on the recommendation of the Director.

It has been said that the village community is practically defunct in Bengal and past all hope of resuscitation; has any endeavour been made during the last fifty years?—Yes, I think, but we have not been able to create any of these communities and invest them with large powers beyond giving them powers under the Chaukidari Act?—Not that I am aware of. I do not consider that the chaukidari panchayats are village communities at all.

Would it not be worth while to make an endeavour to give them some limited powers, and to allow a Director to look after villages under proper supervision?—Do you mean, by village matters, sanitation and things of that kind?

Yes, and also the disposal of petty cases, both criminal and civil. With regard to the disposal of cases, either criminal or civil, I do not think now-a-days it would be tolerated that cases should be disposed of without proper record, and the preparation of a proper record gives a great deal of trouble. Even now, in certain cases where Honorary Magistrates are doing excellent work, there is constant trouble with regard to procedure when their cases go before appellate authorities, and I think the same trouble would arise in the case of Village Magistrates.

If third class powers were given and fines limited to Rs. 10, and good men were selected, would that meet the difficulty?—If a practical scheme could be evolved, it would be highly desirable that these petty cases should be dealt with on the spot.

It would prevent a large number of people having to come to the Courts?—Yes, and being unnecessarily worried, and it would also prevent matters being appealed in a great number of cases.

Might such a thing be tried?—If a practical scheme within a certain area could be worked out, I should not oppose it, but my point is that unless you have a hereditary village headman, it is very difficult to create an artificial community where the old village community does not exist.

With regard to the work under the Court of Wards, which you say is specialists' work, does it not mean the management of land, or landed estates?—Yes.

I suppose if he had time, no one would be more fitted for that special work than the average Collector?—As regards the actual management of the land and the getting in of the rents, that is ; but where an estate is heavily encumbered, and there are complications as to successions and so on, I do not think he would be more competent to deal with the matter than any one else.

Would your objection be on the ground of the time occupied?—Yes.

Would not be a valuable link as between the land-owner and the people?—In a case of a genuine Ward's Estate, and where one is actually saving the property for a family, I think so; but my experience has been with regard to estates where the families are usually opposing the Collector.

It is recognised pretty well amongst the people, that the connection of a Collector with an estate like that is ultimately of great advantage?—I think it is.

And in this province you could ill afford to lose a link like that?—Probably not.

Do you endow Second Class Magistrates with powers to commit to the Sessions?—No; in practice, I do not think it is the practice to empower Second Class Magistrates to commit to the Sessions.

Does the Director of Public Instruction communicate directly with his letters go to the department?—I see all his letters and also the disposal of petty cases, both criminal and civil. With regard to the disposal of cases, either criminal or civil, I do not think

He has about eight years' service.

He has passed them himself.

In the majority of cases he would be perfectly competent to dispose of them, but there may be circumstances in which it is necessary that Government orders should be passed on the grounds of principle and the precedents underlying them. A Director knows perfectly well what orders would be passed, and I cannot think of a case in which there would be any objection to his passing them himself.

What proportion of your correspondence is answered by your Under-Secretary?—As regards

Speaking generally, are these matters of routine which your Under-Secretary disposes of all purely questions which the Director of Public Instruction is perfectly competent to dispose of himself?—In the majority of cases he would be perfectly competent, but there may be circumstances in which it is necessary that Government orders should be passed on the grounds of principle and the precedents underlying them. A Director knows perfectly well what orders would be passed, and I cannot think of a case in which there would be any objection to his passing them himself.

Much has already been done in the direction of separation between imperial and provincial finance during recent years, and the existing settlement is a great improvement on preceding settlements; but even now the revenues assigned to the Local Government are barely sufficient, even taking into account normal expansion, to meet the increasing demand for development in the different departments of the administration. It would be an improvement if, omitting railways, opium, and salt, which might be retained in the imperial account, the whole of the remainder of the revenues collected in the province were transferred to the provincial account, a certain fixed percentage (calculated with reference to the respective requirements of the Imperial and provincial Administrations) being reserved for imperial purposes and the balance, after making due provision for insurance against famines, made over to the

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provincial Government. I am not prepared to say that Local Governments should be given borrowing powers.

At all events in respect of the provisions of the Civil Service Regulations allowing allowances and pensions, all the powers now vested in the Government of India might, without objection, be delegated to the Local Government. In regard to other restrictions imposed by the codes and regulations, what is wanted is not the abrogation of such restrictions, which are anarchy on the whole, but that a Local Government should be allowed a wider discretion in giving effect to the rules and in sanctioning a departure from them in special cases for adequate reasons.

In regard to the application to local conditions of general lines of policy laid down by the Government of India, it should be recognised that the Imperial Government should not interfere with the discretion of a Local Government in matters of detail, except by way of suggestion.

The most satisfactory way of dealing with any relaxations which may be contemplated of restrictions imposed by law or by rules having the force of law would be by a general Act authorising the Local Government to delegate powers reserved to the Local Government or other authority to subordinate authorities where, in the opinion of Government, such delegation might be made without detriment to the public interest. It would be a good thing if the Local Government had authority to vest with powers, at present reserved for higher authorities, specific officers subordinate to such authorities in whom Government could place full confidence that they would exercise those powers with propriety and discretion. This would act as an incentive to officers to merit by their work and conduct the confidence of their Government.

Occasionally cases do occur which point to a tendency to consider matters too much from a purely departmental standpoint, but such cases are rare. The best remedy is to select for Secretariat appointments officers with adequate superficial experience and of tried administrative capacity.

The proper sphere of work of Directors and Inspectors-General is to inspect and to make suggestions. In cases in which proposals made by a Local Government are submitted to such an officer, who is regarded as a specialist, and where his recommendations are against the proposals of the Local Government, the Local Government should be allowed an opportunity of expressing their views before its proposals are overruled by the Imperial Government.

It will be highly undesirable to lay down that no appeal should be admitted unless accompanied by a certificate from authority passing the order appealed against that reasonable grounds of appeal exist. I would not curtail the right of appeal at present existing.

In this province allotments are now made to Commissioners of Divisions to enable them to make grants on the spot for purposes of a public nature, or to remedy small defects brought to their notice at the time of inspection, with a view to avoiding correspondence and consequent delay. Small grants might be made on the same principle to District Officers.

Sufficient weight is not always given to the views of the Commissioner in matters other than those appertaining to the Land Revenue Department. It should be definitely understood that the Commissioner of a Division has full authority to take cognizance of any irregularities or other matters calling for remedy in the department of the administration that may come to his notice, and either to deal with them himself, or advise the departmental authorities, or the Government, how they should be dealt with.

Opportunities of personal contact with the people undoubtedly exist, though Executive Officers are sometimes prevented by excessive clerical duties from availing themselves of them; but the chief obstacles are insufficient acquaintance with the vernacular and the customs and prejudices of the people, and, in the case of some officers, exceptional. I consider that far more attention should be paid to the acquisition by young Executive Officers of a thorough knowledge of the language and acquaintance with the religious and social customs and feelings of the people.

Transfers are at present undesirably frequent. The staff is insufficient. There should be a senior Joint-Magistrates and regard to treasuries Collector at the headquarters of almost every district in the province. This is a matter of the utmost importance.

Municipalities are under the existing law. In the case of District Boards, if their constitution be amended so as to give due representation to the various classes of the community, further powers might perhaps be given them. My experience of Local Boards is that they are ordinarily of little or to use. Something might be done in the direction of giving greater powers to the village community. In this province the panchayats might be further utilised, especially with a view to arbitration in petty criminal and civil cases.

14845. Before you became Financial Secretary, you were Director of Agriculture.—I was.

14846. Is there any connection between your duties as Financial Secretary and your duties as Director of Agriculture—No, except from a finance point of view.

14847. Probably the training you received as Director of Agriculture is entirely thrown away in your present department—? I cannot say that, because once you acquire general experience of the province as Director of Agriculture.

14848. Do your duties as Director of Agriculture help you in dealing with financial questions?—In purely financial questions, they do not.

14849. Previously to that you had been Under-Secretary in the Financial and Municipal Departments?—Yes.

14850. Were your duties as Under-Secretary in those departments of any use to you as Director of Agriculture—Not specially.

14851. Looking at it from a Government point of view, might it have been very much better to have kept you either on the financial side or on the agricultural side when you were in the Secretariat?—I do not see how I could have been kept on the financial side in the Secretariat, because the term of an Under-Secretary is limited to three years.

14852. When you were brought back, would it have been more useful to have brought you back to the Financial Department?—I have been brought back to the Financial Department; the Agricultural Department is not part of the Secretariat; it is a separate department under the Board of Revenue.

14853. Is it rather a distinction without a difference?—It is not a department of the Secretariat.

14854. I understand that you are Secretary, not only with regard to finance, but for municipal and Local Self-Government?—Yes.

14855. And also for medical, plague, sanitary matters, and inter alia, the Botanical Gardens?—Yes.

14856. Do you find it difficult to combine all these duties? Take, for instance, municipal questions; you have practically, I suppose, all the municipalities, with the exception of Calcutta, under your observation?—Yes, and matters come up from the Calcutta Municipal Corporation as well.

14857. Are the municipal budgets submitted to you?—The Calcutta Corporation budget is not submitted to Government.

14858. Are the budgets of the other municipalities submitted to you?—We review the accounts in the annual reports; they do not come up to Government for sanction. They are dealt with by the Divisional Commissioners.

14859. What is the composition of the Sanitary Board in Bengal?—It consists of the Second Member of the Board of Revenue, the Secretary of the Public Works Department, the Secretary of the Irrigation Department, the Sanitary Commissioner, and the Sanitary Engineer.

14860. Are its proceedings sent to you?—Yes, if necessary; if the Board has to refer anything to Government.

14861. Have they any power of decision?—Practically none.
14862. Do all their proceedings come up to you as regards approval, and do you submit them for the orders of Government ?—The Board deals chiefly with drainage and waterworks schemes which ordin­arily come up to Government.

14863. Have you, as Secretary, any power of deci­sion ?—If I thought a thing did not need a reference to His Honour, I would deal with it myself; if it were such a matter I would deal with it; but if I thought it were a matter which required the attention of the Lieutenant-Governor, I would send it to him.

14864. Supposing a scheme came to your depart­ment, not involving expenditure of Re. 2,000, would you feel that you were competent to deal with it ?—If it were a new scheme, it would go to His Honour; but if it were a matter of intermediate detail, I might be able to dispose of it.

14865. As Financial Secretary, have you any pro­fessional knowledge of sanitary questions ?—I have no professional knowledge with regard to sanitary questions; but there are the Sanitary Commissioner and the Sanitary Engineer both on the Board.

14866. In what capacity does it come to you ?—It may come up to me on a financial question, and it may come up on an administrative question of general policy.

14867. Would it be possible to prevent this reference to you ; the scheme, as a scheme, having once been sanctioned in principle, what is the necessity of its passing through your office ?—Ordinarily there would be no necessity.

14868. Then you are in charge of the Medical Department ?—Yes.

14869. Do you deal with the promotions of Medical Officers, or is that a question which goes to the Government of India ?—Promotions in the Indian Medical Service are regulated by the Army Regulations. Appointments such as those of Assistant Surgeons and Civil Hospital Assistants are dealt with by the Inspector-General of Civil Hospitals and by the Local Government.

14870. Have you any reason to suppose that there are in the Indian Medical Service officers under you who, from the point of view of a Local Government, it would be desirable to get rid of ?—As to particular officers I cannot say—I am not aware of any such.

14871. It has been stated in evidence before us that it is extremely difficult, owing to the intimate connection between the Medical Officers under the provincial Government and the Indian Medical Service, to get rid of undesirable officers. Do you know whether that is the case in Bengal, or not ?—I cannot say that any such case has come before me.

14872. You state that reductions in the estimate of the local Government should be made by the Government of India only if the forecasts of revenue were over-sanguine, and not justified by facts. Do you wish to eliminate from the powers of the Government of India over provincial finance the power to object to the expenditure of money by the Local Government ?—I do not object to the power of the central Government generally; I think that the Local Government might have more finan­cial responsibility.

14873. We have been told that the objections of the Government of India frequently take the form of saying to the provincial Government: "You are not able to keep in your estimates the past, to spend what you desire to spend; therefore we limit your expenditure." Why do you think that is an unfair and undesirable power for the Government of India to possess ?—I think it is carried too far. I have seen a few cases in which small amounts were cut down in a way which seemed to be quite unnecessary. In some cases they have been, no doubt, correctly cut down, but in others not, and the estimates of the Local Government have been found to be more correct eventually.

14874. Is the provincial Government's estimate of its capacity to spend a given sum within a financial year, as a rule, correct or incorrect ?—I think it has the means of deciding what it is able to spend itself.

14875. Do you desire to have full power over expenditure subject to the provincial balances being kept intact ?—That is the suggestion.
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powers. by way of suggestion.
that Local Governments should be given borrowing relaxations which may be contemplated of restrictions where, in the opinion of Government, such Government should not interfere with the discretion of a Local Government in matters of detail, except by way of suggestion.
The most satisfactory way of dealing with any relaxations which may be contemplated of restrictions imposed by law or by rules having the force of law, would be by a general Act authorising the Local Government to delegate powers reserved to the Local Government or other powers to subordinate authorities where, in the opinion of Government, such delegation might be made without detriment to the public interest. It would be a good thing if the Local Government had authority to vest with powers, at present reserved for higher authorities, specific officers subordinate to such authorities in whom Government could place full confidence that they would exercise those powers with propriety and discretion. This would act as an incentive to officers to merit by their work and conduct the confidence of their Government.
Occasionally cases do occur which point to a tendency to consider matters too much from a purely departmental standpoint, but such cases are rare. The best remedy is to select for Secretariat appointments officers with adequate fundmental experience and of tried administrative capacity.
The proper sphere of work of Directors and Inspectors-General is to inspect and to make suggestions. In cases in which proposals made by a Local Government are submitted to such an officer, who is regarded as a specialist, and where his recommendations are against the proposals of the Local Government, the Local Government should be allowed an opportunity of considering the views expressed before its proposals are overruled by the Imperial Government.
It will be highly undesirable to lay down that no appeal should be admitted unless accompanied by a certificate from the officer passing the order appealed against that reasonable grounds of appeal exist. I would not curtail the right of appeal at present existing.
In this province allotments are now made to Commissioners of Divisions to enable them to make grants on the spot for purposes of a public nature, or to remedy small defects brought to their notice at the time of inspection, with a view to avoiding correspondence and consequent delay. Small grants might be made on the same principle to District Officers.
Sufficient weight is not always given to the views of the Commissioner in matters other than those appertaining to the Land Revenue Department. It should be definitely understood that the Commissioner of a Division has full authority to take cognisance of any irregularities or other matters calling for remedy in any department of the administration that may come to his notice, and either to deal with them himself, or advise the departmental authorities, or the Government, how they should be dealt with.
Opportunities of personal contact with the people undoubtedly exist, though Executive Officers are sometimes prevented by excessive clerical duties from availing themselves of them; but the chief obstacles are insufficient acquaintance with the vernacular and the customs and prejudices of the people, and, in the case of some officers, exclusiveness. I consider that far more attention should be paid to the acquisition by young Executive Officers of a thorough knowledge of the language and acquaintance with the religious and social customs and feelings of the people.
Transfers are at present undesirably frequent. The staff is insufficient. There should be a senior Joint-Magistrate and a Joint-Magistrate Collector at the headquarters of almost every district in the province. This is a matter of the utmost importance.
Municipalities have to work under the existing law. In the case of District Boards, if their constitution be amended so as to give due representation to the various classes of the community, their powers might perhaps be given them. My experience of Local Boards is that they are ordinarily of little or no use. Something might be done in the direction of giving greater powers to the village community. In this province the panchayats might be further utilised, especially with a view to arbitration in petty criminal and civil cases.
14845. Before you became Financial Secretary, you were Director of Agriculture?—I was.
14846. Is there any connection between your duties as Financial Secretary and your duties as Director of Agriculture?—No, except from a finance point of view.
14847. Probably the training you received as Director of Agriculture is entirely thrown away in your present department?—I do not think so, because one acquires general experience of the province as Director of Agriculture.
14848. Do your duties as Director of Agriculture help you in dealing with financial questions?—In purely financial questions, they do not.
14849. Previously to that you had been Under-Secretary in the Financial and Municipal Departments?—Yes.
14850. Were your duties as Under-Secretary in those departments of any use to you as Director of Agriculture?—Not specially.
14851. Looking at it from a Government point of view, might it have been very much better to have kept you either on the financial side or on the agricultural side when you were in the Secretariat?—I do not see how I could have been kept on the financial side in the Secretariat, because the term of an Under-Secretary is limited to three years.
14852. When you were brought back, would it have been more useful to have brought you back to the Financial Department?—I have been brought back to the Financial Department; the Agricultural Department is not part of the Secretariat; it is a department under the Board of Revenue.
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14872. You state that reductions in the estimate of the Local Government should be made by the Government of India only if the forecasts of revenue were over-sanguine, and not justified by facts. Do you wish to eliminate from the powers of the Government of India over provincial finances the power to object to the surplusiture of money by the Local Government?—I do not object to the power of the central Government generally; I think that the Local Government might have more fully.

14873. We have been told that the objections of the Government of India frequently take the form of saying to the provincial Government: "You are not allowed to concern yourself with the estimates, to spend what you desire to spend, therefore limit your expenditure." Why do you think that is an unfair and undesirable power for the Government of India to possess?—I think it is carried too far. I have seen a few cases in which small amounts were cut down in a way which seemed to be quite unnecessary. In some cases they have been, no doubt, correctly cut down, but in others not, and the estimates of the Local Government have been found to be more correct eventually.

14874. Is the Provincial Government's estimate of its capacity to spend a given sum within a financial year, as a rule, correct, or incorrect?—I think it has the means of deciding what it is able to spend itself.

14875. Do you desire to have full power over expenditure subject to the provincial balances being kept intact?—That is an expedient.

14876. And if there is an accidental surplus of revenue, do you think that the Local Government should be able to spend that up to the hilt?—I think that would be only reasonable.

14877. Do you desire that the Local Government should not be troubled until it has had an opportunity of criticising the remarks of the Government of India?—Not of the Government of India, but of the specialist advisers of the Government of India.

14878. Would you like to see those specialists' criticisms in detail?—I think it would be useful to the Local Government to have them before it.

14879. Might it not hurt the individual who made those criticisms, subsequently?—It might, no doubt.

14880. As Financial Secretary, are you in agreement, not only with the grants now made to the Commissioners for various purposes, but with the extension of the same principle to District Officers?—I think so.

14881. To what extent?—I would say a grant of one or two thousand rupees to each Collector according to the size and importance of his district.

14882. Would you carry that principle lower down, and apply it to a Deputy Collector?—I would not.

14883. (Mr. Hitchens.) Do you rather object to the interference of the Government of India with your own estimates?—I do not object to the general principle of a power of control vesting in the Government of India; but the power of control is at times carried too far.

14884. Do you mean that they alter your figures sometimes?—Yes, sometimes.

14885. Why do you mind that—how does that hurt you?—It creates a feeling of insecurity, and the Local Government do not know whether their figures are going to be accepted or not.

14886. Does it give you much bother, for example, in the way of having to cut down your estimates to meet their requirements?—It might do so. I have heard of a case in practice in which a budget was cut down; a lump deduction was made, and it caused a good deal of trouble in re-arranging the various items of the budget.

14887. Would that be the main objection, or does any other objection occur to you?—The chief object was that the Local Government might fairly be allowed to spend any unforeseen increase in its revenues.

14888. I was rather speaking of the actual alteration of the figures in your budget on the ground that the revenue was unduly sanguine, or the reverse; have you any objection to the power of control exercised by the Government of India in that respect?—I have not. Sometimes estimates may be over-sanguine.

14889. You say that the authority of the Local Government in budgeting for requirements under the several provincial heads should be more final: what do you mean exactly by that?—That it should be made more final than at present.

14890. Do you mean that to apply to the disposal of their moneys?—Yes, and to cases of unnecessary reductions, and small deductions under specific major heads.

14891. You do not object to the Government of India cutting down your estimates on the ground that they are faulty?—In some cases it might be necessary for them to do so.

14892. But what you do object to is their curtailing your expenditure in any way?—I object to their curtailing our expenditure unnecessarily.

14893. But do they do it in practice?—I cannot cite a case yet.

14894. Would you give the Government of India certain revenues, and transfer the remainder of the revenues to the provincial account, leaving any deficiency in the imperial revenue to be made up by means of a species of tribute from the various provinces?—I have thrown out a suggestion which might simplify matters, I think. It would be a certain percentage—it would not be a fixed tribute, but a percentage, and therefore, liable to increase as the revenues expanded.
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14955. Would not the position be that the Government of India would make up their budget, and would leave any deficit there might be to be distributed amongst the different provinces in proportion to the revenue of each province?—No; the percentage to be paid by each province should be fixed for each province separately, in consultation between the Imperial Government and the provincial Government.

14956. In what way would that be simpler?—It would be far more simple because in some provinces there are certain expandable heads of revenue which do not occur in others; in Bengal, for instance, our land revenue is practically fixed; in other provinces there is very little increase or decrease in it owing to the permanent settlement, and, therefore, a distribution on the same principle as in Bengal might not be fair to the other provinces.

14957. With regard to the organizations of local authorities, can you give me any information; is not the first thing a union committee?—There are only union committees in a few districts; in every district there is a District Board.

14958. Am I right in assuming that union committees have not been a success?—Yes.

14959. Can you give me any reason why they are not a success?—I believe they do no useful work, but I have never been in a district where there is a union, and I cannot speak from personal experience.

14960. As Head of the Municipal Department, what is your opinion?—That is generally, the accepted opinion of the officers who have had to deal with unions, that is, it is because there is no moving spirit upon the union committee to guide and direct.

14961. What is the next body?—The Local Board; for each subdivision there is ordinarily a Local Board. Then comes the District Board.

14962. How is that recruited to-day?—Partly by nomination, partly by election from the Local Boards in the district.

14963. Can you give me any information with regard to the financing of the Local Boards?—The Local Boards are financed from the District Boards' funds.

14964. Does the Local Board get the amount of the cess collected within its borders?—No.

14965. Do they get a certain portion of the cess?—That is not the case in this province. The distribution is made at the discretion of the District Board.

14966. Is there not also a Government grant made to District Boards?—Certain specific grants are made for certain specific purposes.

14967. Does not the Government of India give a specific grant of a certain amount which has to be distributed amongst the District Boards?—They give it to the provincial Government, to be distributed amongst the District Boards.

14968. What is the principle upon which the Government distributes it amongst the Boards?—The Commissioners of divisions are asked to state their requirements.

14969. Does the provincial Government distribute the amount received pro rata on any fixed scale?—No; it is distributed according to supposed local requirements.

14970. Although a District Board cannot count for certain on getting anything, in practice would they not get something, although they would have to make out a very good case in order to get a big sum?—Yes.

14971. Does the provincial Government add to the contribution of the imperial Government at all?—It makes grants over and above that contribution sometimes; at present it makes large grants for communications. They are not annual and recurring grants, but they have been made now for several consecutive years.

14972. Are they for some capital work, such as the construction of a new road, or the construction of a water-works?—Yes, they are made sometimes for the construction of a new road or bridge, and in some cases for metalling a road; it is not a permanent expansion.

14973. Therefore, the District Boards are really dependent on what they can collect locally, plus what they obtain from the Government of India?—Yes.

14974. Is there a fund called the provincial Cess Fund which is collected by the provincial Government?—Yes.

14975. Is it true that distributed among the District Boards?—It is assessed on each district separately according to the rates laid down in the Act, district by district; the Cess is assessed on the land.

14976. By whom is this money collected?—It is collected by the District Officer.

14977. Has he got the spending of it?—The District Board has the spending of the Road Cess, but not the Public Works Cess.

14978. Is the Public Works Cess collected by the District Officer?—Yes, along with the Road Cess; they are both collected together.

14979. Does the District Officer have the spending of the Public Works Cess?—No, not under the present rules.

14980. The position with regard to that is that all the money collected in respect of the Public Works Cess is centralised?—Yes.

14981. And then it is doled out?—I do not control the doing out of it.

14982. Would it be advisable, instead of giving the Boards an indefinite amount—an amount that they cannot count on annually—to give them a definite amount each year so that they would know where they were?—The amount available for expenditure by a Board is not so indefinite as you seem to think. In respect of its Government contribution it might, perhaps, be more settled.

14983. With regard to loans, have district authorities any powers whatever of raising loans?—District Boards can only raise loans at present with the consent of the Government of India; they can obtain loans from the Local Government.

14984. Has the provincial Government a reserve sum which it can put at the disposal of the District Boards?—Yes, I think all ordinary requirements can be met, but such applications are not numerous.

14985. Should you say that reasonable facilities exist for a progressive District Board to get any money it is justified in asking for at a reasonable rate of interest?—I think so.

14986. Is it desirable that there should be any elasticity?—No, because that would mean fresh taxation. I am not fully prepared to give an answer.

14987. Do the municipalities get the main bulk of their revenues from an assessment rate?—Yes, a local rate either levied on holdings, or on persons.

14988. Is the maximum that they can raise laid down by law?—It is.

14989. Can you tell me from your knowledge of the work whether they raise the maximum, or not, in practice?—Yes, the maximum is generally raised in regard to the rate on persons and holdings, but in the case of other rates they do not always impose the maximum—for instance, in the case of the water-rate.

14990. Would you say again, broadly speaking, that there is no elasticity with regard to the revenue?—Not with regard to the Road Cess.

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14995. Would you say again, broadly speaking, that there is no elasticity with regard to the revenue of municipalities?—No.

14996. Have they ample powers of increasing their rates if necessary?—Yes, I think so.

14997. Do they receive any Government grant?—They get certain small grants but there are no large grants given to municipalities.
ROYAL COMMISSION UPON DECENTRALIZATION.

14937. Are they what one might call ad hoc grants?

14938. Is there any differentiation between a municipality and a District Board; is it fair to argue that a District Board receives a grant-in-aid from the Government more than municipalities have?

14939. Is there anything in the argument that land values throughout a district pays heavier taxation to the country than land included in municipal areas does?

14940. Do you not see how that argument can apply.

14941. Are their powers of taxation sufficient already to enable them to carry on? I think so, but for special work, such as water-works, or large schemes of drainage, they come up for assistance from the Government, and Government is always very liberal in granting that assistance.

14942. Might the Government make a grant towards making certain local water-works, while the local authority would not have enough money to run them when they were made? I think they ought to be able to arrange for the upkeep.

14943. (Mr. Dutt.) You are in favour of a General Act authorizing the Local Government to delegate powers to subordinate authorities?

14944. When certain powers have been reserved to the Government by specific Acts, and the Government delegates those powers to the Commissioner or Collector under a general Act of devolution, do you not think that, to some extent, public expectation is defeated?

14945. But when an Act is passed and certain powers are reserved to the Government, is not done with the idea that such powers shall not be delegated except by another Act?

14946. Therefore would it not be a better procedure to delegate those powers by an amending Act? That would be a troublesome process.

14947. Looking at it from the point of view of the public, or of the Government Officer? There are very few cases in which the public would have any reason to object to delegation; the Local Government would only do it when it was satisfied that there would be no detriment to the public interest.

14948. But there would be no opportunity of raising an appeal in Council in the way of fostering a sense of security in Government officers? I think they are regarded in that light.

14949. Do you make any recommendation for curtailing the existing rights of appeal? Personally, I do not.

14950. You think that the existing rights are good in the way of fostering a sense of security in Government officers? I think they are regarded in that light.

14951. As a District Officer, you have been Chairman of the District Board? Yes.

14952. Have you had elected members who are really anxious to help and advise you? I have.

14953. And who have proved useful and prudent advisers?

14954. Then you are not prepared altogether to support the criticism that a system of election will not secure persons who are respected and whose action is independent?

14955. A nominated member is not necessarily an object of suspicion by the people? Certainly not.

14956. And he is not often the object of vituperation by his own countrymen? I do not think he is.

14957. With regard to the appointment of Europeans, the Government of Bengal has asked for power to appoint in cases where professional or technical qualifications are required? Are such cases very rare?

14958. Therefore there is no urgent necessity for the Government of India to withdraw their power in that matter? It is a power which the Local Government ought to have; there would be many more references from other Local Governments.

14959. But so far as the Local Government of Bengal is concerned, the necessity is not urgent? It is desirable that they should have it.

14960. Would it save very much trouble and work if that power was granted? Not very much, but it might be that an urgent matter might arise; for instance, in the Marine Department an urgent case might arise, and it is very undesirable that the matter should have to be referred, say, to Simla.

14961. Is the rule made by the Secretary of State? It is a rule of the Civil Service Regulations.

14962. Recommendations have been made that Municipal Commissioners should be appointed by the Divisional Commissioner instead of by the Government? Should the power be kept in the hands of the Government? No, I think it could be properly delegated to the Divisional Commissioner.

14963. When a Chairman is elected under the present law, his election is sanctioned by the Government?

14964. A recommendation has been made that such election should be sanctioned by the Commissioner of the Division; do you agree with that?

14965. Would it save very much work? Yes, it does; I do not know how many cases there have been, but there have been a large number.

14966. But does it involve much work in each case?

14967. Does it give the Government very much work? Yes, it does; I do not know how many cases there have been, but there have been a large number.

14968. But does it involve much work in each case?

14969. Would Municipal Commissioners themselves prefer appointment by the Divisional Commissioner or by the Government? I do not think they would trouble much about it.

14970. There is a recommendation that Assistant Surgeons, who, I understand, are Gazetted Officers, should be posted by the Head of the Department rather than by the Assistant Surgeons, who, I understand, are Gazetted Officers, should be posted by the Head of the Department? Should not their appointments rest in the hands of the Government? I do not think it is at all necessary; in fact, the Government is practically bound to accept the Inspector-General's nomination.

14971. I find that there have been only 34 such appointments made during the last three years, so that there would not be much saving of work? If you take individual cases, of course, there would not be, but taking them altogether there would be an enormous amount of work saved.

14972. In that matter also you do not know exactly what the Assistant Surgeons themselves would like?

14973. (Sir Frederic Lely.) In one respect you have had rather an exceptional experience, having been five years a Collector of a district. Can you give us any explanation as to why you remained so long? Simply because I remained there, and did not take any leave.

14974. Do appeals from the Board of Revenue come through you? Yes, any matter coming to the Government comes through me.

14975. Does a great portion of your work consist of appeals? Appeals are generally dealt with by the Board of Revenue.
14976. Do they virtually terminate with the Board of Revenue? —I think so.

14977. (Sir Stepping Edgeree.) If a general delegation Act were passed, would it be passed by the same Legislative Council as passed the original Act, or would it be passed by a superior Legislative Council? —Probably by a superior Legislative Council.

14978. If such an Act were passed, would the public cease to expect the Government to proceed by specific legislation? —Yes, I imagine so.

14979. (Mr. Menon.) As a matter of fact, are the budget estimates as modified by the Government accompanied by a letter from the Financial Secretary explaining that such modifications as have been made are made in the interests of financial accuracy, and, that there would be no objection to Local Governments spending more if they can find the money? —Latterly that has been done, but I do not know if it was always done.

14980. Is not the position that the Local Government can make reappropriations within its own budget, so long as the total of the budget estimate is not exceeded, but if the total is exceeded, they have to go to the Government of India? —That is so.

14981. Have you ever had to go up as regards that? —I have only been in charge for a month.

14982. It would be necessary, in any case, that you should inform the Government of India of any extra allocations you are making? —Yes.

14983. You are in favour of an arrangement under which the Government of India, after taking certain imperial heads of revenue, would get a fixed percentage from the provincial heads ? Is it not that the system in force now, and does not the Government of India divide the heads with you? —Certainly.

14984. And you get the whole of the rest? —Yes.

14985. Then what is the difference between your proposed system and the present one? —We do not get a share of the customs revenue.

14986. Do you think you should get a share of it? —Yes. It is a very expanding revenue. I have not suggested railways, because I do not think the Imperial Government would ever give that up.

14987. With regard to customs, a great quantity of goods which are consumed outside Bengal pays the customs duty in Calcutta? —I cannot say.

14988. Who pays for the goods eventually—the persons who consume them? —Yes.

14989. Therefore, you would be levying a tax on the consumer in, say, the United Provinces? —Possibly.

14990. Is the chief object in having a change to get more revenue? —More of an expanding revenue, yes.

14991. Propose that all the powers vested in the Government of India with regard to the Civil Service Regulations should be transferred to the Local Government? —Not all; only those in respect of travelling allowances and pensions.

14992. Are not pensions largely paid by the Government of India? —Yes. Local Governments would naturally only deal with the pensions paid from provincial funds.

14993. You say there should be a senior Magistrate in every district—do you mean a personal assistant to the Collector? —At present the Joint-Magistrate is not a personal assistant to the Collector, or at least cannot be described as such, but he generally disposes of all the more important criminal work. But he would not be the District Magistrate of that would enable him to devote more time to his revenue functions.

14994. Are you in agreement with other witnesses who have suggested that the best way to relieve the Collector is to have a Sub-Divisional Officer? —I think he ought to have that as well. One of the chief functions of a Joint-Magistrate would be to preserve continuity. When an officer goes on leave, or is removed from his district, or from any other cause, the Joint-Magistrate would hold charge.

14995. Then you want the Collector to be relieved of the work of the sub-division and to have this officer as well? —Yes.

14996. Is that done in Bombay? —I do not know. The Collector in Bengal has not immediate charge of the Sub-Divisional Officer; he has immediate charge of the whole district, but there is no separate administration for the Sub-Divisional Officer. The criminal work is done by the Deputy Magistrate at headquarters; the revenue work is done by the Deputy Collectors at headquarters.

14997. Is there no separate officer with territorial responsibility over the Sub-Division? —No, there is not; in Bengal those territorial duties are practically nil; there are no separate revenue functions to perform in respect of the sub-divisions as distinct from the general revenue work of the district which is done at headquarters.

14998. Is the Sub-Divisional Officer to act as a Magistrate? —Yes, his functions would be almost entirely magisterial and police.

14999. Mr. Gait explained the new system introduced by the Lieutenant-Governor under which cases were dealt with, which had to come from the Board of Revenue to the Government; is the method described by him that which prevails in your department? —Yes.

15000. Taking the case of a municipality starting a waterworks scheme to which you give assistance in regard to the capital account, is it able to levy a rate in support of the scheme? —Yes.

15001. And the persons benefiting by the water are supposed to pay? —Yes.

15002. In most provinces there is a land cess of one anna in the rupee, the whole of which is taken by the District Board; in Bengal, as I understand, there is a system under which only one half goes to the existing District Board and the other half is taken by the Local Government as Public Works Cess; on the other hand, out of that half does not the Local Government give back a half again—that is to say about a quarter of an anna in the rupee, to the various District Boards in the shape of subsidies? —It makes grants equal to a quarter of the Public Works Cess.

15003. Not rateably to each Board as a whole, but to the Boards collectively? —Yes.

15004. Reference has been made to the fact of the District Engineer being taken away from the control of the Board; would that be altogether satisfactory to the Board? —Personally I do not; as Chairman of a District Board I have had a good deal of difficulty with the District Engineer, and I think he ought to be entirely under the control of the District Board.

The witness withdrew.
The following is the present strength of the Gazetted staff of the Public Works Department in Bengal and Bihar.

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<th>Class</th>
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<td>Chief Engineers</td>
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<td>Superintending Engineers</td>
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<td>Executive Engineers</td>
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<td>Assistant Engineers</td>
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<td>Temporary Engineers</td>
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The sanctioned cadre of the province provides for 30 Executive Engineers and 30 Assistant Engineers. They are also the members of the Upper Subordinate grades on salaries ranging from Rs. 80 to Rs. 500 a month, whose appointments and promotions, etc., are notified in the Gazette, and who, to a large extent, hold the sub-divisions of the executive charges and are in the position of Resident Engineers. The officers of the Department have to design, construct, and maintain all provincial or imperial works. The Superintending Engineers are also Inspecting Officers of local works, mainly roads.

I control, as Chief Engineer, the working of the Irrigation Branch of the Department. I also, as Secretary, advise the Lieutenant-Governor on all matters connected with railroads, canals, rivers, embankments, and drainage. As Secretary in the Marine Department, I have to deal with questions relating to the Bengal Pilot Service, of which the Port Officer is the executive head; the Calcutta Port Trust; the various acts relating to shipping, including appointments of Courts of Enquiry in cases of casualties at the survey of vessels, both sea-going and inland; the administration of the steam-boilers and prime-movers Act and the Smoke Nuisances Act; and the Petroleum Act. In the Railway Branch I have to deal with Bengal Tramways Act and with light railways and the Darjeeling-Himalayan Railway. The Bengal Government has no control over, or responsibility for, the larger railway systems, but questions have to be dealt with in respect to all small railway companies. Also matters raise which it would not be proper to supply a certain amount of the capital from ordinary revenues without seeking a profit. In several European countries, a large proportion of the cost of railways is expended by the State in giving such facilities as a measure of general administration, and without expectation of direct gain to the State revenues. It seems to me that a departmental spirit and desire for direct return on all outlay does here obstruct the general consideration of what is a very important matter of administration. Similarly, the Government has asked for some time that a general enquiry may be made into the possibilities of improving the natural waterways. So far this has received no apparent consideration by the Government of India.

The only Inspector-General with whom I am brought in contact is the Inspector-General of Irrigation. His sphere should be to criticise and suggest in regard to the technical or engineering aspect of a scheme, and it is better that he should not intervene in regard to the administrative aspect.

As far as the Public Works Department is concerned, the existing regulations on the subject of appeals are unsuitable.

The Government of India have recently suggested that Superintending Engineers and Executive Engineers should be given wider powers to enable them to deal finally with details of designs and estimates of works to which administrative sanction has been previously given, and also in respect to making contracts. I am in agreement with those proposals.

The tendency of the provincial Secretariat is not unduly departmental or unduly dominated by considerations of revenue. The provincial Government, having a more intimate acquaintance with the requirements of the case, takes a more general and broader view than the Government of India.

In the administration of our Department our Executive Officers are brought into constant contact with the cultivators. The vernacular question is rather difficult in Bengal, as a knowledge of three vernaculars is required, viz. Hindi in Bihar, Bengali in Bengal proper, and Urdu in Orissa. It is desirable that officers employed on canals should be encouraged to have a better knowledge of vernacular than they possess at present, and also to study the history and the religion, and the manners and customs of the people.

In the matter of transfers, there is not much to complain of in regard to the Public Works staff.
The Bengal Government has recently appointed District Committees to advise Government in respect to projected schemes for embankments, minor irrigation works or drainage. At present it would not be advisable to give such District Committees any executive authority. The sale of water for irrigation by volume to village communities has always been regarded as an ideal to be aimed at, but there does not seem much prospect of putting it in practice. In my early days on the Sone canals, when I was in close touch with the cultivators, I often discussed the question with them. They always said that they preferred to have the Government officers to make the detailed assessment, as they would be unable to do it themselves with fairness and without quarrelling. If, however, self-government is ever to be more than a name, it must begin with simple matters of this nature in which there is a strong local interest affecting the whole community.

15006. You say that there is no absolute separation between the Irrigation Branch and the Buildings Branch in the lower ranks?—Up to the grade of Superintending Engineer there is no distinction. The distinction comes in above that.

15007. Is that an advantageous system?—It is obligatory under the condition of the province. The irrigation works are on a small scale in Bengal, and the Irrigation Engineers are quite able to look after the roads and buildings under their charge.

15008. Have you a Provincial Service under you?—The Provincial Service and the Imperial Service run together; there is no distinction in regard to the duties; only in salary.

15009. How do you appoint to the Provincial Service?—The Government of India appoints our nominees under certain fixed rules.

15010. Might the system be altered advantageously to the Service?—Yes, I think so.

15011. Who appoints to the Subordinate Service?—The Local Government; the Secretaries nominate, and the Lieutenant-Governor appoints.

15012. Do you find as a rule that the opinions of Local Government, with regard to matters with which you are concerned, are treated with respect?—I think so now.

15013. Has your position, therefore, with regard to the Government of India improved of late?—I think so; much more attention is paid now to the wishes of the Local Government.

15014. With regard to residences for officers, you desire to see some relaxation made?—The Local Government might be given extended powers of discretion. At present if a residence costs more than a certain sum, which is calculated on the salary of the officer, the sanction of the Government of India is necessary, although the money is entirely spent from provincial revenue funds.

15015. Is the difficulty which exists in connection with these buildings due to the Public Works Code?—The rules are those of the Code.

15016. Is that not an exceedingly complicated Code?—Yes. It is contained in two large volumes. It is issued under the authority of the Government of India.

15017. And some of it, no doubt, under the direction of the Secretary of State?—I presume so.

15018. Has any attempt within your knowledge ever been made to simplify this Code?—I do not know of any attempt.

15019. Could it be advantageously simplified?—Yes, I think so. It would require an examination of it in detail to say in what particular direction.

15020. Are both you, as a department, and the Government of which you are Secretary, landed in ludicrous positions on account of the provisions contained in that Code?—Yes, in certain cases, such as, for instance, if a lead pencil is bought—things of that nature are contained.
15039. How much can be sanctioned in the way of new work?—With regard to new work he has very limited power—up to Rs. 2,500.

15040. Is that not undue centralization?—Yes, I think so and the proposal which the Government of India has made is to extend that power.

15041. Up to what?—A distinction has to be made between administrative sanction and sanction of a different character. It is proposed by the Government of India that the Superintending Engineer should deal finally with sums up to Rs. 50,000 for imperial works, that is to say, design. It is proposed by the Government of India that the Superintending Engineer should deal finally with sums up to Rs. 50,000, but it is not very often exercised.

15042. Until the Government of India proposed the other day to decentralize, no one moved in the provinces, or at any rate in this province. Were you satisfied with these restrictions?—It is not a matter which makes very much practical difference. The period of the administrative sanction is that at which the work is considered first.

15043. The administrative sanction is one with which other people are concerned besides the engineers—Quite so; we are not directly concerned with the administrative sanction.

15044. Your own powers really come in when the estimates are being discussed?—Quite so.

15045. Will you explain your proposal with regard to productive works and non-productive works?—Under the rules of the Public Works Code no work can be classed as a productive work for which money can be given from loan funds unless it will bring in in 4 cent., but if the probable revenue represents, say, only that percentage on 20 lakhs, and you require 30 lakhs for the work, then if you advance 20 lakhs from loan funds, upon which you can earn your first dividend, the other 10 lakhs might be advanced from provincial revenues which will take its chance of getting a return or not.

15046. But is that not juggling with figures?—It seems to me it is not an improper use of loan funds, and it is not adding to the unproductive debt of the country.

15047. In speaking of the difficulty of financing productive projects of this sort, is it not always open to the Government to give money from current revenues?—Yes, but the current revenue could only finance up to a moderate sum.

15048. You might possibly, with regard to one of those projects, apply for an advance from the Government of India?—Yes, and we have done so in some cases.

15049. As regards the Inspector-General of Irrigation, you say his sphere should be to criticize and suggest in regard to the technical or engineering aspect of the scheme, and he should not intervene as to the administrative aspect. What do you mean by the administrative aspect?—Perhaps I might illustrate it by a case. We have at present a scheme for a canal to connect the Bidhiahar river with the Hooghly. This Government wished to act in conjunction with the Port Commissioners of Calcutta, and certain works would have to be done at the expense of the Port Commissioners, but the Inspector-General criticized the scheme rather severely, and treated the Port Commissioners as if they were more or less in a position of a different power and rather the enemies of the Local Government; that, it seems to me, was not an engineering question but an administrative question. Then there was another instance in connection with another projected canal where the Inspector-General criticized the scheme rather severely, rather the enemies of this Government in the past in giving water for a very small rate.

15050. The canal, if it had been carried out, would have been a project on which you would have tried to get money from outside?—That would have been a large scheme costing 60 lakhs, and we should have had to go to the Government of India.

15051. Then was not the Inspector-General of Irrigation quite warranted in asking you to consider whether the Port Commissioners might not do it?—It was a question of the Port Commissioners making the canal; it was a question of our trying to adapt our works so that they would fit in with the works of the Port Commissioners and assist each other.

15052. Is it not sometimes difficult to draw the line between technical and administrative matters? You will admit that in the case of a productive irrigation work the Inspector-General is entitled to criticize the estimate of the revenue to be obtained, I suppose?—Absolutely.

15053. A suggestion which was made in Burmah was that, subject to financial rules, the appointment of the cadres of the Subordinate Engineering Service should be left in the hands of the Local Government—would that meet your views?—Yes; the Government of India have usually accepted our proposals.

15054. It was also suggested in Burmah that the Local Government should have the same power of appointing Superintending and Chief Engineers as the Governors of Madras and Bombay; that is to say, that they should have their own superior engineering cadres, with administrative sanction with that?—No, I do not; the Service is too small.

15055. You have eight Superintending Engineers?—One is a Sanitary Engineer. Four have charge of irrigation works, and three have charge of buildings and roads.

15056. Does the Government of India, as a matter of fact, interfere with the appointments of Superintending and Chief Engineers?—Some years ago there was an alteration made in this province, by which most of the provincial Public Works Divisions were abolished and the provincial buildings and roads were placed under District Boards, the Government of India said that every second vacancy to a Superintending Engineer in this province should be filled from the local administration, and they have supplied a good many Superintending Engineers who have come to Bengal from other provinces.

15057. Speaking generally, do you find that satisfactory, or have you had any reason to complain about it?—No, we have had no reason to complain.

15058. Has your engineering cadres, then, been since increased?—It was reduced, but it has been increased a little again for building purposes.

15059. Who are the District Board Engineers—what class of men are they?—The majority of them are recruited from the local engineering schools.

15060. Are they men who would be sub-engineers in Government service?—They would be Provincial Engineers.

15061. Are they good men on the whole?—My personal opinion is that they ought to be better.

15062. What is the salary they can rise to?—I think there is one District Engineer who gets Rs. 1,000, and others can go up to Rs. 800.

15063. Have you officers over them called Inspectors of Works?—No, he has no control over them. Each Superintending Engineer is an Inspector of Works.

15064. Is the Superintendent Engineer able to do superintending work satisfactorily in addition to his ordinary work?—It is an administrative question—I think in many cases he is not.

15065. District Board Engineers to a certain extent do Government work?—There are now only four districts in which they do Government work in the Burdwan Division. They used to do it to a larger extent.

15066. Why has the practice been given up?—In some cases the District Boards disliked it; they disliked having their Engineer under two masters; and in other cases the Government did not like the way in which the works were carried out.

15067. Was the original idea economy?—Yes.

15068. And you found it not to be economical in practice?—I think it was shown that there was no marked economy and not so much efficiency.

15069. Would you be in favour of placing District Engineers in a provincial list?—That I understand is the practice in the United Provinces, but I have no experience of it. The advantage claimed for it is that you can transfer men from one district to another

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easily, but, personally, I have no direct work with District Engineers, and I am not prepared to speak upon it.

Mr. Inglis. 

15070. Have you made any proposals as to larger powers for the Port Trust?—I have made no proposal. I do not think that further powers are needed. 

15071. What is their power with regard to sanctioning their own work?—They can sanction works up to Rs. 50,000. 

15072. Have they a qualified engineering staff?—Absolutely. 

15073. Do you not think they might be allowed a little more power than that?—I think one might say in nearly all cases it is a nominal power which is exercised by the Local Government, but it is more a question as to whether the Government should know how much the Trust is spending, and whether it has the money to pay. 

15074. But that comes separately into the financial sanction?—If they started a set of big works they would carry them out by a loan, to which they would have to get the sanction of the Local Government, would they not?—New works, yes. 

15075. And again, they have to submit their budget to you?—Yes. 

15076. So that you would see what large projects were contemplated and whether there were ways and means for them?—It is only the estimate that will be seen. 

15077. This is rather a different matter,—this is what one may call the professional sanction?—In the Marine Department we do not give any professional sanction as regards the technical part of the work itself because it is not required by the Act: we give the sanction which the Act requires. 

15078. Suppose you could alter the law, would you alter it?—I think as far as the sanctioning of the technical work is concerned it is unnecessary, especially as far as any engineering questions are concerned. 

15079. Do you know of the proposals put before us here and in Burma as to the Commissioner having a sub-budget of his own from which he might sanction, financially and administratively, smaller Public Works, the professional powers of your department remaining, of course, as they are?—Yes, I think the Commissioners should be given an increase beyond their present powers of sanctioning, which is up to Rs. 2,500. 

15080. The suggestion goes a good deal beyond that. It means that they might have a couple of lakhs of rupees a year, or so, from the present budget, keeping only the main works and provision for them at headquarters?—I think that would be a good thing. 

15081. (Sir Stepney Edgerley.) Have you found any difficulty, in the matter of language and so on, with Superintending Engineers coming from a different province?—I do not know of any practical difficulty having arisen. 

15082. With regard to the District Board Engineers, if they work for you, do you pay them?—Yes.
TWENTY-FIRST DAY.

CALCUTTA, Saturday, 28th December, 1907.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, Chairman.

Sir Frederick Leuty, K.C.I.E., C.S.I.
Sir Stevyns Engleby, K.C.V.O., C.I.E., I.C.S.
R. C. Dutt, Esq., C.I.E.

W. S. Meyer, Esq., C.I.E., I.C.S.
W. L. Hichens, Esq.

Raja Ban Bihari Kapur, C.S.I., was called and examined.

15100. (Chairman.) Where is your residence?—At Burdwan. The last occupation I had was serving the Government as manager on behalf of the Court of Wards of the Burdwan Estate for a little over 17 years.

The present financial settlement made with the provincial Government is a good one. I do not advocate complete separation in any way between imperial and provincial finances. I would delegate powers to the provincial Government up to a certain salary to sanction the creation of new appointments and the enhancement of pay of the officers and others, and I would relax the restrictions imposed by the Civil Service Regulations and Civil Account Code to a certain limit, so as to reduce formal correspondence.

The sphere of Inspectors and Directors-General should be limited to the inspection of the main principle and application of the funds allotted by the India Government to any particular work only, and the detailed working of the province should not be interfered with. Keeping in view the general principle of administration, I would advocate leaving the provincial Governments to develop their administration on their own lines.

I would grade the salaried servants of the Government, and limit their appeal to different grades of officers and different heads of administration. It would not be proper to lay down that the person preferring an appeal must get a certificate from the officer against whose order the appeal is made. I would not curtail the existing power of appeal on personal matters in any way.

Executive Officers have not sufficient opportunities for personal contact with the people. They are too much overworked. A Joint-Magistrate should be added to the district and the work of the District Officer divided to a certain extent. Where this is not possible, a senior and experienced Deputy Magistrate should be appointed as personal assistant to the District Officer, to assist him generally and to dispose of routine work in particular. I would not ordinarily divide districts. Officers are not sufficiently acquainted with the vernacular. The majority possess a limited knowledge only which serves them in carrying out their business.

I think greater care should be shown in the selection of officers, and care should always be taken to delegate powers to the officers of tried merit. Special care should be taken of the whimsical as well as men with hobbies.

No officer should be transferred at least for five years from a district. This applies to all officers, i.e., the District Officer, Judge, Deputy Subordinate Judges and Munisifs, District Superintendent of Police and his Assistants or Deputy Superintendent of Police and Subdivisional Officers.

From the Secretary of State downwards, delegation of powers should be made with a view to curtail and prevent unnecessary correspondence, reports and returns, &c. The Vicereoy acts as a post office in many cases; he has no real power, and this should be given. Similarly provincial Governors and Lieutenant-Governors should have powers on matters dealing with their own provinces.

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Raja Ban Bihari Kapur, C.S.I., was called and examined.

15101. Are you satisfied with the general management and the general relations of the Court of Wards with the Government?—Yes, generally, I am satisfied.

15102. You do not approve of any curtailment of the right of appeal?—No, I do not want any curtailment. The present right of appeal gives satisfaction, and perhaps injustice might be done if the power were curtailed.

15103. You think there ought to be some increase in the number of Joint-Magistrates?—Yes, there ought to be a Joint-Magistrate in every district, and wherever a Joint-Magistrate is not available, a competent Deputy Magistrate should be provided to give the Magistrate and the Collector general assistance. Also I would have some division of work between the Collector and his Assistants, so that the Collector might have some time to spare, because, as it is, he has too much to do.

15104. Does that prevent Collectors seeing and coming into contact with the people in their districts?—I think it does. When I was manager under the Court of Wards, if a person came to see me and I was too busy to see him, the natural feeling on my part was "What a bother," and I am sure the Collector must think the same. If a visitor calls, the Collector, although he may see him, cannot help feeling that it is a bother, and that it is interfering with his work, because he has too much to do. Similarly, when I was a manager, I had a lot to do, and if during business hours any one called, I had to see him, but I always felt annoyed. Therefore, I think if Collectors had a little more leisure to go about and more time to spare, they would be very glad to see the people and make acquaintance.

15105. Is there a constant change of Collectors and Joint-Magistrates?—Yes.

15106. Does that also prevent them becoming acquainted with the people of a district?—I think it does.

15107. Is the feeling on the part of the people: "This officer is only here for six months, and it is not worth while going to see him"?—Yes, and there are other things; unless an officer remains longer in a district, he cannot learn the district and the people living there, and he would be able to judge for himself what help they could give him, whom he can trust and so on; but if a man is only there for a short time, he has no opportunity of doing it.

15108. How long ought a District Officer to remain in a district?—Not less than three years—I should say three to five years.

15109. Would you say not more than five years?—Not more than five years, because they have to rise gradually to higher appointments, and it is better that they should get an insight into other districts as well.

15110. Would you apply that to officers of all ranks—Collectors, Assistant Collectors, Judges, Munisifs and so on?—I would apply it to all ranks.

15111. Ought there to be something like an Advisory Council to the Commissioner, and should it be
selected from the Deputy Magistrates and Honorary Magistrates?—I think the Commissioner quite free to choose his men.

15110. Do you think an Advisory Council, the members of which would perhaps know how to deal with sanitary questions and so on, and who would be fully acquainted with the circumstances of the districts, ought to be appointed?—I think the Commissioner ought to be able to choose his advisers. He might call the medical practitioner, for instance, into Council when dealing with sanitary matters; he might call the Sub-Collectors or the middle men into Council when he was dealing with questions of famine, and so on. I would rather leave him free to choose his own men.

15113. Would you like it to be a rule of the Government that the Commissioner should have an Advisory Council, but that he should be free to call them together when he thought best and also to select whom he should summon?—Yes, that is my opinion.

15114. What sort of number should such a Council consist of?—I have not considered that; it ought not to be very large—perhaps ten or twelve.

15115. (Sir Frederic Lely.) Have you been much in contact with the people in the course of your life, so that you know pretty well what the prevailing impressions are amongst the people in average villages upon most matters, and their relations to Government especially?—Yes.

15116. Is there a prevailing impression among the people that if a man has a little grievance he cannot get access readily to the responsible authority in order to have it answered?—There is a very difficult question to answer, but I think they consider they have not got enough privilege in the way of stating their grievances.

15117. What, in their view, are the obstacles?—In the first place a villager's life is different from town life; the uneducated poor masses do not know how to complain and lay their grievances, and if, for instance, several tenants are suffering in a village, their only course is to lay their grievance before the Magistrate, who will either depute the Deputy Magistrate to enquire into the matter, or enquire into it himself. If at the time of the enquiry they are able to represent their case properly, it will be heard, but, in many instances, if it is a case against some of the subordinate officers, it will not be heard, because things are manipulated in such a way that the proper persons who could throw light on a particular subject are not brought forward.

15118. Why not?—That is the difficulty—something will happen which will prevent them coming forward and saying what their answer is.

15119. But the aggrieved person in any case can always come to the responsible authority and state his grievance?—Theoretically he can, but practically he cannot.

15120. Why does not the practice accord with the theory?—People are supposed to get relief from their grievances, but in all cases they do not.

15121. If a man has a grievance and he gets it put down on paper, surely he has a means, and he knows he has a means, of bringing that grievance before the person who can assist him?—Yes—he would go to someone who can write for him and put in his petition, but in the majority of cases he will probably say to himself: "I shall not get any remedy, I will not trouble."—No, I think it is difficult for him to get redress.

15122. Then really the cause is more his own difficulty than from any actual reception he may get?—Supposing a man wants a grievance removed and he draws up a petition to the nearest European officer, what is there to hinder him going to that officer?—If he is not in the habit of writing a petition, getting it read and receiving an answer?—There is no difficulty in getting the petition written, or presenting it, but the difficulty is, he has not the means.

15124. You do not mean to say that the European officer would not listen to the petition?—No, he will fix a day to hear the application. Supposing against some minor official, or against some other villager, probably there will be pleaders appearing on both sides, and I do not think the real truth would be got out.

15125. Is that in consequence of any action of the officer himself?—Yes, that is exactly it.

15126. In your experience do District Officers make arrangements for seeing everyone who comes to see them every day or every other day, or at any fixed hours?—I think the officers see persons coming in at any time, but other officers fix two days, or one day, in a week between certain hours to receive visitors.

15127. Do you find, as a rule, that every District Officer does have a certain time during which anyone, and everyone, can make sure of getting a hearing?—Anyone who goes with a written petition or complaint must go to the office.

15128. Is there a person sure of seeing the Collector?—I think he would have more chance of seeing him there, but the Collector does not always go punctually to his office, and the petition will be received by whoever is acting for the day.

15129. As a rule would you say a raiyat can get access to his superior?—Yes.

15130. Do you hear much about the chakrasies and whether there is any difficulty with them?—It is a common and well-known thing that anyone who wants access to the Commissioner must pay the chakrasie, and the person making the largest payment gets his hearing first.

15131. Would it be useful to issue an order by the Local Government that waiting rooms should invariably be provided to which any respectable person might have access as a matter of course, without the leaving of the chakrasies or anyone else, and that his case should be taken in its turn?—Yes, that might be done. It would be useful, because if a respectable person goes to see the Magistrate, and he has to wait any time, it would be good to have a waiting room.

15132. As a matter of fact, is it a generally felt grievance amongst the people that arrangements are not made for the reception of respectable people who wish to state anything they have to state to the Collector?—That is the general feeling, and that there is not enough courtesy shown to them.

15133. (Mr. Dutt.) Objection is made to the present arrangement that there is no link between the Sub-Divisional Officer and the villagers except through the police; is that not the only link between the people and the Government?—That is so.

15134. Could that be remedied by the appointment of Revenue Officers in local circles, so that the people might be able to go to them upon general matters and to the police station upon criminal matters. Would that mend matters a little?—I doubt very much whether it would, but it might. It depends very much on the person. It is known that a particular officer is a considerate gentleman, and anyone going to him will get a hearing, then there would be no difficulty, but the majority of them have no time, because they are too much hampered with work, and others do not want the bother, if possible, and they are not easily accessible.

15135. At present the Sub-Deputy Collectors are stationed at the headquarters of sub-divisions?—Yes, and also at the headquarters of the district.

15136. Supposing Sub-Deputy Collectors were appointed to be in charge of small circles consisting of one or two thanas, would not the people be able to meet them more frequently than they could meet the District Officer, or the Sub-Divisional Officer?—Certainly, but it would depend very much on what his functions were to be.

15137. At present all the work which has to be done in villages beyond general administration, such as the relief of epidemics or relief in cases of famine and distribution of cholera pills, has to be done by the police?—Not in all cases, it used to be so, but sometimes now it is done through the panchayats and the post office.

15138. Do you not think if a Sub-Deputy Collector were appointed in charge of one or two thanas it would have the same effect as the panchayats and foster the people to come forward, and it would have a good effect, and would bring him in touch with the people of the villages?—If you did that I think it would bring the people more in touch with the Sub-Divisional Officer.
15139. During the 17 years that you were a manager under the Court of Wards, did it strike you that sometimes there was a great deal of delay in obtaining sanction from the Board of Revenue in regard to ordinary matters?—Sometimes.

15140. In small petty matters, would you devolve a portion of the power of the Commissioner or Collector facilitate work?—Yes, and remove unnecessary correspondence. In the cases where the sanction was placed to grant some extra power in small petty matters; I had larger powers than any other officer, so that I did not find any difficulty with regard to small affairs, but still there were cases in which there was delay, and I consider that in a matter where formal sanction only is necessary, and where no alteration has to be made, powers may very well be delegated in succession from different authorities.

15141. You would recommend the formation of Advisory Boards under Commissioners; would you advise the formation of similar Boards under District Officers for their own districts?—No, I would not.

15142. Do you not think a District Officer could get any real help by consulting the leading men in his own district?—I think if he desires any help he can very well ask them to come and see him without making a formal call on it.

15143. Would a rule compelling District Officers to meet the leading men of the district once a year, or once in six months, to discuss important matters, be a good thing?—I would not do that. If the Collector is not inclined to consult them, the rule will not make him consult them.

15144. You recommend that District Boards should have the power of supervising the work of small municipalities in their own districts, but is not the work of a District Board quite different from the work of a municipality?—Yes, quite separate.

15145. Do you think, therefore, that that would lead to any practical results?—I do not think it would lead to any practical results, but the supervision at present lies with the District Officer, so that if it was removed from his General Department to a District Board Department, I think it would be useful.

15146. In that case the members of the District Board would have power to approve or disapprove of municipal matters; would that be a desirable thing?—The small municipalities might not like it, it is true.

15147. As to the creation of village communities, is it desirable and possible to give village communities greater powers with regard to the disposal of their local affairs than they have at present?—Yes.

15148. You refer to sanitary matters and things of that kind?—Yes, and trying small cases.

15149. Would you give them limited civil and criminal powers?—Yes. In the old days village pan-chayats used to exercise them, and when I visited the Mahratta presidency a few months ago, I found the village munsif, who was getting Rs. 8 a month, had power to try small cases, and it answered all right.

15150. Do you recommend the introduction of a similar system into Bengal?—Yes.

15151. In that case would there have to be an increase in the numbers of the panchayat and a selection of proper men who could be given power to try petty civil and criminal cases?—Yes.

15152. Would you place their work under some sort of supervision?—Yes.

15153. Would that do a great deal of good in the country?—I think it would, only you must select the panchayat. There are some panchayats now who think that their appointments are dependent upon keeping the Collector in a good humour, but if you choose good panchayats who will not consider such things, then I think you might delegate certain powers to them; but as long as we are not able to improve the status of the panchayat, I would not extend the powers very much, because there are some panchayats now who collect more than is proper or legal for them to collect.

15154. (Mr. Hichens.) What were you alluding to just now when you said power might be delegated?—I did you mean a body of persons?—I simply meant a person who has been nominated as a member of the panchayat.

15155. How would you select them in a village?—My present idea is that some of the villagers should be asked to select a panchayat. At first the police used to send in the name of the panchayat, but now I believe the villagers do it. There are factions in some villages, and one faction sends in the name of one man, and another faction sends in the name of another man, and a selection is made; but if the panchayats' status is raised a little, I think we might get good men. There are men who do not want to serve as panchayats because they know that they would have to serve the interests of a particular party.

15156. How would you raise their status?—I would attach some responsibility to the post, and I would treat them better than they are treated at present.

15157. Are there any union committees in your district?—There are.

15158. Have they worked satisfactorily?—I have not seen much of their work yet; they have only been started a short time.

15159. You said you thought that additional small powers might be delegated to the Commissioner in regard to the Court of Ward's works; would it be possible to delegate the whole of the work to Commissioners and give them full responsibility in regard to the Court of Wards, thus avoiding all appeals to the Board of Revenue?—I do not think there is any harm in delegating the whole of the powers, but it would all depend on the advice of the Commissioners; the Commissioners might not be the sort of people to whom I would wish to have the powers of the Board given.

15160. (Mr. Meyer.) What were the sort of things as to which you had to make a reference to a superior authority during your work as a manager under the Court of Wards?—For instance, in regard to works costing about Rs. 500 we had to make application for the sanction of the Board of Revenue, but anything up to Rs. 500 the Commissioner had power to sanction.

15161. Did those go through the Collector or straight to the Commissioner?—Through the Collector—he be the medium.

15162. Could the Commissioner sanction anything?—Yes, he had power to sanction up to Rs. 100.

15163. Supposing you wanted another clerk or two, what happened?—Everything with regard to the permanent establishment, even to the extent of one rupee, must be sanctioned by the Board of Revenue.

15164. Supposing you wanted to give some remission of rent to tenants in a bad year, who would deal with that?—The Commissioner had the power to deal with that. He had full power.

15165. And I suppose every year you drew up a budget of receipts and expenditure showing how you intended to spend the money?—Yes.

15166. Who sanctioned that?—The Commissioner, but in sanctioning the budget the Commissioner generally used to say that on certain heads the Collector could sanction up to Rs. 500, and in other cases he would say "This is sanctioned, but no amount should be spent without the previous sanction of the Commissioner." But if you wished to spend more, it was the Collector who was to sanction it.

15167. Then you were really under three authorities—the Collector for small things, the Commissioner for some large things, and the Board for some larger things still?—Yes.

15168. And you think that the Commissioner might replace the Court of Wards? Would you do that with regard to every estate—a great estate like Burdwan, for instance?—It would all depend on the officer.

15169. I am assuming that you have an able Commissioner?—Yes, but it is not only an able Commissioner that is wanted, but you might have persons with hobbies, and they might initiate certain things which would not be profitable.

15170. And the Collector at the same time might have some larger powers with regard to works and establishment?—Yes; at present he has not much authority.

15171. That is to say, speaking generally, what the Board of Revenue did you think the Commissioner ought to do, and what the Commissioner does now the Collector might do?—Yes, and what the Collector does now, he might delegate.
MINUTES OF EVIDENCE:

15172. At present the Collector has the largest sub-
division of the district in his hands, more or less?—

15173. In Madras the whole of the district is divided
into sub-divisions with every division under an officer
would a similar system in Bengal assist the Collector?—Yes.

15174. As regards Advisory Councils to Com-
mmissioners, if a Commissioner differed from the
Advisory Council would you allow him to act on his
own judgment?—Yes, a Commissioner must put in his
90 days; he would allow him to have the benefit of any person's
views, and he must act as he thinks best.

15175. In a matter which he could not decide, but
which he had to report to the Board of Revenue,
should be his Advisory Council held different
views from his?—Yes, he should do so.

15176. Are you in favour of a selection system and
of making the Commissioner much more of a Sub-
Governor than he is at present?—Yes.

15177. Have you sufficient knowledge of administra-
tion to say that the Commissioner is now a person
more in the nature of a post office?—As regards that
I think the Viceroy also is a post-office; a delegation
of powers from the Secretary of State downwards is
necessary.

15178. Would you like to see the Commissioner vested,
with higher, or lower, of the two suggestions which
in Madras that the
Collector in Council, like the Governor in Council;
that he should have two experienced Indian colleagues
to advise him, who would deal with the minor work;
that all important matters should be submitted to the
Collector; and that it might be a matter of considera-
tion whether he should overrule his colleagues at once,
or, as one witness suggested, refer the matter to the
Governor to delegate powers?—Yes. It was under
that provision that I was given the extra powers to
 improve the position of the panchayat, but will not
necessarily follow if magisterial and civil powers
develop on him?—At present, as constituted, I do not
think it might be.

15179. A suggestion was made in Madras that the
Collector of a district should become, as it were,
a Collector in Council, like the Governor in Council;
that he should have two experienced Indian colleagues
to advise him, who would deal with the minor work;
that all important matters should be submitted to the
Collector; and that it might be a matter of considera-
tion whether he should overrule his colleagues at once,
or, as one witness suggested, refer the matter to the
Governor to delegate powers?—Yes. It was under
that provision that I was given the extra powers to
which I have referred.

15180. (Sir Stigming Edgecroy.) Is there in your
Court of Wards Act any section which allows the
Court of Wards to delegate powers or the Lieutenant-
Governor to delegate powers?—Yes. It was under
that provision that I was given the extra powers to
which I have referred.

15181. Do you remember when the Court of Wards
Act was passed—was it in your time?—No, it was
before my time, but an amendment has been made
in twice in my time.

15182. Can you say whether those amending Acts
were the subject of much discussion in the legislature?
—Yes.

15183. Having had so much experience with regard
to delegation under the general section of the Act,
and seeing that a great deal of the work of deconcentra-
tion must be the getting rid of power from a higher
authority to a lower, of the two suggestions which
have been made to us, which would you be in favour
of—one is to proceed by a general section, and the
other to go to the Legislative Council on every
occasion and say, "Please pass a specific Act making
this delegation?"—Having to go to the Council in
each case I think would be very cumbersome. I think
if there was a general law that the Lieutenant-
Governor, or the Board of Revenue, could delegate
their powers, it would be better, provided there was
some safeguard.

15184. Have you thought about it sufficiently to say
what sort of safeguard you would suggest?—No, I
have not considered it sufficiently, but I think some
safeguard would be necessary.

15185. Have you considered at all the question of
the touring system?—At present there is a touring
system, but I have not considered it in any special
light; it takes a Magistrate, I think, at least 90 days
now to tour.

15186. Do you think that that takes the Magistrate
sufficiently out into the villages in his district?—He
must put in his 90 days; whether he be in one sub-
division, or whether he is able to go through all the
sub-divisions, he must put in 90 days, but wherever he
goes he carries his work with him; he has to spend
lots of time in disposing of his bundles, and his
bundles increase, so that he has not much time for
outdoor work, and whenever he is in camp he has not
much time to see people.

15187. Can he remain out at present for a month
or six weeks at a time?—He cannot remain months—
I believe only a fortnight or three weeks.

15188. With regard to Advisory Councils to Com-
mmissioners, would a Commissioner should consult
people on different subjects?—Yes.

15189. Would you suggest that he should keep up
anything in the shape of a roster of gentlemen who
would be satisfactory advisers in districts on any
subject?—I think as Commissioner of the Division he
should try and find out all the persons he could
consult.

15190. Of course there is a darbar list, but suppose
a new Commissioner came, and has a big subject to
deal with a month afterwards, the darbar list would
not disclose to him anything with regard to the know-
ledge of the people on the darbar list?—No.

15191. Then would you have anything in the shape
of a list kept up, or would you leave each Commissioner
to find out what the respective qualifications of the
people might be?—I should leave the Commissioner
to find out the respective qualifications of the people,
and, if necessary, I should make a note in his office, probably that would help a new-
comer to find what good men he could consult.

15192. With regard to Sub-Deputy Collectors, would you give them magisterial powers?—Yes; they
have got some kind of magisterial powers now to try
small cases.

15193. If you introduced that system might you
possibly do with fewer appeals?—I have not given any
thought to that, but I do not think so.

15194. Have you a system of Honorary Magistrates?
—Yes.

15195. Is that capable of expansion usefully?—I
think it might be.

15196. You said you thought it advisable to
improve the position of the panchayat, but will not
that necessarily follow if magisterial and civil powers
develop on him?—At present, as constituted, I do not
think they have any position excepting the collecting
machines of the panchayat, who has some slight
position.

15197. You said that there might be a risk in en-
trusting certain powers to Commissioners, because
some Commissioners had hobbies and so on. Is it not
from the Commissioners that the members of the
Board of Revenue are selected?—Yes, that is true.

15198. You have known a good many members of
the Board of Revenue?—I have.

15199. Do I not want any names, but do you think
any of them had hobbies?—I think one had during
my term of service.

15200. You have known a good many Lieutenant-
Governors too?—Yes.

15201. Do you think any of them had any hobbies?
—Yes, certainly.

15202. Then I suppose you must take the risk
somewhere. If you are to have appeals as a protec-
tion against hobbies, where is it going to stop?—That
is true, but it should be remembered that when a
person becomes a member of the Board of Revenue,
or a Lieutenant Governor, he is not likely to have a
hobby because he will have gradually acquired experi-
ence; the Collector is the person who should be
watched more for hobbies than the Commissioner.

15203. Does a Commissioner get his Commissioner-
ship, after 23 or 24 years' service?—Yes, and after he
has acquired a good deal of experience.

15204. Do you not think, from your experience of
Europeans in this country, that about that period
constitutes the cream of their usefulness?—Yes, un-
doubtedly.

15205. And if ever they are to be worthy of con-
fidence, they should be worthy of it by the time they
have lived amongst the people for 20 years?—Yes.
ROYAL COMMISSION UPON DECENTRALIZATION.

15206. Then is there any very great risk in con-
ferring powers upon men with that experience of
India whose names are great risk; but I referred
more particularly to the delegation of powers to
Collectors.

15207. Then you would not feel inclined to delegate
powers to the Court of Wards to Collectors?—I would
delegate some of the powers to them and the rest to
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Court of Wards to delegate all or any of the powers
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15209. (Chairman.) Would you prefer that power
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(The witness withdrew.)

Raja Peary Mohan Mukherjee was called and examined.

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15210. (Chairman.) You are a zamindar of the
Hooghly district?—Yes.

15211. Have you been a member of the Bengal
Legislative Council?—Yes. I was a member twice,
one in 1879 and the next time in 1906. I have also
twice been a member of the Viceroy's Legislative
Council, once in 1894, and again in 1896.

The principles which regulate and the rules which
govern the financial relations between the Imperial
and provincial Governments are equitable, based on
the results of large experience. In justice, however,
to the Local Government and the people of Bengal,
a portion of the customs revenue may well go to
the provincial revenues. It would be in consonance with
the practice which obtains in the United Kingdom,
where a sum of £203,104 18s. 6d. was granted from
Customs revenue in aid of the local taxation of Eng-
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I am opposed to the grant of borrowing powers to
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tional taxation.

I would not curtail the right of appeal wherever it
is granted by law or practice. Owing to the immense
increase of work the Secretaries of Local Govern-
ments, appeals from the orders of Divisional or Dis-
trict Officers do not receive the requisite amount of
attention and consideration. The abolution or cur-
tailment of appeals would make matters worse. Even
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in their opinion no reasonable grounds for it exist.

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So far as my knowledge extends, the divisional and
district administrative staff is sufficiently large, and
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regardless of the rights of zamindars to establish
them. It may be contended that private ferries are
not subject to that control to which public ferries are
subject, and that, therefore, there might be risk of life and greater risk of accidents if the number of private ferries were allowed to be increased, but there was no evidence that all private ferries are subject to very strict control by District Officers, so that a public ferry is not more free from risk of accident than a private ferry, because both are equally subject to the same control.

15213. To some extent, by this action of the Government, the revenues of the zamindars have been interfered with?—Yes.

15214. Are there a very great number of returns and periodical statements which you think could be done away with?—Yes, particularly the agricultural returns. Most of them are worthless.

15215. Taking the returns of what are called vital statistics, do you think that they are very inaccurate?—Yes, they are very inaccurate.

15216. How are they obtained?—By nothing.

15217. Do you mean that heads of families do not report cases to the police, and that the police in making returns of deaths are not really aware of the number that have taken place?—Yes; they do not get exact information, and as to the nature of the disease that, too, is doubtful. For instance, a man may die of cholera, and it may be reported as a case of fever, or vice versa.

15218. Do you therefore think that these returns might very well be abolished?—Yes.

15219. Did you hear the last witness say that he would keep a District Officer in a district for a period of five years?—Yes, but I am opposed to that—I think three years is long enough.

15220. Could an officer get round his district sufficiently in three years?—Yes; an officer could learn everything connected with his district, if it was sufficiently in three years?—Yes; an officer could learn everything connected with his district, if it was

15221. Why do you think three years long enough?—In the first place for the training of officers it is necessary they should have a knowledge of the customs, and the institutions, and the agricultural and natural resources of a number of districts before they can be qualified for higher appointments, and to deprive them of that training, as you would do if you kept them five years in any one district, would be wrong.

15222. In the old days had officers greater knowledge of their districts than they have now?—Yes, a good deal more.

15223. How long did they stay in their districts then?—In some cases they had a long tenure of office in a district, but that was by private influence, I should think.

15224. Are the powers exercised by municipalities large enough?—Yes, quite large enough; I would rather curtail them than make any addition to them. I think with Mr. Herbert Spencer that a country least governed is best governed. If a man wants to add rooms to his house now he has to go to the municipality, and in many things they have to go to the municipality for permission, but why should it be so?—Yes.

15225. Would they not use any further powers more usefully than they use those which they have now?—Yes.

15226. Does the same thing apply in your opinion to the District and Local Boards?—Yes.

15227. Could anything be done in the way of extending the power of village communities?—Villages connected in the sense in which we read of them in books do not exist in the neighbourhood of Calcutta, or in the Bengal districts.

15228. Therefore you think that nothing really can be done in that way?—Yes, and the panchayats are composed mostly of men who are quite undesirable—the respectable and worthy men of a village will not consent to serve on the panchayats; a large number of the members are undesirable men.

15229. (Sir. St. George Edgerley.) Do you suggest that in the matter of ferries Government rather look after their own interests?—Yes, why should they make it a source of revenue?

15230. In Bombay, all the revenue from the ferries goes to the District Board. Is that the case in Bengal?—Yes.

15231. Then Government, as such, gets nothing out of them at all?—Except indirectly by saving the money which they would otherwise have to give to the District Boards.

15232. When you said that a District Officer could get to know his district in a year or so, you did not mean that he could personally visit the whole of it, but that he could only learn about it?—If he were an intelligent officer and knew the language, and had some experience, he might easily learn about it.

15233. But you do not mean that he could personally visit the whole district in that time?—No, of course not.

15234. How long would it take him to do that?—Collectors finish their tours in two months in the cold season.

15235. But would it take him one touring season or two?—Collectors do not visit every place; there are certain places which no officer visits, because there are not, perhaps, convenient roads or places where they can get food.

15236. (Mr. Meyer.) Do you desire that a portion of the customs revenue should go to the provincial revenues?—Yes.

15237. Do you mean any large proportion?—A small proportion—in the proportion the local taxation in England, Ireland and Scotland receives assistance from the customs.

15238. You mentioned the sum of £200,000 as having been granted from customs revenue to aid local taxation in England, Scotland and Ireland, in the year 1905. Do you mean that the customs revenue in the United Kingdom amounts to many millions of pounds?—Yes.

15239. So that the sum you mention is quite an infinitesimal percentage in Bengal?—I think Bengal should have a hold on the sources of the revenue which are principally fed by the consumption of the people themselves.

15240. But a considerable part of your customs revenue represents the consumption of all the people in the United Provinces?—Yes, but we do not get our share of the customs revenue.

15241. Do you say that you are against any restriction of the right of appeal?—On the other hand you say that this might result in the immense increase of work of the Secretaries of Local Governments, appeals do not receive the requisite amount of attention and consideration. Is not the increase of work, of which all officers complain more or less, very largely due to the frequency of appeals, and are not appeals made much more freely than used to be the case 30 or 40 years ago?—I think not.

15242. Has not the work greatly increased?—The work has greatly increased, I think Bengal. Questions with regard to District Boards, and other matters coming up to Government which did not come up before.

15243. But you admit that the Local Government may withhold sending an appeal to the Government of India in certain cases where there is no reasonable ground for sending it on?—Yes, but I know of a gentleman who was dismissed by a local officer and wanted to appeal to the Government of India, but the Government of Bengal said they thought there were no grounds for appeal. The man came to me for advice.
Do you think, then, that in everything there ought to be an appeal right to the Secretary of State?—No, not to the Secretary of State, but to the Governor-General in Council.

You say that the municipalities do not do much good. There is a number of quite small municipalities in Bengal with a population of less than 10,000 people?—Yes.

Would you abolish those and convert them into Local Fund unions or would you keep them on?—It would not do to abolish any riparian municipality because for the purpose of carrying out comprehensive schemes the joint action of a number of municipalities along the banks of a river becomes necessary, but in regard to an outlying municipality if it consisted of small agricultural villages, I think it would be much better that it should be converted into a union.

Two or three witnesses have suggested that the Collector should cease to be the Chairman of the District Board—is that your view?—No.

Should he remain the Chairman because it gives him a valuable means of finding out the requirements of the district?—Yes, for that reason, and also the Collector is a much better read man than any of the members of the Board. I suspect that if you left the entire control of the District Boards to unofficial gentlemen there would be a very great risk of many matters being conducted in a perfunctory way—I mean, if any, of the members of the District Board would take the trouble to read through carefully the Local Government Act or the Civil Service Regulations, so that in the matter of granting leave or sick leave, and those kind of things, the District Collector certainly knows more than anybody else. In fact few members know anything about these matters. I would make the Collector head of the Board.

(Mr. Hichens.) If you gave those non-official people some responsibility might they not rise to it? I am not an advocate of honorary work; I think paid work is much better done, and only in exceptional cases do you find that a non-official gentleman will take the trouble to qualify himself thoroughly to be Chairman of a District Board.

I understand you to say that the Chairman of a District Board should be a paid official?—Yes, if he be a paid servant, whether he is an Indian or an Englishman would not matter much, because a paid man would feel the responsibility of qualifying himself for the post.

You do not think that the other members of the Board should be paid too?—No, I do not think they need be paid.

(Mr. Dutt.) Do you say that if they were not treated as servants of the State the panchayats would improve?—Yes.

At present the panchayats are, to some extent, under the control of the local police?—Yes.

And therefore respectable people do not like to serve on the panchayat?—They do not.

If you are to improve the panchayats, should they be made completely independent of the police?—Yes.

Under those circumstances, and if proper men are appointed, will the panchayat command the respect and confidence of the villagers?—Yes, and much good might be done by conferring on them civil and criminal powers.

Will you kindly explain in what matters?—In the matter of any breach of sanitary rules or regulations and such like things, I think criminal powers might be vested over to the panchayats, and that would save people the trouble of going a long distance to have their cases judged?—Yes, and there would not be so many false cases as at present. The people try to throw dust in the eyes of a Magistrate, but they would know very well that if they tried to bring any false case before their neighbours it would not stand for a moment.

What part of Bengal are you specially acquainted with?—I have estates in six districts of Bengal.

With regard to village communities, do you say that they are rarely to be found at present as they existed in the old times?—That is so.

—Does that apply to Chota Nagpur?—No, there are still panchayats there. I am speaking of Bihar and Bengal.

(The witness withdrew.)

Maharaja Manindra Chandra Nandy of Cosimbazar was called and examined.

15245. Do you think, then, that in everything there ought to be an appeal right to the Secretary of State?—No, not to the Secretary of State, but to the Governor-General in Council.

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15260. (Sir Frederic Lely.) What part of Bengal are you specially acquainted with?—I have estates in six districts of Bengal.

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15262. —Does that apply to Chota Nagpur?—No, there are still panchayats there. I am speaking of Bihar and Bengal.

(The witness withdrew.)
they are not able to hold conversation in the language of the people, and the presence at many district head-quarters of a fairly large European population, with whom, naturally, European officials prefer to spend their leisure. The creation of Advisory Councils would go far to remove the obstacles to which I have referred.

District Officers must always be carefully selected. Everybody is not fit to be a District Officer. It is an office of high responsibility which needs the exercise of great tact, judgment and care. The delegation of larger powers will, of course, involve more careful selection. But if there are Advisory Councils, the risks of an unhappy selection are very much minimized.

I do not think that any general increase in the district staff is required. Their work would be lightened by the creation of Advisory Councils. Some districts may appear too large, as, for instance, Midnapore in Old Bengal and Mymensingh in the new province. But there is a very strong feeling against partition of any kind, and local feeling should be respected. Sometimes District Officers are kept too long in a particular district, and they imbibe prejudices which a prolonged association with the environments of a particular place is apt to produce. Sometimes again transfers are too frequent; and an officer is sent away just as he has got in hand the threads of the administration, or is in the middle of a local undertaking of importance.

As regards municipalities, I would strongly recommend an extension of their powers. In Bengal the municipalities under Lord Ripon's Local Self-Government Resolution were created in 1894. Nearly a quarter of a century has now elapsed; but their powers remain the same as at the time of their original creation, although Lord Elgin's Government, in a formal resolution, declared that the local bodies had, on the whole, been successful throughout India. At present the Advisory Council exercises a minute control over the smallest details of municipal administration. I think this control should be relaxed and should be confined only to the major heads of the budget. In selected municipalities which might be named in a schedule, even this measure of control might be withdrawn and the municipalities permitted, as in the case of the Calcutta Corporation, to frame their own budgets in their own way. I would not invest District Boards with the power of supervision over municipalities. A Central Board like the Local Government Board in England might be formed, consisting of two or three members, one of whom should be an experienced non-official Chairman of a municipality, to control the municipalities of the province.

As regards the District Boards the Magistrate and Collector, who in Bengal is always the Chairman, should be released of this responsibility and a non-official gentleman should be appointed. The work of the Board is often practically done by the Vice-Chairman, who is a non-official member. The District Board is practically a department of the Government, and the Executive officer and the Government exercise minute control over its operations. Its powers in respect of sanitation, medical aid and sanitation are largely controlled by the Government; and the power of making rules reserved to the Government regulates and restrains the functions of District Boards in the exercise of many of the functions.

It is both possible and desirable to group together a number of villages and invest them with powers in the disposal of local affairs relating to revenue, police, sanitary, educational and other matters, such as the disposal of petty civil and criminal cases.

15264. Are you in favour of giving the Local Government power of borrowing money in the open market up to a certain limited extent?—Yes.

15265. Are you engaged yourself in any occupation, or in finance, in such a way as would lead you to know what the state of the local money market is?—No, not personally.

15266. Can you tell us whether there is, at all events in Bengal, a rupee market which is untouched by the issues of the Government of India at present?—The whole of it is already touched.

15267. Would you like to see, in the case of Bengal, the Head of the Government assisted by an Executive Council?—Yes. Such an Executive council should consist of two or three members.

15268. Then you would like to see very much larger powers given to the Commissioners so as to make them like the Commissioner in Sind.—Yes. I have been in Sind once, but I am not acquainted with the Government.

15269. Do you not wish to see the control of the Government of India removed from the Local Government?—Will you tell me why?—Because if there is to be any check it must be done properly.

15270. Are you afraid if the control were removed that the Local Government would lose out of hand?—Yes.

15271. Would you leave the Commissioner the right to nominate persons upon the Advisory Council?—I think that should be done by the higher officers, and, of course, the Council for a Magistrate would be nominated by him with elected members.

15272. You would like to see the Commissioner's Council partly elected and partly nominated?—Yes. I think two-thirds should be elected, and one-third nominated.

15273. Would you like the Collector to have a similar Council to the Commissioner one for the Collector?

15274. Do you think that on the whole, the District Officers know the people who live in their districts pretty well?—No, from my own personal knowledge I can say that the District Officer does not know them pretty well.

15275. Which particular district do you live in now?—I live in Murshidabad; I have been in many districts in Bengal, and from my personal experience I know that the Magistrate and the local officers are not acquainted with many of the people.

15276. Are they intimate with you?—Yes, of course, they are with me.

15277. But not with persons who are in a lower social position?—Quite so.

15278. Do you think that they, perhaps, go to see the gentlemen of high position and do not go amongst the people?—Generally the Magistrate does not go anywhere; we go to him to pay our respects, and when we go to him he asks questions about the district, and whenever he goes out on tour he usually goes to a European resident of the place. Of course if there is anything important to enquire about, he enquires about it, and then goes back.

15279. When the District Officer comes into that part of the district where you live, does he make a call upon you, or do you go to see him?—I go to see him.

15280. Does he return the call?—No. Some Magistrates pay return visits but not all.

15281. Does the Commissioner pay you visits?—Not always; sometimes.

15282. Do you think it would improve things if, when the District Officer went round and native Indian gentlemen called upon him, he always returned their calls?—Yes, that would be a good thing no doubt because he would find out the proper state of things.

15283. And then, perhaps, he would have a greater knowledge as to whom to put upon the Advisory Council?—Yes, he would meet gentlemen who could give him all sorts of information with regard to different parts of the district.

15284. Do you find in any cases complaints that District Officers are not very courteous to people who come to see them?—I have seen it, but not with regard to all.

15285. You have found them discourteous once or twice?—Yes.

15286. That is very regrettable and tends to keep the people at a distance?—Yes.

15287. Have you noticed that more lately, or has it been less than it was?—Some three years ago a Magistrate was posted in our district of that nature.

15288. And, of course, the people kept away from him?—Yes.

15289. The last witness stated that he did not think it was very much good giving increased powers to
municipalities. Do you agree with him?—I think the power should be given to district municipalities. 15290. Do you think that a Magistrate exercises too much control over its budget?—Yes, and not only the budget, but as to minor details. I would like to see his power confined to major heads. 15291. Supposing that control was very largely removed, do you not think there would be some unwisely spent money by the municipalities?—Yes, but the people would pay more attention to their affairs, whereas if the Chairman and Commissioners knew that what they suggest will be checked by the Magistrate, they will not take much interest in them. 15292. You think that if the control of the Magistrate was removed, although there might be wasteful extravagance, still there would be an improvement in time?—Yes. 15293. Would there be at first a certain amount of corruption?—No, because there are several persons on the Board. 15294. When the municipality were able to spend money more as they liked, would there be a certain amount of corruption, as, for instance, some one might want to put his brother, or his cousin, into some place by way of a gift, because the Municipal Chairman and the Commissioners are all gentlemen and men of education, and they would always take care of that. 15295. But there might be extravagance. Would you say the same thing with regard to District Boards?—The District Boards are different. At present in almost all districts in Bengal the Magistrate is the Chairman of the Board, and it is a Government office. There are some elected members, but they follow the advice and orders of the Magistrates, and therefore at present it is a Government office, and the power of making rules is in the hands of the Government, so that the Government power is increased. If more power is entrusted to the elected members, and if an influential gentleman was appointed as Chairman of the Board, I think it would be an improvement. 15296. If it ceased to be a Government office would the members of the Board take greater interest and feel greater responsibility in their work?—Yes. 15297. Then again there might at first be some extravagance?—No, I think not, because the money would be checked by a Government auditor, and there is very little chance of extravagance. 15298. Do you not think a District Board, if freed from the control of the Magistrate, might want to raise the pay and salaries of its servants, for instance?—That would be at the discretion of the Board, but I think if there is any necessity for increasing the pay, it should be considered by the whole of the members and the Chairman and Vice-Chairman. 15299. Do you agree with the other witnesses that something might be done to increase the powers of the village communities?—Yes. 15300. Might there be found in a village respectable men who could be joined to the panchayat and made into a village Bench for the purpose of trying petty criminal and civil cases?—Yes. 15301. Would that tend greatly to the building up of a sort of Local Government?—Yes. 15302. (Mr. Meyer.) For what purpose would you allow Local Governments to contract loans?—Sometimes for public business they require more money, and it cannot always be allotted. 15303. The Government of India already borrows money for railways and irrigation works which more than pay the charges, including interest?—Yes. 15304. Do you wish to alter that system?—But the Government of Bengal requires money sometimes. 15305. You mean for something, perhaps, which does not require in any way—such as a navigable canal, for instance?—Yes. 15306. Do you say that you would not reduce the right of appeal even where the appellant is absolutely wrong?—The appellant is absolutely wrong, but, if he thinks he has not been fairly dealt with, I would allow him to appeal.

ROYAL COMMISSION UPON DECENTRALIZATION.

Mahrnroo Maitynand Chandru Nandy.

28 Dec., 1907.
MINUTES OF EVIDENCE:

Manindra Maharaja Nandy.

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15325. But you said that the District Board should have power to allot money and do everything that is wanted?—Yes, and that the District Magistrate should see it from time to time.

15326. But would not the Chairman of the District Board become a much bigger person in a district than a Collector? The real person to whom the people would look to do things for them in the way of roads, schools and drainage would be the elected Chairman of the District Board, and the Collector would cease to be the real representative of Government then?—Yes.

15327. You say that there are certain municipalities which you would like to treat like Calcutta; do you mean the very large ones, or a great number of them?—I mean the very large ones—not a great number.

15328. (Sir Stepping Dryden.) You think that a preferable constitution for a province would be a Governor and Council and Commissioners. You did not make it quite clear whether you required a Board of Revenue under that system?—Yes.

15329. If you magnify the Commissioner's powers and also add a Governor-in-Council, is not the Board of Revenue squeezed out—what useful work could it do?—I think not; they would have something to do. I would still leave the Board.

15330. With regard to appeals you suggested that there should be no change, but do you refer simply to appeals by officers, or to appeals by litigants?—I refer to appeals by litigants and officers also.

15331. As regards litigation, there are always two parties concerned, and in obtaining your suggested consolidation for an appeal are you not rather ill-illuminating the man who has won his case in two or three Courts?—That may be so, but in some cases it would not be so.

15332. Supposing a case where the two first Courts were absolutely concurrent and certain about the facts, would it not be rather worrying a man who had won to allow an appellant to carry him on from Court to Court?—In some cases it might be. It is very difficult to say, but my point is that an appeal should be granted notwithstanding the hardship.

15333. You have recommended certain Advisory Councils and village panchayals, and various things of that description, but would you not want legislation if you once had election to these Councils?—Yes.

15334. How would you proceed; would you proceed by an Act which should endeavour to make an exact constitution for each Council, or would you have a very general rule-making clause which would enable you to make experiments?—I would have a general rule.

15335. So that you might try one thing in one district and another thing in another?—Not in that way, an experiment in one district would do.

15336. But you would not try to be precise in the first instance?—Yes.

15337. Would you try a precise Act, or would you try a very general Act giving power to make rules?—I would have a general power to make rules.

15338. (Sir Frederic Lely.) How do other people regard a District Board in a district; do they regard it as really representing them, and do they consider that they have an interest in its proceedings?—The people think that it is a Government office.

15339. Do they not evince any interest in its proceedings?—No.

15340. Then it is not, in any true sense, a representative body?—No, it is not at all.

15341. In Bengal villages is there a good deal of faction, and a great deal of jealousy of the panchayat, for instance?—Not in every village, but there are villages, or village people, who have jealousies.

15342. As a matter of fact, if power is given to anyone in a village, would not that usually mean in Bengal power to the zamindar?—No.

15343. Is not the zamindar all powerful on his estate?—Yes, but not in every village.

15344. Practically every village is in some zamindar's estate?—No.

15345. Most of them?—No; in many cases the zamindar never interferes with village matters. In some cases, such as boundary questions between two villages, and with regard to money matters and other things, he does act.

15346. Do you think generally in village matters the zamindar would leave the people to themselves and not interfere with them?—Yes.

15347. Is your proposition that District Councils are to be elected by municipalities and District Boards?—Yes.

15348. Then the lower castes would have no representation?—Yes, even in the lower castes you can get good men now-a-days, but I do not say in every village.

15349. Do you know of any District Board at present which has a low caste representative member on it?—No.

15350. Or any municipality?—Yes, I do, he was elected.

15351. Do you know of more cases than one?—No.

15352. Would a low caste man have much chance of being elected to the District Council?—I cannot tell you whether he would be elected by the people, or not.

15353. Would you yourself stand for election?—Yes, I am Chairman of the municipality. I was elected.

15354. (Mr. Dutt.) The members of the District Board are now partly nominated and partly elected?—Yes.

15355. Are the zamindars and men of social standing prevented by the prevailing feeling of the country from seeking election?—I cannot speak as to that.

15356. Would they willingly appear as candidates for election do you think?—Yes.

15357. They would not be disgraced in the eyes of their countrymen if they stood as candidates?—No.

15358. When pleaders are elected as members of the District Board, do you, as zamindar, think that your interests are neglected?—Yes, if only pleaders are elected, of course in that case I should think my interests were neglected.

15359. Do zamindars themselves sometimes elect pleaders as their representatives?—Formerly it was the custom, but now-a-days it is not.

15360. Have zamindars elected pleaders as their representatives on Councils and District Boards?—Yes, but not as pleaders, but as their qualified representatives.

15361. A proposal has been made that every class should return a member from their own class so that cultivating raiyats should return such a member; in your opinion, in a small sub-division, would the raiyats be able to find a properly qualified raiyat to represent their interests on a Board?—No, I do not think they would be able to find such a man among their class, but in some places you can find them.

15362. Do zamindars sometimes respect the selection to their own class, their interests would suffer?—No, their interests would not suffer; but it would be better if there was a representative for all classes of people; if, however, a representative cannot be found from each class, they should be allowed to select one from some other class.

15363. Would you allow the people to select a representative from any class they liked?—Yes.

15364. With regard to nominated members, when men of position and local standing are nominated members of a Board, do they lose the respect of their countrymen?—Yes.

15365. They are no longer respected by their countrymen?—No.

15366. What is the cause of that feeling?—Because it is felt that they will follow the advice of the Magistrate.

15367. But supposing they are independent men?—If such a man be an independent man he will be regarded as a respectable man, no doubt.

15368. So that depends more upon his own personality?—Yes.

15369. (Mr. Hudson.) Does your work as Chairman of a municipality take up a lot of your time?—Yes, at least two hours a day.
15370. Would there be any difficulty in getting unofficial people to take that work up?—There would be no difficulty in Bengal; I cannot speak for other provinces.

15371. Are the other members interested in the work?—Yes.

15372. Are there any committees or sub-committees in your municipality?—Yes.

15373. Do they take an interest in the work?—Yes, a great interest; they always help in the administration of the municipality.

15378. (Chairman.) Where do you live?—At Serampur, in the district of Hooghly. I am a zamindar. The people of this country do not want the controlling power of the Government of India over the provincial Governments to be curtailed in any way. A strict central control should be exercised in such a way as not to unduly restrict the legitimate degree of local independence of the provincial Governments.

The most important official in direct touch with the people, and, who, under existing arrangements, has to perform the two-fold duties of Collector and Magistrate, I beg to suggest that—

The Collector should be purely an Executive Officer, directly responsible to the Government or Board of Revenue, and he should actively co-operate with the Heads of the special Departments under the provincial Government in their respective work, and so far as his district is concerned, he should have all the powers now vested in the Divisional Commissioner.

The Divisional Commissioner, as an intermediate authority between the provincial Government or the Board of Revenue and the Collector, is a superfluity. The Divisional Commissioners were created under Regulation I. of 1829. The reasons given in that Regulation for the creation of this intermediate supervising authority do not now hold good.

The Collector should be an officer of at least 12 years' standing, and should ordinarily hold charge of a district for at least five years at a stretch. At present many junior officers are entrusted with the charge of districts and transfers are much too frequent.

The Sub-Divisional Officer should be shorn of all judicial powers and should be a purely Executive Officer directly under the District Officer. He should be an officer of at least six years' standing, and he should ordinarily hold charge of a sub-division for at least five years at a stretch.

The number of the members of the Board of Revenue will, perhaps, have to be increased if the Commissioner is abolished, so as to enable them to inspect the work of the District Officers.

The Sub-Divisional Officers and District Magistrates should possess a sufficient knowledge of the vernacular of the district in which they are posted so as to be able to make themselves quite intelligible to all classes of people who can talk only in the vernacular of the locality and to be able to understand what they say. The examinations to test their proficiency in the vernacular languages should be more strictly conducted. They should at least be able to read petitions written in the vernacular of the district when read to them.

The Executive Officers have sufficient opportunities for personal contact with the people, but they are not generally availed of in a manner which would conduce to establish mutual confidence. The stiffness and overbearing manners on the part of some officers repel the people, and a want of knowledge of the manners and social aptitudes on both sides lead to misunderstanding. The only way I have met with courtesy and attention in all my interviews with the officers, notably with the higher officers.
might be given the powers which are vested in the local headmen of Madras; that is to say, they may be vested with the powers of Magistrates to try petty cases, and may maintain law and order in the village, or assist the higher authorities in cases of emergency, or reporting to them the occurrence of crimes and the movements of criminal gangs. They may also act as village Magistrates to try petty cases.

1537. The Commission have had before them other Indian gentlemen who have stated that the Local Government ought to be a self-contained Government which should be capable of managing its own affairs without the interference of the Government of India; will you tell us what your reasons are for holding the contrary view?—As the administration is at present constituted, it would be better that the control exercised by the Indian Government should continue; for in several cases the administrative measures with regard to the provincial Government are controlled by the Government of India in a way which produces very healthy results.

1538. Do you think that a Government which has to do with the affairs of many millions of people, and deal with many thousands of square miles, is not capable of exercising a discretion in large, as well as small, matters?—In my opinion it would be much better that those things should continue as they are at present.

1539. But can you give me any particular reason?—We find the control as at present has a very healthy effect in regard to all matters.

1540. Will you tell me with regard to one particular matter how it has?—I think that the very existence of such a control makes the Government more careful.

1541. You think that it is right, for instance, that if the Public Works Department wanted to spend, say, more than 10 lakhs of rupees, it should have to go to the Government of India for sanction to that work?—Yes.

1542. You think that it helps forward the affairs of the Government, which perhaps wants some small drainage work, or some public building?—I am not speaking with regard to those small matters; those things are really sanctioned as a matter of course.

1543. But is a reference in those matters to the Indian Government necessary?—In small matters the control might be relaxed.

1544. What are the larger matters in which you think it ought to be retained?—I am speaking of schemes involving large expenditure, which ought to be subject to the sanction of the Government of India.

1545. Have you ever been brought into contact with some of the higher officers of the Public Works Department, for instance?—No.

1546. So that you cannot personally judge of their capacity to execute the work or not?—No.

1547. Have you been brought very much into contact with the higher officers of the Government—with Lieutenant-Governors and members of the Board of Revenue?—Yes.

1548. You think, as a rule, that they are not capable of exercising discretionary powers in regard to large questions?—Certainly, I consider them capable, but control is salutary.

1549. You wish us to think that the acquaintance of the Collector with the people is very superficial?—You live in the mufassals, and I daresay you have come across a great number of District Officers?—Yes.

1550. Do you think the people hesitate to go to them?—Yes. Some of them allow ready access to them and treat the people very well, but there are others who are a little reserved, but there is a prevailing feeling that they do not desire the people to approach them, because in many cases the people do not receive the treatment they expect to receive.

1551. Is that owing perhaps to some mistake on both sides?—Yes, it is partly due to mistakes and want of knowledge of the vernacular of the country which should have been imparted to them, and also to the want of knowledge of the manners of the people.

1552. Would it be possible to collect information with regard to the manners and customs, so that some small book could be written upon each province which would instruct young officers on the subject?—I do not know whether books would exactly enable one to find out what were the manners and customs. It might be better that books might be issued to associate with men and for some little time put up with what appear to be rather strange manners and customs.

1553. You think, then, that there are misunderstandings on both sides?—Yes.

1554. But such a book as I suggest might help a young man coming out first of all?—Yes, I think it would.

1555. It would give him some instruction, which would be supplemented, of course, by contact with the people of the district?—Yes, a tactful superior officer would put him in possession of the way in which to do the thing much more quickly.

1556. Are the superior officers, the Commissioners and Collectors, wanting in knowledge of the manners and customs of the people?—Yes, in several cases they are, and in some cases they are very good men.

1557. In five years long enough for any District Officer to stay in a district?—Yes. He perhaps may initiate some measure or work, and if he is there for any shorter time he never sees the end of the thing, and his successor, who might be a young man, would possibly drop it. I think the Magistrates should be in a district five years in order to get to know all about it, and take an interest in it.

1558. Ought he to be there longer than five years?—He should not be there longer, I think, than five years, but he should be there as close to five years as possible.

1559. You are of opinion that the Commissioner should be abolished and that the Board of Revenue should take his place? What makes you think that that would be a good plan?—As a matter of fact, you will find the Commissioners are absolutely overworked. That is one of the drawbacks, and why they cannot be quite nice to the people who visit them.

1560. Would the better way be first to give the Collectors and then Commissioners greater powers of decision in settling matters instead of being, as some have called them, mere post offices?—I think it would be much better that the Disctict Officer should not have any judicial work to do, but should be an Executive Officer pure and simple; that is to say, that he should do the Collector's work, and if he is assisted by an Advisory Council, I think the Commissioners would not be required as a second check, in addition to that exercised by the Board of Revenue and the Government.

1561. The Commission were told that a Collector would not have sufficient experience to deal with matters in relation to the Court of Wards, but that the ripe experience and knowledge of a Commissioner would be required—do you hold that view?—I do not think so; if you have, as Collectors, men with mature experience of the Service and selected men.

1562. Do the Commissioners move about much in their divisions?—They go about, and they have a fixed grove to go through; they visit the district officers and inspect hospitals and jails, and talk to a few leading men who are introduced by the Collector; I do not think the Commissioner does much more than that.

1563. Therefore, it would be better to have a stationary officer to deal with these matters?—Yes, and, if necessary, I would increase the number of members of the Board of Revenue in order to do the inspection work.

1564. Then would you have the Board of Revenue making a report on some of the members may inspect the district offices.

1565. Are some of the districts too large for one District Officer?—Yes. They might be split up. Some districts as compared with others are very large and too much scattered.

1566. Would you like to see some extra powers transferred to the various and District Boards?—Yes, they have already very large powers under the Act. I have only recommended just a few, but I think they have fairly large powers.
15409. Do you say that a Collector ought to super­

vis e the works of the municipalities and District

Boards?—Yes.

15410. Would you have an elected Chairman of the

District Board or municipality, and their work super­

vised by the District Officer?—Yes, but in the case of

District Boards it would be very careful to find out

a proper non-official gentleman, because a District

Board is very different from a municipality where

the Chairman is independent with a small area, while the

District Board covers a very large area. I do not think in

many districts qualified non-officials, able and will­

ing to devote their time to the work, could be found.

15411. Then you would have your paid Chairman, and

the supervision of the Collector?—That perhaps

would be better in the case of District Boards.

15412. In the case of municipalities would you have the

present arrangement again with the supervision of the

Collector?—Yes.

15413. Might something be done in the way of

instituting a system of village Councils in the various

villages?—Would you give larger powers to the village

panchayat?—Yes, as exist now in Madras.

15414. Would you add to the panchayat three or

four of the respectable men of the village?—Yes, and

if you gave them larger powers it would be possible to

get a better class of people to become panchayats;

as it is at present, it is hardly considered respectable to

be a panchayat, but the contrary.

15415. Is the panchayat rather open to a bribe at

the present time?—I do not think they are very good

people who act as panchayats now; they are too much

under the control of the police.

15416. (Mr. Hichens.) Do you know that, in Cal­
cutta, the Municipality makes up its own budget

without submitting it to the Government?—Yes.

15417. Would you allow municipalities and District

Boards to have the power?—No, they should be able to

prepare their budgets, but should submit it to the

Commissioner—that is what I think they should do, but

the power of interference of the Commissioner

should be limited. He should interfere only in large

matters.

15418. Would you have all the members of the

municipality elected?—I think the present system is

all right—two-thirds elected, and one-third nomi­

nated.

15419. Would there be any difficulty, as far as

municipalities are concerned, in getting good men to

come forward as Chairmen?—No difficulty at all.

15420. Is it true to say that people standing for a

municipality do so in order to get a certain amount of

prestige and perhaps patronage, and do not care much

about the work?—They do not entirely shut their

eyes to that, but that is not the main object of their

serving.

15421. (Mr. Dutt.) Is not your proposal to abolish

Commissioners, while increasing the number of mem­

bers of the Board to permit of their doing inspection

work, tantamount to a proposal to give the Board's

powers to Commissioners who will travel about, and

to ask them to sometimes act in consultation with each

other on important and large questions?—The occa­
sions for that are not many.

15422. But supposing the proposal is made to keep

Commissioners, while asking them sometimes to meet

in consultation on large questions, and to abolish

the Board, what would you say?—I would rather keep

the Board.

15423. If the Lieutenant-Governor was provided with

a representative Council of two members would it

be possible to devolve larger powers to him?—I

think it might be possible, that is to say, there

would be the same organization as in the Bombay and

Madras Presidencies.

15424. In that case would you recommend a devo­

lution of larger powers to the Bengal Government?—

Yes.

15425. In what respect are the village panchayats

under the control of the police?—Practically, the

police have the selection of the panchayats and the

collections are made under their supervision.

15426. If they were freed from the control of the

police would you entrust them with small criminal and

civil powers?—Yes.

15427. As a rule do you think that the elected

members of District Boards perform their duties satis­

factory?—So far as my experience goes they do not.

15428. In what way would you suggest an improve­

ment?—I think the sort of members who generally

come on to the District Boards cannot, somehow or

other, be quite independent.

15429. Have you any remedy to suggest in that

respect?—I think membership of a District Board at

present is not very attractive to the best people, be­

cause they think that they cannot do much on the

Board, and that the will of the District Magistrate

will prevail.

15430. Does not the law provide for the creation of

sub-committees of the different branches of work

under the District Boards?—It does.

15431. Are sub-committees in existence on many

District Boards in Bengal?—They exist, but I believe

that the Finance Committee is the only committee

which really meets.

15432. Does the Finance Committee prepare the

budget?—Yes.

15433. Is there any educational sub-committee to

look after schools?—Yes.

15434. At any rate your general idea is that the

members of the Board should act more independently?—Yes, and the reason why they cannot act indepen­
dently is because the Magistrate has these very large powers, and the idea prevails that it is sometimes risky to

resist his will.

15435. Are nominated members men of position and

respectability?—They are mostly officials, such as

the Civil Surgeon and Inspector of Schools—most of

them are ex-officio.

15436. Are there not any leading men on the

Boards?—There are just a few.

15437. Are they on the whole fairly satisfactory

men?—They are fairly satisfactory, but I think they

go with a heavy heart, because they think that things

will be done by the Magistrate—that is the whole

idea.

15438. When they are nominated by the Govern­

ment as members of the District Board, do they lose

the respect of their countrymen?—I do not think so.

15439. (Sir Frederic Lely.) Are you a member of a

District Board yourself?—No, I am not, but I am

Chairman of a municipality.

15440. Then you only speak with regard to District

Boards from hearsay. Are you an elected Chairman

of a municipality, or nominated?—Elected. I am elected both as a member, and as the Chairman.

15441. You spoke of the want of courtesy shown by

officers sometimes, and you said, personally, you

yourself had never met with anything but courtesy.

Can you mention any particular specific instance of
discourtesy to anyone else without mentioning names?

—Yes, I know that it has been so in another district.

15442. Can you suggest what the discourtesy con­
sisted of in the cases you have known?—A gentleman

who went to see a Magistrate made a mistake in

entering the room by one door instead of another,

and the Magistrate used insulting language to him.

15443. But was there not a chapraasi there to prevent

a mistake of that sort?—There were chapraasis there,

but I know really of such an instance occurring in my

own district.

15444. Would you think it a useful rule to be made

by Government that at every place where a District

Officer sat to receive visitors, there should be attached

a waiting-room where any gentleman of position might

sit, as a matter of course, waiting his turn?—Yes, cer­

tainly it would.

15445. Would it tend to smoother intercourse

between the District Officers and the people?—Yes,

but it mainly depends upon the man.

15446. With regard to Advisory Councils, it has

been suggested that instead of an Advisory Council

the Collector should get into practical touch with

the chief people of his district informally?—Yes, that

is what is now done to some extent.
15447. You say that the District Officers should call meetings of the Council as often as they might deem necessary to consider such subjects as they might think proper?—Yes.

15448. Then would it not come to pretty much the same thing as now?—No, a regular constitution would rather oblige Collectors, I think, to refer to these Councils. I have suggested merely to start the thing; it might be developed later on if it is found that it works well.

15449. Would you have compulsory and regularly fixed times, with compulsory subjects?—Yes.

15450. On the other hand would it not take away very much from the cordiality and sincerity of the intercourse between the District Officers and the people?—I do not think so.

15451. Supposing a Collector wanted to get the opinion of the people on a certain subject and sent for a representative of the people, would he not consider it rather an honour to be personally selected for consultation?—Yes.

15452. There would not be that kind of feeling in the case of an Advisory Council, would there?—Yes, I think the members of an Advisory Council would consider it an honour to be members of it.

15453. It would not be considered an honour as being the opinion of the Collector; there would not be the personal feeling of friendship or pleasant acquaintance that is implied when a Collector sends for a gentleman and asks him to talk with him for his own information?—But in the case of an Advisory Council it is not necessary that all the members should meet, or at least to discuss important questions; in other matters particular members of the Advisory Council might be asked for their opinions.

15454. Would you leave such a course as that to the discretion of the Collector?—Yes, but if he has some such official status as a member of the Advisory Council, I think a gentleman would be better treated by the Magistrate.

15455. You say that a District Officer should not, without special sanction, do a thing which is opposed to the views of two-thirds of the members of the Council; but supposing one view of the members was that income-tax should not be collected, ought the Collector to refrain from collecting it?—But that would be against the law; that cannot be done, or anything else, against the special orders of the Government.

15456. (Sir Sturpy Edgeley). If you have a Governor in Council, as your suggestions is, why do you also want a Board of Revenue?—The Board of Revenue is also under Government, but with larger powers delegated to it.

15457. Then practically the Governor in Council, suggested by you, would administrate territorially; next you would have an authority which would administer by subjects, as the Board of Revenue at present does; and then you would go back to the territorial principle for the administration of the divisions and districts?—Yes.

15458. Do you think that the inspection of a province by a Board of Revenue would be at all adequate?—I think so.

15459. Then you suggest various Advisory Councils and Village Councils, but your Advisory Council is not at all the same, as was suggested by the last witness?—No, it is not.

15460. Would it be well to try more than one kind of Council, or would you only try your own proposition?—I would rather like to try my suggestion, because I think people would feel more interested.

15461. Your particular Council would make a pretty fair District Board?—It would be something like it.

15462. Why should you have both an Advisory Council and a District Board?—The District Board is engaged in doing a particular kind of work only.

15463. But you could enlarge its functions? If you are going to create anything by legislation, you could make the District Board into a larger and wider body?—If that is done, it would practically come to the same thing.

15464. Would you then be content with one Board?—Yes.

15465. Would you have legislation specific, or would you have it sufficiently elastic to allow of modifications by rule?—I would have it by rule in matters of detail in conformity with the main principles embodied in the body of the specific legislation.

15466. Would there be any objection in the case of experiments in regard to those Councils to having a very wide rule making power?—No.

15467. You say that the Head of the district should be a purely Executive Officer relieved of all magisterial duties, and you say the same of the Sub-Divisional Magistrates simply as to Court work?—Yes.

15468. Any Magistrate has very important powers which he exercises outside the Court, such, for instance, as the control of the investigation of crime, and the prevention of crime?—Yes, but not judicially.

15469. You would not relieve him of that work?—No.

15470. (Mr. Meyer). With regard to the control by the Government of India over the provincial Government, do you desire that purely in the interests of uniformity as between one province and another?—No. I do not attach importance to that.

15471. Do you think those provinces are quite separate entities, or do you see, as was suggested by the last witness, that there is some common national Indian feeling amongst them?—I think it is coming to that.

15472. Do you think the provincial boundaries rather artificial?—They are.

15473. From that point of view, might not the control of a central Government be necessary?—But even in the case of a Governor and an Executive Council, the control of the central Government would not be entirely taken away.

15474. Do you consider that the control of the central Government is essential in any case for India?—Yes.

15475. And there is a certain amount of control exercised by the Secretary of State over the Government of India?—Yes.

15476. Just as the Government of India has control over the Local Government, should the Secretary of State control the Government of India?—Yes.

15477. You say that you wish to relieve the Collector of magisterial case work, and that you also wish to relieve him of the District Board work in some cases? Would he not then sink into a mere Collector of revenue?—No, he would have the power of supervision, because if there is no Commissioner he would possess those functions.

15478. But will he not be taken further away from the people if he stands outside and supervises the District Board, than if he was intimately concerned in dealing with projects relating to roads and sanitation and other matters?—But he would be bound to tour in the district, and he would carefully watch all the proceedings just the same as is done by the Commissioners now.

15479. In that case it would not be just as easy to let him preside over the District Board?—It is not easy to find an unpaid non-official gentleman to do the work of Chairman, but if the judicial power is taken away from the Collector perhaps people will venture to be more independent. As it is, I think the members of the District Boards are much less independent than they should be.

15480. Do you seriously tell us that the members of District Boards are afraid of being brought to book by the Collector?—No, but there is a feeling that they are not independent.

15481. And you think that that feeling will not exist if the Collector ceases to be District Magistrate, and that he might then safely be Chairman of the District Board?—He has so much work to do that any such relation of that kind would be desirable.

15482. Is your municipality a large one?—It is a fairly large one, with a population of 45,000.

15483. Most of the matters as to which you have to go to Government by legislation are composed of by the Commissioner, such as with regard to your budget and so on?—Yes. We very rarely have to go to the Local Government.
15484. Might such powers of control as are still required very well be exercised by the Collector?—Yes.

15485. You referred to the section of the Local Government Act under which the District Magistrate or the Divisional Commissioner can suspend an order of the local authority. Is that section much applied in practice?—No, it is not at present; there is hardly any necessity for it, because the District Magistrate is the Chairman.

15486. But the section also applies to municipalities. Is it in practice applied to municipalities?—Very seldom: there is a difference in the wording. In the case of municipalities the District Magistrate can only suspend the operation of any order of the municipality if there is a chance of any riot or breach of the peace, and the word "serious" does not appear in the local Self-Government Act.

15487. You have referred to powers which might be given to the village headman in Bengal, following the system in Madras, but is there not a material difference between a Madras village and a Bengal village: in Madras there is a real village community which has always existed, but in Bengal you have no real village community?—It has practically ceased to exist, but we want to revive it.

15488. Is it safe to predicate from what has been done in Madras that it may be done equally well with regard to the chankidari unions in Bengal?—I have not much experience with regard to the working of the unions.

15489. You spoke of the panchayats being under the control of the police, but is it not the fact that largely the Bengal Government remodelled that system of things and have endeavoured to make it independent?—Yes, they have just recently commenced to do that.

15490. Have you had any opportunity of watching the working of that system?—No.

15491. (Chairman.) Would you remove the right of the Government to interfere in any way with municipal budgets?—Yes, I want to restrict his power of interference.

15492. The last witness said that he would give him power to interfere as to major heads of the budget, but not with the details. Would you prefer the suggestion which you make, or would you accept the limited power of interference which the last witness suggested?—I stick to what I said.

15493. (Chairman.) Where do you live?—In Cuttack. I am a pleader and a merchant and landed proprietor.

15494. You have been Chairman of the Local Board and also of the District Board, and also a member of the Legislative Council of Bengal?—Yes.

An Act of delegation on the principle of Act V. of 1868, somewhat modified, is necessary in the case of Orissa. The jurisdiction of the High Court should not be interfered with.

15495. Would you like to see Commissioners in Bengal vested with powers similar to those of the Commissioner in Sind?—Yes, that is my opinion, from my experience with regard to Orissa; I cannot speak as to other parts, because my experience has been confined to Orissa.

15496. Do you know whether there are, or are not, a number of sales in connection with the land revenue?—Yes, there is a large number in Orissa. Sometimes in the Cuttack district alone, the cases in which the people have failed to pay on the sunset day are as many as 150.

15497. In connection with these sales, is the mode of collection of the revenue unduly harsh?—Some of these estates do not really pay the person with whom the settlement has been made, and, as a matter of fact, there are some estates which are always being sold; somebody buys an estate, and he very soon afterwards finds out that it does not pay: so he lets it go to auction again, and the result is that there are some estates which no one will buy.

15498. That, I suppose, is one of the difficulties of the permanent settlement?—We have a temporary settlement in Orissa. The reason is that the last settlement was made in rather an unsatisfactory manner.

15499. Then is it more due to accident than anything else?—I do not think it is due to accident; I think it is due to a wrong principle in the selection of officers for the settlement.

15500. Is there anything inherently bad in the laws or rules?—Yes. Under Regulation 7 of 1822 settlement was to be supervised and conducted by the Collector and Commissioner who would understand all about the district and about the revenue, but, instead of that, the last settlement was conducted, as the present revision is being conducted, by men who are not actually responsible for the actual administration of the place; they are people who are sent from the Government Act under which the District Magistrate has the power to make an appointment and punishment of their subordinates.
other places to make the settlement; they go out and do the work and the Collector and Commissioner are not consulted at all.

15501. Would you like to see the settlement of a district conducted by a special Settlement Officer, but by the Commissioner or Collector?—It might be conducted by a Settlement Officer, but he should be subordinate to the Commissioner and Collector.

15502. Are Settlement Officers independent now?—Yes, they are; they are directly under the Government, and the Land Records Department is a Secretariat of the Government.

15503. You say that the powers of the Collectors are not properly exercised? In what particular direction?—For instance, the Collector has several departments under him (about 20), and each department is entrusted to one of his Deputy Collectors. These departments in the majority of cases are really administered by the Deputy in charge, but whenever there is any complaint or an appeal from an order passed by the Deputy Collector to the Collector, instead of himself, the Collector generally sends for a note from the man who made the mistake or error, and the head clerk brings the record and places it before him. That is really not exercising the power of a Collector, because it is the head clerk who has made the mistake, or who did the wrong thing, and he is allowed to deal with the papers.

15504. Do you mean that the Collector should do that work himself and not by a Deputy?—Yes; the Collector does not see complaints and other things himself. In the case of a petition being sent in, a note is made in English; that note goes to the Collector, and he passes an order without ever seeing the people.

15505. How long ought a Collector to remain in his district?—I do not think there ought to be any limit of time, unless his removal be necessary on the ground that he is not doing his duty.

15506. It has been suggested by other witnesses that a Collector should be kept at least three years in a district, would you think that term too short?—Less than three years, I suppose, would not enable him to know a district, and would not give him an opportunity of doing his duty.

15507. Do you think a man ought to be removed from a district at the end of five years' service?—Not if he were doing his work well.

15508. Might further powers reasonably be given to municipalities?—There are certain minor municipalities in sub-divisions where larger powers, altogether independent of supervision, might not be desirable, but in the towns, of course, municipalities can be run on self-governing lines.

15509. Ought the District Boards to have larger powers?—Yes, perhaps. District Boards should have larger powers. When I was Vice-Chairman of a District Board the Chairman delegated all his powers to me, and never attended a meeting until he was ordered to explain why he did not, so that I think the powers might be delegated by the Chairman. The Collector might retain his power of supervision.

15510. Might larger powers be given to village communities in matters connected with criminal or civil jurisdiction?—For some time there have been orders that no case where the value of the property does not exceed one rupee should be actually enquired into or sent up. Now there is an order that thefts below the sum of five rupees should not be taken cognizance of, so that there are now little things which can be disposed of by the village people very well; for instance, it might not be desirable to punish an offender really according to the criminal law, and offences might perhaps be checked more effectively if dealt with out of Court. There are many little cases of theft, especially of the part of criminal law, and of offences might perhaps be checked more effectively if dealt with out of Court. There are many little cases of theft, especially of children, which are made too much of, and small criminal powers might be entrusted to the village communities.

15511. (Mr. Dutt.) In Orissa some of the estates are permanently settled, and I understand they are undergoing a sort of revisional settlement just now?—Yes.

15512. Was the last settlement made ten years ago?—Yes.

15513. Are the mistakes made at the last settlement to some extent being rectified now?—No, not at all; no doubt that is the object, but it is not being done. I say it is not being done because it is not being done legally. The other day there was a judicial pronouncement that the whole proceedings were illegal, and on examination the Settlement Officer had to admit that they had not followed the law.

15514. With regard to the suggestion that the District Board should have a non-official Chairman, while official interference should be withdrawn, do you not think that the District Officer ought to have some means of checking their proceedings?—Certainly.

15515. Not necessarily by interfering, but that there should be some power of control and supervision?—Certainly; and not only that, but if the District Boards do not exercise their powers properly, they should pay forfeit.

15516. Then you think that Collectors should have power under the law to make them do their duty?—Yes.

15517. Are you in favour of Advisory and Administrative Councils in every district?—I would advise an Advisory Council.

15518. Do you mean that a number of leading men should be made members of the Council, and that the Collector should take their advice on all important questions?—Yes, and not only take their advice in that way, but that he should take their written opinions.

15519. Suppose the Collector differed from them, would you give him power to act on his own responsibility?—Certainly I would give the Collector power to act on his own responsibility, but I would also give the Advisory Council, supposing two-thirds of them differed from the Collector, power to forward their opinions to Government.

15520. Would you recommend an Advisory Council for the Commissioner on the same principle?—Yes.

15521. Generally you do recommend that the powers now exercised by the Lieutenant-Governor should devolve on the Commissioner of Orissa?—Not all the powers, but some of the powers—where the exercise of powers by the Lieutenant-Governor actually does injury to Orissa is on account of the seeking for uniformity with other divisions of Bengal, without taking into consideration the peculiar features of Orissa. Generally, circumstances are different in Orissa, and consequently it is necessary that there should be a man on the spot to decide what Acts of Bengal should be extended to Orissa, and the power of extending or withdrawing such Acts ought to be vested in the Commissioner of Orissa.

15522. Should the application of any new Act to Orissa be considered by the Commissioner only and not with the Lieutenant-Governor?—Quite so.

15523. With regard to granting powers to village communities to deal with petty criminal and civil cases, are the present village communities in Orissa only the chakudari unions constituted for the purpose of the chakudari tax?—Yes, but there are still in Orissa villages with what I may call communal life, out of which could be developed a panchayat system, and by panchayat I do not mean one person who is called a panchayat, but I mean what the word literally means—five people forming a body with certain powers.

15524. Would you like the panchayats to be formed on a better basis and composed of better men, and that enlarged powers should then be granted to them?—Yes.

15525. In that way could they do a great deal of useful work which would be appreciated by the people?—Yes.

15526. (Mr. Frederic Lely.) Does Orissa differ from Bengal in language and customs?—Yes.

15527. Is it a popular place to live in—do Englishmen like to live there?—Many retired Englishmen have stayed there, and it is considered a healthy part of Orissa, and consequently it is necessary that there should be a man on the spot to decide what Acts of Bengal should be extended to Orissa, and the power of extending or withdrawing such Acts ought to be vested in the Commissioner of Orissa.

15528. With regard to granting powers to village communities to deal with petty criminal and civil cases, are the present village communities in Orissa only the chakudari unions constituted for the purpose of the chakudari tax?—Yes, but there are still in Orissa villages with what I may call communal life, out of which could be developed a panchayat system, and by panchayat I do not mean one person who is called a panchayat, but I mean what the word literally means—five people forming a body with certain powers.

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15530. In that way could they do a great deal of useful work which would be appreciated by the people?—Yes.

15531. (Mr. Frederic Lely.) Does Orissa differ from Bengal in language and customs?—Yes.
15529. Has it also happened that officers who have bad all their training in Bengal, say for 10 or 12 years, have been transferred to Orissa?-Yes, very often.

15530. In that case those officers could scarcely have much influence in the country?—They have no influence, and what is worse, they have no insight into the peculiar conditions of life there.

15531. That is to say, Orissa in all respects is a totally different province from Bengal?—In many respects it is totally different, and special administrative provisions should be enforced.

15532. Does the work in Orissa require altogether a different training from the work in Bengal?—Yes, it does.

15533. Is the land system in Orissa different?—Yes, and the law of inheritance is different; we live under the Mitakshara law and Bengal is under the Dugdabhaga law.

15534. On the whole, would you say that Orissa owing to its connection with Bengal, has been forced more and more into a foreign groove?—Yes. For instance, in the Legislative Council we are coupled under the Mitakshara law and are only represented by one man, and that sort in Orissa?—If you mean the representative principle in the Legislative Council there has only twice been a native of Orissa on the Council, and that, I would say, is a pity.

15535. Would you also suggest any change in area so as to make a homogeneous territory?—Yes, I would suggest that the Urtiya-speaking tract should be under Orissa, and in the present administrative adjustment the Urtiya-speaking population is distributed amongst three Local Governments, which is very inconvenient from a business point of view.

15536. Do you think that a Commissioner endowed with powers such as those of the Commissioner of Sind would be sufficient to meet the case?—Yes.

15537. You would not advocate the Constitution of a Chief Commissionership, on terms totally independent of Bengal?—I would advocate a Chief Commissionership, if it would not interfere with the jurisdiction of the High Court.

15538. Otherwise would you wish for a Chief Commissionership? The area would be scarcely big enough for a Chief Commissionership, would it?—I have no idea what the requisite area is for a Chief Commissionership.

15539. Is your village existence rather different from that in Bengal?—Yes.

15540. Is the village system more established in your case?—Yes, there is still a headman of the village who is recognised.

15541. And the village constitution exists to a certain extent?—Yes, for purposes of private life.

15542. (Sir Stephen Edgerton.) If you had a Commissionership with the status you suggestion in Orissa, you would, I assume, ousted the jurisdiction of the Board of Revenue?—Yes.

15543. Would you suggest that the Act of 1868 should be somewhat modified?—Yes, with regard to powers that ought to be delegated.

15544. Do you mean that it should be confined to a certain sphere of delegation?—A certain sphere of delegation may be necessary to be taken into consideration.

15545. Would there be likely to be any complaints about part of the whole?—If were exactly on the lines of general delegation without specification, there might be some objection. But as regards a Chief Commissionership, though there was a difference of opinion, the majority were in favour of it when it was discussed.

15546. Would the majority acquiesce in such an Act?—Yes.

15547. Supposing the Act contained the safeguard that, before the provisions were exercised, a provisional notification should be issued inviting objection, would that be an efficient safeguard?—That would be an efficient safeguard.

15548. If you have a Commissionership of that sort, all such questions as the Board of Revenue interfering with Court of Wards' estates, and so on, would vanish?—Quite so.

15549. From your experience as Vice-Chairman of the District Board, do you think that if the collector were to have a vice-chairman as an absolutely free hand, keeping the ultimate control in his own hands, but simply watching what his vice-chairman is doing, that is a bad system for the purposes of political education?—I think that would not be at all a bad system.

15550. And under your existing Act it is possible for any Collector to do that?—Yes.

15551. (Mr. Meyer.) Are Chairmen of Local Boards usually elected in Bengal?—Yes.

15552. And the Vice-Chairman of the Board too?—He is also elected.

15553. Your Local Board has very small powers?—It has no powers, or very little, and that is why they do no work, or are never considered as doing any work; but the truth is that they are given no opportunity to do it.

15554. In Madras the Sub-Divisional Boards have a considerable amount of work in connection with roads, vaccination, and so forth;—would it be a good thing to devolve like powers on your Boards in Bengal?—It would be a very good thing if the District Board were more of a supervising body.

15555. Did the Collector who left you a free hand as Vice-Chairman of the Board and who never attended a meeting for two years, take an interest in the matters dealt with?—Very great.

15556. That is to say, although he did not attend meetings in person, he was there in spirit, as it were?—Yes.

15557. Would a Collector usually take as much interest in such matters if he merely came in from outside as a checking officer, as if he presided over the meetings and attended the discussions of the Board?—Yes, he is likely to know more, but there are very often a number of people who are quasi-officially connected with him who give their opinions whichever way they imagine will please the Magistrate.

15558. Is not the Collector likely to get to know more of the actual needs of a district in respect to education, sanitation, and roads, if he attended the meetings of the District Board as Chairman than if, as in the way you propose, he sits outside and only intervenes when he thinks the Board is going wrong?—Yes, he is likely to know more, but there are very often a number of people who are quasi-officially connected with him who give their opinions whichever way they imagine will please the Magistrate.

15559. Is not that tendency disappearing?—It is not the case now that gentlemen like yourself speak their minds freely?—It is disappearing, no doubt.

15560. I suppose you have heard something as to the proposals to have District Boards elected by classes of persons?—Yes.

15561. Do you think that is a good idea?—Yes, it would be better than the present arrangement.

15562. In the villages in Orissa is the chaukidari panchayat union necessary? If you have a natural village do you want an artificial grouping of villages into a chaukidari panchayat?—A grouping of villages into a chaukidari panchayat is necessary for the chaukidari management.

15563. Are your villages grouped together for chaukidari purposes?—Yes. Several distinct villages are so grouped.

15564. Would you prefer the Madras system by which each village maintains its own watchman?—Yes, I would wish for a village headman in Orissa?—We have a village headman, but there are some villages where high class men live, and consequently you could not have a chaukidari out of that village.

15566. You might have a low class headman?—Of course if the village were left to itself and left to
Mr. H. B. Irwin was called and examined.

15569. (Chairman.) You represent the Darjeeling Paurasut. Administrative officers, that country and certainly not sufficient opportunities for personal contact with the people. The obstacle is that their time in any one appointment is too limited to admits of their becoming acquainted with the residents of the districts. In this district (Darjeeling), the full period for which a Deputy Commissioner is appointed is now only two years (it used to be five), and many do not remain the full period. Two years is too short a time in which to become acquainted with the residents and wants of a district like this. It is of the greatest importance that officials, in outlying semi-barbarous districts such as this, should have, as far as possible, an accurate knowledge of the vernacular, but, except in very rare instances, such is not the case, and the want of it is a great impediment to the effective administration of the same. It is no fault of the officers concerned, as the language cannot be acquired in a short time at their command, in addition to their other duties. The only remedy that suggests itself to me is, that provinces should be split up into sub-divisions, and that the junior officials, should as far as possible, be confined to their own particular sub-divisions. Either the areas of districts were diminished, or the period for which an official is appointed should be extended, either of which will enable him to get more into touch with the residents and wants of the district he controls.

Transfers of officers are unnecessarily frequent and so as to prevent them from acquiring a knowledge of the wants of the district. The Local Boards are left at the mercy of the District Board in these matters. The same policy serves on both Boards; consequently the Local Boards do not get what they can get. We have to take what we can get. We looked after the villages and a little after the education. The Local Boards are left at the mercy of the District Board in these matters. The same policy serves on both Boards; consequently the Local Boards do not get what they can get. We have to take what we can get.
such pressure for party purposes might be effectual, and it is a disgrace that the pressing needs of a great country should be subject to it. This is no doubt that debt lies at the root of quite half the crime and distress which exist throughout India, and this is very largely due to the facilities with which the Indian is accustomed of borrowing money and the exorbitant rates of interest charged upon loans. This is intensified amongst the semi-barbarous, ignorant inhabitants of a district like Darjeeling. They willingly pledge themselves to pay any exorbitant rate of interest demanded of them by money-lenders, and when eventually, bled to the last, they possess, they are sued in court for the amount, they have not the means to employ pleaders to defend their causes, and being absolutely ignorant themselves how to proceed, they do not appear and the suit is decreed against them, and they become virtually enslaved to their creditors for the rest of their existence. This constitutes a very grave evil and has been brought to the notice of Government by the Association which I represent, on several occasions, but no solution of the difficulty has yet been attempted. The remedy seems to lie in some rough and ready system, by which a pauper can obtain justice, instead of the present slow and expensive method, which virtually debar a man from defending a suit brought against him and places him at the mercy of his wealthy creditors. I believe a law exists in parts of India, which forbids the intervention of pleaders in certain cases, and if this could be extended so that paupers might have some chance of obtaining justice in the Law Courts, it would be an untold boon to thousands.

15590. Have you been some time in the country?—I have been over 30 years in the country. I live in the Darjeeling district.

15591. What is the size of that district?—Roughly speaking, I should think it is 400 square miles.

15592. The Deputy Commissioner has been removed, you say, no less than five times during the last 21 months?—Yes, that is to say that other officers have acted for him—I do not mean to say that a new Deputy Commissioner has been appointed five times.

15593. Do you say that in the Darjeeling district the District Officer as a rule is unacquainted with the vernacular?—Yes, I think so, certainly.

15594. Very much less so than many other Europeans in the district are?—Very much less so than the planters, because our work is entirely connected with the natives, and we know a good deal more than the man coming for two years, who naturally cannot pick up the language in the same way as a man who resides amongst the people and whose work is with them.

15595. Is there more than one vernacular spoken in your district?—It is principally one vernacular.

15596. You wish to draw attention to the case of the Sara railway bridge, and you represent that the non-erection of the bridge, which is of importance to your locality, is due to the undue centralization of power in the Secretary of State?—It is.

15597. Are you aware that the real difficulties in the case are not due to centralization, but to the quarrels of the Railway Companies as to the exact location of the bridge?—No, I understood that it was recommended both by the Viceroy and the Government of Bengal, but that it was barred by the Secretary of State.

15598. Will you take it from me that it is entirely due to the disputes of the Railway Companies as to the exact location of the bridge?—Certainly I will, if you tell me so.

15599. And that it depends entirely upon which is to capture the traffic?—But why should the two railways have that right?

15600. With regard to appeals, do you suggest that there are too many appeals?—The inhabitants are so absolutely ignorant of the procedure of the Law Court, that they have not the means to employ pleaders and lawyers to argue for them, that the consequence is that when they get into debt to a money lender he can collect it without doing anything; they are afraid to go into Court, and so they go to the wall.

15601. Would the remedy for that be the establishment of some judicial authority in the villages?—I do not think it could be established in the villages; practically the villages are the tea plantations; there are no villages besides.

15602. What is your suggestion for the remedy of this particular evil?—I believe in certain parts of India there is a law by which the intervention of pleaders is forbidden in these cases, so that a man might have some chance of arguing his case in Court before the Magistrate without having a lot of legal talent arrayed against him.

15603. Does a Magistrate always hear a case in the village in which the suitors reside?—No, never.

15604. Is it possible to institute a judicial Court which could hear a suit on the spot?—It would certainly be difficult, but it would be a great advantage if it were possible, and a Magistrate would certainly learn much more if he tried a case on the spot.

15605. Do you know whether the defendants and plaintiffs in these petty cases have often to travel with their witnesses long distances in order to get their cases tried?—Yes.

15606. (Sir Frederic Lely.) With reference to the Sara railway bridge, is your contention that the people could have been saved taking these long journeys to get their civil or criminal cases heard or any legal organization which would deal out justice to them in small matters?—If it was possible—whether it is or not I cannot say—for a Magistrate to hear cases when touring through the district on the spot, I think it certainly would be a great advantage.

15612. (Mr. Hichens.) How long does it take a young officer to learn the language of a district—two years?—Yes, a man can learn it quite well in two years provided he is forced to.

15613. When officers are posted to the Darjeeling district have they every opportunity of acquiring the language?—Yes, except, of course, that there is a very great deal of work to do, and they have very little leisure in consequence.

15614. You doubtless know a good many young officers who have been out about two years. Do they acquire a fair knowledge of the language after that time?—Very few of them stay two years in a district, I think.

15615. It has been represented to the Commission that a Collector should remain from three to five years in a district, but not longer on the ground that he might get into bad ways, or get lazy; would you endorse that opinion?—I think two years is too short a time; in the Darjeeling district it used to be five years, but for some time now it has been reduced to two. Of course Darjeeling being a Hill station it is a natural sanatorium, and men are sent there very often for the benefit of their health. I think the longer a Collector is in a district, the better, generally speaking.

15616. Would you say that what is of essential importance is that a man of the rank of Collector should be well known and trusted and respected in a district?—Yes, certainly.

15617. Would you say that the question of transfers to which you allude is one of the most important of all?—Yes.

15618. And that possibly considerable sacrifices, even in efficiency, ought to be made in order to secure that a man remained a long time in his district?—Yes.

15619. (Mr. Meyer.) Is not the rule with regard to limiting the tenure of office of a Deputy Commissioner upon decentralization?
at Darjeeling intended to prevent an officer staying too long in what is considered the most pleasant district in the province. As far as I can say, the answer is no. I think it would be beyond our jurisdiction.

15630. Might it not be of advantage to a man after he has been in a certain district for a time to be sent to another district in order to see if things are done in a similar way or in a different way?—Yes, I don't say it would be long enough to learn the language and to know the inhabitants of that district, and five years would be sufficient for that.

15631. If he stays too long he might get into a groove?—Yes.

15632. And if he is sent to another kind of post, would he not be hampered by the fact that he had only been before at one place?—Yes, that is so.

15633. With regard to petty cases, as to which you would like to have some rough and ready method of justice, are not you planters sometimes Honorary Magistrates?—Yes.

15634. Could you not settle those cases?—No, I think that would be beyond our jurisdiction; cases of heavy debt never come before us.

15635. Of course it would be understood that these powers would not apply to cases in which you yourself were interested, but as between one coolie and another, might it not be a way of out of the difficulty if the planters, as Honorary Magistrates, were given some higher powers than they have now?—Yes, I think it would be a good way out of the difficulty.

15636. (Sir Stephen Edgar.) Have you on your estates two or three thoroughly trustworthy nates?—Yes.

15637. And the planter himself is very well acquainted with the ins and outs of family life of the coolies and natives he employs?—Yes, I think most planters know their nates thoroughly.

15638. Would it be possible in cases of dispute, to have a small arbitration committee, each disputant nominating one, and one of your experienced nates sitting as head of such a small arbitration committee?—I am afraid that would not work.

15639. Would you rather that matters were dealt with through the planters themselves?—Yes. I have been instructed to ask that a permanent representative of the tea industry should be appointed on the Viceroy's Council. For some years the industry was represented on the Council, and we consider that we should have some representation there.

(The wits treated.)

NAWAH A. F. M. ABDUR RAHMAN was called and examined.

Mr. H. R. Freew. 28 Dec., 1907.

15630. (Chairman.) You are a Barrister-at-Law and Judge of the Family Court of Small Causes?—Yes, I am, since the last 12 years, and before that I was at the Bar for 15 years. My family originally came from Eastern Bengal, but it has been in Calcutta for the last two generations.

I am opposed to Administrative Councils, but I am in favour of placing of the present Advisory Councils to assist Divisional or District Officers. For some time past a measure of the kind contemplated by the establishment of Advisory Councils has been considered as a growing want in India. In the interests of the Muhammadan community of these Provinces, I would approve the scheme of the Government of India for the establishment and recognition of a determinate body of advisers to be called the Imperial and Provincial Advisory Councils. At the same time I would continue the policy of the Government in electing the opinions of Indian gentlemen in all ranks of society or various administrative measures, and Indian gentlemen who have had the privilege of advising Divisional or District Officers, Lieutenant-Governors, Governors or Viceroy's, should be encouraged to do so by continued confidence shown to them.

It is well known that the Muhammadan community had not hitherto received an adequate representation commensurate with their numerical, political and historical importance in Bengal; they, therefore, welcome with feelings of gratitude the concession which Government are about to make in recognising the principle of class representation and the special interests of the Muhammadan minority. The grievance of the Muhammadans of these provinces is, that notwithstanding their advance in education, their intelligence and administrative capacity, their number in the Provincial Civil Service, both in the Judicial and Executive branches, as also in the Education, Police, Registration, and other Departments of the Public Service, is exceedingly inadequate. They, therefore, anxiously hope that the Government will be pleased to extend the principle of class representation to the various departments of the Public Service, and thus safeguard the interest of Muhammadans and ensure their better and increased employment.

It would constitute local Advisory Councils to assist Divisional or District Officers on similar lines as the Provincial Advisory Councils. In each division and district Muhammadan gentlemen of proved loyalty, good birth, education and influence should be nominated as members. Questions of legislation would involve free, primary, or secondary education; introduction of new measures, such as plague rules, vaccination or inoculation; improved methods of agriculture; questions regarding distress or famine; sanitation and drainage or, in other words, all important matters affecting the well-being of the various classes inhabiting the districts, may be placed before them for opinion and advice.

In the event of the Government reserving a certain number of appointments in the Public Service for the benefit of qualified Muhammadans, the local Advisory Councils would be of great assistance in selecting young Muhammadans of good birth and education who would command the respect of the community. It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts. The smaller municipalities should be encouraged to develop themselves independently.

From my experience of village communities in Bengal and Eastern Bengal, I am of opinion that it is not desirable, even if it may be possible in some places, to give the village communities greater powers in the disposal of matters relating to revenue, police, sanitary, educational and other matters, such as the disposal of petty criminal and civil cases. Any such powers given to them are likely to be seriously abused.

15631. Would it be easy to get persons to serve upon divisional and district Advisory Councils?—I should think so. There might be places where there might be difficulty, but there are other places where there would be none.

15632. Is it advisable to give Division Boards or the smaller municipalities any greater powers than they at present possess?—I would make the smallest municipalities independent of the District Boards and enable them to develop themselves, but I would not extend their powers.

15633. With regard to village communities, are they capable of receiving some larger grant of power?—In my opinion they are not.

15634. Is that because the community, as a community, is non-existent, or because the principal people in the village communities are not fit to be trusted with greater powers?—In some places the community is non-existent; in other places where they are in existence, they are not what they used to be at one time. In each village there is a faction, and I know from my experience in Bengal and Eastern Bengal, that the position of Muhammadans and Hindus; these people are mostly under the influence of the zamindar, and the result is that they are always fighting over something or other. That being so, it would be highly injudicious to entrust them with any powers of the character proposed.
Would that apply even for the purpose of settling some small money dispute between two villagers who have that power now, and that is done. The only thing that could be done in addition is that the local officers might encourage them to settle such disputes.

Is there any legal power to settle such a dispute, or is it done by agreement?—It is done by agreement. When such matters are referred to arbitration, or the disputes are so settled, they are taken on to the nearest Court, and the settlement is given legal effect to.

Under the present system do disputants and witnesses often have to go long distances in order to settle a matter or is it done by agreement?—It is done by agreement.

Would you say that some trivial legal point might be settled?—There is room for improvement in them.

A man in a village who has made a little money sends his children for education to the nearest town, where they get instruction and naturally do not like to take to village life again. Therefore, slowly and gradually the villages are losing their best men, and the remaining people are reduced to a somewhat lower class.

Speaking generally, are village communities decaying?—I do not say that, but they are certainly not getting better.

By whom?—By the Collector of the district.

Which would you say is a better class of men?—That is necessary?—Certainly.

Supposing the Collector differed from the Council, would he act on his own responsibility?—Absolutely. What I suggest is that the Collector should be the one to whom all the advice can be submitted and getting them to take a greater interest in it.

Do you advocate that there should be two Advisory Councils in one district?—I did not mean that; what I meant was that in some districts an Advisory Council might be necessary, or that in some districts an Advisory Council might be of no use.

Would that be as good as his taking a part in the discussions of the Board?—It might be.

Would it be a good thing to have the Collector dissociated from the control of roads and so on?—Certainly not.

Would you have him exercising control from outside?—Yes, where necessary.

Would that be as good as his taking a part in the discussions of the Board?—It might be.

Say that the small municipalities should not be under the control of District Boards, but should be independent?—In Bengal, or the few districts in which that is done, are there not a number of municipalities which are not townships, but are only a collection of villages?—There is room in this.

Might they not come under the District Board control?—I think not.

BRITISH OFFICE.

ROYAL COMMISSION UPON DECENTRALIZATION.

15635. That the local officers might encourage them to settle such disputes is in that sense, is not in existence either in Eastern Bengal or Bengal.

15634. And the only substitute is this artificial form called a charkhidari union?—Quite so.

Do you want an Advisory Council both for the Collector and the Commissioner?—I would have that absolutely to the discretion of the Local Government.

There are places where one local Advisory Council in a division would be ample, but there might be other places where there are sufficient prominent and educated men, and where local officers might require their aid and help. What is wanted is that Commissioners and Collectors should invariably consult all the leading men on matters of importance.

Is that all you want?—Yes, that is all I want, but having regard to the aspirations of the people and the feeling that they should have a better voice and more privilege in advising Government or taking part in local matters, I do not think there is any harm if local Advisory Councils are constituted in a cautious manner.

In practice does the good Collector to-day get all the advice and do the consulting that is necessary?—Certainly.

Would the formal appointment of Councils be merely sentiment?—Not exactly. I think it might indicate the people in some places, and it would be useful in the way of inducing them to take more interest in public matters.

Then might you have a charkhidari union, a Local Board, a District Board, and in addition an Advisory Council all in one district, and that on the top of that you would have an Advisory Council for a province, and an Advisory Council for the Government of India?—Yes.

Would that not be rather a plethora of Advisory Councils?—As it is, in my opinion, there are too many such things already, but when you have too many, there is no harm in having more, and there may be places where there is no harm in trying the experiment, which might perhaps result in good.

Would the formal appointment of Councils be merely sentiment?—Not exactly. I think it might indicate the people in some places, and it would be useful in the way of inducing them to take more interest in public matters.

Do you want to make the District Board an Advisory Council, would you?—No, because there are men on the District Boards or on municipalities who are a different class of men from those to whom I, for one, or the Collector of the district, would look for advice.

Has it been represented that if a Collector had an Advisory Council, and consulted that Council, he would feel less free in his report that his Advisory Council entertained a different view from his?—Quite so.

It has been suggested that the Collector should be relieved of the post of Chairman of the District Board, and that some different official should hold it; would you approve of that?—No. In some places it might be advisable and in others not.

So as to bring him in direct communication with the needs of the district in regard to roads, communications, and so forth?—Yes, but in places where there are non-official Chairmen available I would certainly have them if you can get good men.

Would it be a good thing to have the Collector dissociated from the control of roads and so on?—Certainly not.

Would you have him exercising control from outside?—Yes, where necessary.

Would that be as good as his taking a part in the discussions of the Board?—It might be.

Say that the small municipalities should not be under the control of District Boards, but should be independent?—In Bengal, or the few districts in which that is done, are there not a number of municipalities which are not townships, but are only a collection of villages?—There is room in this.

Might they not come under the District Board control?—I think not.

15652. Have you any real village community in Bengal? I use the expression "village community" from my experience in the distric...
and sent to the Collector for his opinion, he should take the opinion of members of his Advisory Council before submitting his own views?—Not exactly.

The Imperial Government will be consulted on such matters as a Bill for the drainage of the town, or on matters that may affect a particular village, or a particular place in a district. The idea is that it will help the Collector, to call in these local gentlemen and tell them what the view of the Government is, and consult them. Of course, I do not mean with regard to all the Bills to be placed before the Legislature.

15667. Do you recommend the principle of class representation in appointing officers to the Provincial Service?—Yes.

15668. Do you desire that the number of Muhammadans and Hindus in the Provincial Service should be proportionate to the Hindu and the Muhammadan population in a province or district?—No, I do not mean that; I would leave that matter absolutely in the hands of the Government.

15669. Would you recommend that the same principle should be applied to the different castes of the same community, and that the different castes should be considered in filling up the Provincial Service?—I deal with the matter purely from a Muhammadan point of view, and point out that there are 418 Deputy Magistrates in Bengal and only 59 of them are practically Muhammadans. I would have a fair representation of the Muhammadan community in the Service, having regard to the importance of that community, but I would leave the number to the Government.

15670. Would you include sanitation, drainage, and other important matters affecting the well-being of various classes, as subjects to be placed before Advisory Boards for their opinion?—Yes.

15671. Do you recommend the principle of class coalesce?—In my opinion they will not do so for many years yet.

15672. Would you trust the villagers to look after their whole wants to regard to matters of sanitation?

Khan Bahadur Serajul Islam was called and examined.

15675. (Sir Frederic Lely.) Do you say it is not desirable, even if it is possible, to give village communities greater powers in regard to the disposal of local affairs?—I would not give the village communities any more power than they have now.

15676. It has been said many times that village communities do not exist in Bengal, but is that not rather too absolute a statement? surely a number of people living together side by side must act collectively sometimes in the common interest?—But they do not, unfortunately.

15677. Supposing a local sindoor was intolerably oppressive, do you mean to say that the people would not unite and take some action in the matter?—No. There is some cohesion, but it is hardly worthy the name. What happens is that in each village there are Muhammadans on the one hand and Hindus on the other, and I would suggest the people are also divided among themselves and Hindus among themselves. When some question of general interest, such as education, arises there is a little cohesion, but you practically cannot unite them.

15678. As a matter of fact, then, they never coalesce? —In my opinion they will not do so for many years yet.

(The witness withdraws.)
of the Local Government: the Municipality ought to have larger power in this respect. (d) In small matters of public convenience the Corporation might be a dead letter without reference to Government, e.g.—(i) the closure of burial grounds; (ii) bye-laws relating to water-supply, sanitary, drainage, cattle, etc.

I do not feel quite certain as to the usefulness of the proposed Advisory Councils, as Commissioners and Magistrates are already provided with means of consulting the leading men of their respective divisions and districts on any matter requiring their advice. But still I am in favour of the creation of such a body by the Commissioner, or political grounds. The creation of such Councils will have the effect of satisfying the aspiration of the people to a certain extent, and make the members share the responsibilities in certain matters affecting the welfare of the people. I would constitute such Councils to assist the Divisional Officers in the following manner:—The Council might consist of six members, two to be elected by the municipalities and two by the District, one to be appointed by the Commissioner in consultation with the District Magistrates under him. The last two members are to be selected from the higher classes, taking care that the old landholders of the division are fully and effectively represented. The subjects in respect of which responsibilities could be given are education, sanitation, epidemic diseases, religious disputes, and other matters requiring the intervention of the Magistrates in which the susceptibilities of the Indians are specially concerned.

So far as I am aware, village communities never existed in Bengal, and it would be difficult to create them now. It is not desirable to give the village communities, if any, greater powers in affairs relating to matters which the people have some sort of public opinion, but there is nothing like a village community.

15680. As regards District Officers, you are of opinion that the villagers are rather afraid of approaching them. What is the reason of that?—Because Europeans, especially a gentleman in power like a District Magistrate, inspire in the minds of the villagers a sort of fear. Villagers seldom ever see a European and, therefore, they are afraid of them, or any person to which they are referred. Besides, the name of a District Magistrate inspires a sort of fear in them. Village people when they see a European passing are generally afraid of approaching them.

15681. Are they afraid of an Indian (whether a Muhammadan or Hindoo) Magistrate in the same way?—Yes; but there is nothing like a village community.

15682. What is the reason; do you think it is that Englishmen have an appearance of sternness?—If a village knows that a person is a Magistrate, the very name of Magistrate frightens him.

15683. Do District Officers go about sufficiently amongst the people?—I do not think they do. During their tours they do; but I do not think they go to all the places to which they are generally got their audiences; they generally go to such places as are easily accessible, and to places where there are dali bungalows, but they do not stay long.

15684. How long ought an Officer to remain in a district?—I think five years should be the minimum. It might, perhaps, be a little longer, but at any rate five years.

15685. You wish to see a Joint-Magistrate associated with the Collector in every district?—Yes, and my idea is that a District Officer ought to remain in his present five years, and then, if he has had a Joint-Magistrate who has worked with him for five years, by that time the Joint-Magistrate would have acquired some knowledge of the country and the people and their manners and customs, and when the District Officer is transferred or promoted, the Joint-Magistrate would be able to take his place. Then, if he remained five years more, with his past experience as a Joint-Magistrate, it would be much better.

15686. With regard to Advisory Councils, you are in doubt as to whether they should or should not be created?—Yes. I do not feel quite certain with regard to their usefulness. If Advisory Councils are simply to be consultative Councils then the District Magistrate or the Commissioner is fully in favour of consulting all the leading men—Hindus and Muhammadans—so that it will not be practically of much advantage; but at the same time I am in favour of creating Advisory Councils on the ground that the men of whom advice is asked are clothed with a sort of responsibility.

15687. Outside the members of the District Board, are there, in every district, gentlemen of sufficient capacity to form such an Advisory Council?—Yes, there are some, but not in all districts, and that is why I confine my answer to Divisional Commissioners. But gradually, as the people improve in knowledge and education, and the Commissioner found that the system might be extended, that might be done; at present I would confine it to Divisional Officers, the members being selected from the division.

15688. You think it would be unwise to give village communities any greater power? Will you tell me your reason shortly?—With regard to village communities, they do not exist, in the proper sense of the term, in Eastern Bengal. There are some villages which the people have some sort of public opinion, but there is nothing like a village community.

15689. Supposing two men had a dispute, is there no sort of village tribunal in which the dispute might be referred and a fair judgment be given?—The difficulty is to select the proper person to adjudicate. Some forty or fifty years ago in each place there were two or three elderly men in whom the people had confidence and to whom they used to refer matters. I do not think there are such men now.

15690. Has the tendency towards the young men migrating into towns swept that away?—Yes; amongst the younger generation there is more education, though they have not quite so much wisdom as their fathers. They read the papers, they get a little knowledge, and they think that their elders have not so much wisdom, and they do not treat them with respect they used to do.

15691. (Mr. Meyer.) Are you opposed to any restriction of appeal?—Yes.

15692. Are you familiar with the provision of the Civil Procedure Code which provides that there shall be no second appeal upon questions of fact?—Yes.

15693. Do you see any objection to applying that provision to administrative appeals? I am against any restriction on the right of appeal in any way.

15694. With regard to your scheme for a Collector to be five years in a district, and then to be succeeded by a Joint-Magistrate who had served five years, would that work, having regard to the leave rules under which officers go home for leave periodically?—I have not thought of it in that respect, and I am not in a position to say how far it would affect the leave rules. I think in exceptional cases some exceptional rule might be made. As a general scheme, in my opinion, it is a good scheme.

15695. Are you an elected member of the Calcutta Corporation?—No. I am nominated by Government.

15696. Have you been there a long time?—I have been there since 1876; I was first elected about 30 years ago.

15697. Do you say that the Calcutta Corporation has nothing to do with education?—The power of the Corporation is simply to fix and to make a grant for the promotion of primary and technical education, but that does not give them any control.

15698. Having once made the grant, have you anything more to say as to the management of the schools?—Nothing.

15699. Do you desire a system by which you should have the power of spending your own grant?—Yes: I think the Corporation is in the best position to supervise its school fund.

15700. Can you say roughly how much you have to pay for education now?—I think last year it was Rs. 15,000, and over and above that we exempt educational institutions from paying any taxes or rates.
MINUTES OF EVIDENCE:

28 Dec., 1907.

Prasad Singh

MINUTES OF EVIDENCE:

30 Dec., 1907.

Maharaja Sir Bavaneswar Prasad Singh Bahadur of Gidhaur, K.C.I.E., was called and examined.

15701. Would you not have to pay a good deal more than Rs. 15,000 if you took the matter into your own hands?

15702. With regard to the Advisory Council to the Commissioner and your proposed representation by municipalities and District Boards, would it not be simpler to have one representative from each District Board to be selected by the Commissioner or by Government? A Commissioner sometimes has five or six districts to deal with, has he not?—Sometimes he has three, sometimes four, and sometimes five, districts. I think I would allow District Boards as well as municipalities within a division to select two.

15703. I want to know whether, as an alternative, one member might not be selected from each district of the division, but if you prefer your own suggestion, say so?—I prefer my suggestion.

15704. Is the Eastern Bengal village really a village at all in many cases, or does it only consist of scattered huts?—There are some cases of that kind, but there are villages which contain 200 or 500 homesteads.

15705. (Mr. Hichens.) What is a bustee improvement and who carries it out?—Such schemes are for the improvement of the bustee areas in the town. There is a department in the municipality, which is under the Deputy Chairman, which attends to these projects.

15706. Are you aware that, practically in every expropriation scheme in England dealing with houses, there is a clause which makes it compulsory on the municipality concerned to re-house the people whom they displace?—I am not familiar with that, but we have not that provision in the Municipal Act here.

15707. Not only have you not got that provision, but you have no power to re-house if you want to?

That is so. Here I think the municipality has demolished about 2000 houses which used to contain from 8 to 10 people each, so that 20,000 of these poor people were dislodged and could not find any place to live in. My suggestion is that the municipality ought to have power to acquire land from the Government to provide some accommodation for the people who have been dislodged.

15708. Do you not think that the municipality not only ought to have power, but ought to be compelled, to re-house people whom they displace?—Certainly I do.

15709. (Mr. Dutt.) You were a member of the Bengal Legislative Council?—I was, twice.

15710. So that you have some experience with regard to legislation. In all the Bills brought before the Bengal Council, that is to say, important Bills, does not the Bengal Government take care to ascertain the wishes and opinions of important Societies and Associations?—Yes, and also of persons who are in the opinion of the Government able to advise them.

15711. What is your opinion with regard to the proposal that the District Officer should hold a conference with the leading men of his district once, or more frequently, a year?—I think, as a matter of fact, they do; they generally meet them, and that is, I think, considered to be one of their duties; they fix a day to meet the leading men.

15712. But I was speaking of a general conference of the whole district or sub-division where all the leading men would be invited to talk over all the important matters which they might have to discuss. Do you recommend such a conference as that?—Yes, I would.

Adjourned.

TWENTY-SECOND DAY.

CALCUTTA, Monday, December 30th, 1907.

PRESENT:

C. E. H. Hobhouse, Esq., M.P., Under-Secretary of State for India, Chairman.

Sir Frederick Lees, K.C.I.E., O.S.I.

Sir Stenvyn Enderley, K.C.V.O., C.I.E., I.C.S.

R. C. Dutt, Esq., C.I.E.

Maharaja Sir Bavaneswar Prasad Singh Bahadur of Gidhaur, K.C.I.E., was called and examined.
15718. At present do the members see the budget for the first time when they attend the Board meeting, and is it passed in one single sitting?—When I was a member the budget was not sent to the members; we simply saw it when we took our places.

15720. Was there any committee which dealt with sanitary works, roads, and things of that sort?—During my time, no. That also would be a good thing to introduce.

15721. So that each member of the Board would feel he had some responsibility for the work of the Board?—Yes.

15722. Do you get a good class of members on a Board generally speaking?—All the members are not good class.

15723. If there were greater power and responsibility, would you get a better class of men anxious to serve on District Boards?—It may be; I am not certain.

15724. If there were a non-official Chairman to a District Board, would he have the same knowledge of the whole area contained in a district that the present Collector has?—If he was a local man, then of course, he would have more knowledge. He would not have a knowledge of the whole district, but he would have a better knowledge of part of the district.

15725. Is the knowledge a good Collector has of a district advantageous to the Board?—Yes, I think so.

15726. And it might be difficult, perhaps, to find a non-official Chairman who would have so wide a knowledge?—Yes, I doubt whether a non-official Chairman would have such a wide knowledge as a Collector.

15727. And unless he was a paid official, he would hardly have time to gain that knowledge?—I think it would be difficult for him.

15728. What larger powers ought to be given to District Boards?—I have not gone into details, but I think it would be better.

15729. Bearing in mind what you have said with regard to a Collector knowing a district better, would you keep him as Chairman of the District Board, giving at the same time the members of the Board greater responsibility for the work done in the way of making each committee very largely responsible for its work?—That might be a good thing, but it has not yet been introduced into this country. I think it would work well.

15730. Would that be a better system than if the whole Council elected a non-official Chairman who might not know the district?—As far as I understand it, I think it would be better.

15731. (Sir Frederic Lely.) Is a District Board at present partly elected?—Yes, and some are nominated. A larger number might be elected.

15732. Would you say two-thirds?—Yes.

15733. Were you an elected member yourself?—No, I was nominated.

15734. If the method was election only, would you offer yourself for election?—Nowadays people do not like to stand for election.

15735. Why?—Is it considered rather derogatory to their dignity?—Yes, some people think it so.

15736. Is that a general impression?—Yes, as far as I know.

15737. Would you have the Chairman elected by the Board?—Yes.

15738. Do not the duties of a Chairman of a large District Board require a good deal of training and business knowledge and habits?—Yes.

15739. Would you be likely to get a non-official man in many districts with those essentials?—You might, but very rarely.

15740. Would the chief difficulty in appointing a non-official Chairman to a District Board be the difficulty of getting a man with sufficient business habits and business knowledge?—Yes, I think so.
to be brought into direct contact with the needs of his district in respect of education, sanitation and roads?—If he ceased to be Chairman of the District Board, I think he would not take so much interest in them.

15766. Would that be a good thing?—No.

15767. Are your District Boards concerned with vaccination work?—Yes.

15768. Have they a fairly free hand in the matter of primary schools?—Yes.

15769. Is it your experience that they are interfered with by the officers of the Education Department?—No.

15770. There are two cesses levied in Bengal, the Road Cess and the Public Works Cess?—Yes.

15771. The Public Works Cess goes to the Government, the Government in return making some grants to the District Boards?—Yes.

15772. Would it be a good thing if the District Board took both cesses?—I cannot say that.

15773. Do chaukidari unions work satisfactorily?—Yes, chaukidari unions work well.

15774. (Sir Steyning Edgerton.) You have not been on a District Board since 1933?—I resigned when I was appointed a member of the Legislative Council, and came to reside in Calcutta, and I have not been to Calcutta, I live at Gidhour, but I had to come to Calcutta frequently, and I could not attend all the meetings.

15775. How often did you have to come to Calcutta as a Legislative Councillor?—Five or six times a year, and sometimes in the season I had to remain here a month.

15776. Are you a very busy man at Gidhour?—Yes; it was for want of time that I resigned.

15777. What advantage do you expect to get by the system of borrowing which you propose over the present system?—I think Local Government should carry on their own business.

15778. But they can borrow from the Government of India at present?—Yes, but that takes some time.

15779. Do you think by the mode you suggest they could get money quicker?—I think a Local Government may know its own requirements better.

15780. But if they know their own requirements and go to the Government of India and say, "We want money for this, that and the other," do they get it?—I do not know.

15781. How long has your present Collector been in the Mughyr district?—Only a few months.

15782. How long was his predecessor there?—Only for a year or so.

15783. Do you consider that either of those officers knew the district better than you do?—Yes, they knew it better than I do.

15784. Although you have lived there, how many years?—Ever since I was born.

15785. (Chairman.) Does the provincial Government contribute to the expenditure of the District Boards?—Yes.

15786. If the Collector ceased to be Chairman, would the Government of Bengal have any representative on the District Board?—No, if the Collector ceased to be Chairman there would be no other.

15787. How then would the provincial Government know that the money which they gave to the Board was being properly expended or not?—It would be the duty of the Chairman to report. If the members spent the money according to rules laid down by the Government, that would be an efficient check.

The Board of Revenue should have power to take under the Court of Wards not only estates paying revenue to Government, but also other important and large estates not paying revenue to Government, and the definition of an "estate" in the present Court of Wards Act should be modified accordingly.

Native Executive Officers have sufficient opportunities for personal contact with the people, but European Executive Officers have not. The existing obstacles with the latter may keep them at a distance, in most cases, to mix with the people; the expense of inviting people to parties or social gatherings; their insufficient knowledge of the vernaculars. The remedies seem to be greater sympathy on the part of the European Executive Officers in general; willingness to join parties or social gatherings of the people; improved knowledge of the vernaculars.

In the Executive line transfers are sometimes unnecessarily frequent. Too frequent transfers do not enable officers to get sufficient knowledge of their stations and should be avoided as far as possible.

The Municipal Commissioners should be authorised to modify allotments by transfer of any amount from one head to another.

The District Boards should have similar power, i.e., power to transfer grants from one head to another without any sanctions of the respective Commissioner. I think it would be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts, as such municipalities may not, with their limited funds, be able to undertake works of utility which may be easily undertaken with the help of the officers of the District Board.

I am in favour of Advisory or Administrative Councils to assist Divisional or District Officers. Such Councils should be constituted of men representing the various important interests in the country. The Councils should advise in all matters on which their executive practice or on personal matters. Nor is it desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist.

The Board of Revenue should have power to take under the Court of Wards not only estates paying revenue to Government, but also other important and large estates not paying revenue to Government, and the definition of an "estate" in the present Court of Wards Act should be modified accordingly.

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advise is sought by Government, or which they, of their own motion, choose to bring to the notice of Government. Such advice may be consulted with advantage specially in matters of income-tax, excise, famine, sanitation and loans for land improvements and agricultural purposes.

15782. You think that the Local Government should be given borrowing powers?—Yes. Because there are cases of urgent reforms in which it is necessary sometimes to raise money quickly, and it should be done without any reference to a higher authority.

15790. Is there any financial market in Bengal which the Local Government could reach, but which the Government of India at the present moment does not reach?—I do not say that there is any market in India which the Government of India would not reach, but it would save much time and bother if the provincial Governments were given power to raise loans without the sanction of the Government of India in cases of urgency.

15791. If the Local Government went into the market to borrow, would any loans which they might raise interfere with the power of the Government of India to raise money for larger purposes?—I think both Governments could borrow.

15792. But would the operations of the Local Government in the money market interfere with those of the higher authority?—It might be so.

15793. You think the rupee market is not large enough to hold the operations of both Governments?—Yes.

15794. But you would wish the Local Government given more freedom in the matter?—Yes, subject to some conditions, I would suggest a lakh or two lakhs, or some such limit, respective of which the sanction of the Government of India might be dispensed with.

15795. Do you wish to see a considerably greater amount of separation between the provincial Government of Bengal and the Government of India?—Yes, I am in favour of it. The present scrutiny of the Government of India into the minute details of the annual budget estimates of the provincial Council is unnecessary, and should not be. I think the sanction of the Government of India should be given in respect of the total under each main head the details being left to the provincial Governments. The provincial Councils ought to have power to discuss imperial finance and pass resolutions which would assist the Government of India very much in framing their own budget for the coming year, as they would get much more information than they get at present.

15796. With regard to the right of appeal, do you wish to see it curtailed in any respect?—I do not, and that is the feeling of the public, so far as I can ascertain.

15797. Do you know anything about the Court of Wards? Yes, I have had some practical experience of it. The provisions of the law should be extended. The object of the law was that estates should be properly managed, and the rule, which has been in existence since 1793, that only those estates which paid revenue to the Government should be brought under the Court of Wards, ought to be extended.

15798. With regard to estates, whether under Government or not, should the Commissioner have power of dealing with them instead of all the details going up to the Board of Revenue?—With regard to matters not involving large questions, the Commissioner should have power to settle them without reference to the Board.

15799. Is it probable that the persons who are concerned in these estates would be glad if the expenditure which is thought proper upon them could be sanctioned by the Commissioner at once?—Certainly.

15800. Would they be satisfied with the exercise of his wisdom and discretion?—Yes, I think they would.

15801. Should larger powers be given to the Commissioner of the Sub-Divisional Officers to speak to and deal with all classes of the community?—They do not freely talk with all classes of the people.

15804. Have the people access to the Collectors?—They have, but not to the extent necessary and desirable.

15805. Is that because the Collectors are disinclined to speak to them?—Not as a general rule, but there are some officers among the Collectors, of whom I would say that they are stand-offish, and a great deal of reform is necessary in that direction, because if Divisional Officers, District Officers and Sub-Divisional Officers were to speak to the people more freely, much in the way of improvement would be brought about. District Officers’ visits are not so frequent as those of the Sub-Divisional Officers, who come more into contact with the people than District Officers, although most of them go out with the bearing of cases when in camp, which very much interferes with the real object of going about. They could very well improve sanitation, for instance.

15806. Would a Collector feel it necessary to spend a good deal of time if he asked some of the leading gentlemen to come and see him?—I do not think the Collector would have to spend much; if he were to simply ask the people to call and see him, they would very gladly do so.

15809. Have you, yourself, living in a country district, ever experienced the advantage of or disadvantage on the part of Collectors or Sub-Divisional Officers?—So far as I am personally concerned, I have never met anything of the kind.

15810. How long do you think it is to the advantage of a district that a Collector should stay in it?—I think three years should be the minimum.

15811. Would five years be too long?—Yes; because it would stand in the way of the promotion of an officer.

15812. From the point of view of advantage to the district, would it be too long, or might the Collector take sides or prejudices?—If a Collector knows his district, very well, no doubt it is an advantage, but there is the disadvantage that some people think a long stay undesirable.

15813. In former days did Collectors and Commissioners know their districts better than they do at present?—Certainly.

15814. And did the people like them to remain in a district a long time? In those days I do not remember any instance in which people did not like a long stay.

15815. Therefore from the point of view of the interest of the districts it is best?—Yes, from that point of view it is advantageous.

15816. Could any powers be given to village communities?—It depends upon circumstances. There are districts in Bengal, and also some in Bihar, where it might do good, but there are others in which the people not being sufficiently advanced, the system would not work well. If it was introduced, it would have to be introduced very slowly and carefully.

15817. (Sir Suryajug Edgeley.) Have the non-official members of the Bengal Legislative Council a right to elect a member to the Imperial Council?—They have.
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15818. Therefore, through that representative, they have an opportunity of discussing imperial finance?—Yes.

15819. And they can ask that member to put forward any views which might approve themselves to them?—Yes, there is nothing to prevent it, but still I think it would be desirable to allow the provincial Council to discuss matters of finance and decide for themselves.

15820. Would you apply that principle also to the provincial Legislative Councils, and let all District Boards discuss provincial finance?—Yes, I think it would be desirable.

15821. As regards the supervision of the Government of India over major heads instead of minute details of expenditure, are you aware that that is exactly the present position? They do not interfere with anything below the major heads of the provincial budget, do they?—I think the minute details are also scrutinised by the Government of India.

15822. Is there not a section in the Act dealing with the Court of Wards, which says that the powers may be delegated to a Commissioner, Collector, or any other person in certain cases? I think there is.

15823. Then all the delegation necessary with regard to the Court of Wards can be done, as a matter of course, and at the discretion of the Local Government, without any further authority being given?—I think so.

15824. With regard to Advisory Councils, do you wish to see different kinds of them in different districts, worked according to the circumstances of particular districts?—Yes.

15825. You would want legislation to effect that purpose, of a very general character, allowing experiments in different districts?—Yes, necessarily.

15826. Practically a section giving the Local Government power to make rules?—Yes.

15827. Would that satisfy you?—Rules for the purposes of constitution and defining their duties—yes, but I think the election of the members of the Council must be by the people representing different kinds of interests.

15828. That you could provide for by rule, where it was suitable?—Yes.

15829. And where it was not suitable, you could provide for nomination?—Yes, it should be both by election and nomination.

15830. Do you not think it likely, as regards either a delegation of power under the section in the Court of Wards Act, or as regards a general rule giving power as regards the Advisory Councils, that there would be cause for public complaint?—So far as I can see, I do not think there ought to be any ground for public complaint in that connection. The question is how the rules themselves would stand.

15831. The rules, of course, would be published, and be subject to criticism before being passed?—Yes.

15832. (U.R. Meyer.) Have you any special experience of Municipal and District Board work?—Yes. I was a member of the Bhagalpur Municipality for about six years, but I have ceased to be a member for over eight years.

15833. As a member, did you take an active part in municipal work?—I did.

15834. The municipal budget has to be passed by the Commissioner? Supposing he finds the municipality is not spending enough money, for instance, on sanitation, can he increase the allotment for sanitation, and decrease the allotment for, say, education, correspondingly?—He can.

15835. Do you want a municipality to have full power of making appropriation from one head to another?—Yes.

15836. Might not that defeat the Commissioner's order? The Commissioner may have cut down the education allotment by Rs. 5,000 and added it to the sanitation allotment, but by your suggestion the municipality could simply retransfer it again, could they not?—After the Commissioner has sanctioned the budget, if it becomes necessary, in the opinion of the municipality, that a certain amount should be transferred from one head to another, I think they should be allowed to do so without further reference to the Commissioner.

15837. Do you mean that they should exercise that power in order to defeat the decision of the Commissioner?—No, I simply say, after the sanction of the budget, if the municipality thinks it necessary to decrease the allotment for the purpose of the municipality to transfer, having regard to circumstances springing up later on, from one allotment to another, then that it should not be necessary to refer the matter further.

15838. Is there not, then, the possibility that the municipality, supposing it differed in opinion from the Commissioner, could use that power to defeat the Commissioner's ideas?—I think the municipal Commissioners must be taken to be discreet people, and I do not think many of them would act against the views of the Commissioner simply to gratify their own views.

15839. If municipalities had this power of reapportionment which you want to give them, and the Commissioner found that power being abused, might be still interfere?—Certainly.

15840. Have municipalities much power with regard to the creation of appointments?—Very little. I do not think I should be justified in proposing any alteration in the present rules. Of course there are municipalities in Bengal and other places where that state of things may be remedied, but so far as Bhagalpur, Monghyr and other municipalities are concerned, I do not think very much larger powers are necessary at present.

15841. What is the size of the Bhagalpur municipality?—It is a big town.

15842. Are there not a number of municipalities in Bengal ranging in size from a big place like Patna to a small village?—Yes.

15843. Would it be advisable to discriminate and give larger powers to the bigger municipalities?—Larger powers might be given to a municipality like Patna, but I do not think it would hold good for all municipalities. I think the powers which the smaller municipalities have already got are quite sufficient.

15844. Has a municipal employed, if dismissed by the municipality, any appeal?—Yes.

15845. Who would dismiss a clerk in the employ of a municipality on Rs. 10?—The Chairman.

15846. To whom does the appeal lie then?—Straight to the Commissioner.

15847. Would it not be well to have an appeal from the Chairman, as the Executive Officer, to the Municipal Council as a whole, instead of to an outside authority like a Divisional Commissioner?—Yes, I think so, and it would be desirable that a power of appeal should be given to the municipalities.

15848. Does the District Board deal with questions of vaccination and education?—Yes.

15849. Was there much interference in your time by the Education Department, or was the Board allowed to have its own way?—I do not think there was much interference on the part of the Education Department.

15850. Were you satisfied with your powers?—Yes.

15851. Had you committees to deal with these things?—Yes.

15852. In your opinion, is the Collector the proper person to be Chairman of the District Boards? In the present state of things the Collector is the proper person, but if there were a qualified non-official member of the Board, I should prefer him.

15853. But has not a Collector a larger knowledge of a district as a whole than anyone else?—Yes, the Collector has a large knowledge; but should there be, among the members of a District Board, a man who has lived in the district itself for a large number of years with greater knowledge, and he is qualified, I should prefer giving the Chairmanship to him rather than to an official.

15854. But must not the Collector have something to do with education and sanitation and such matters? Do you propose to take those matters away from his control altogether in the case you mention?—I think
it is essentially necessary that he should have to do with those things, and, on the whole, he would be a more suitable person to be Chairman.

With regard to the Sandal Parganas, is there a special system of judicial administration there?—Yes. The Commissioner of the Division exercises the powers of the High Court.

15856. Is that satisfactory?—It has been satisfactory, but I think there are some places which should not, in the present state of things, be kept under the Regulations.

15857. Does the Deputy Commissioner also exercise civil powers?—He has the powers of a District Judge.

15858. As to your desire that provincial Councils should be allowed to discuss the imperial budget, what kind of things do you look forward to their discussing—army estimates or what?—All items.

15859. Do you think that a provincial Legislative Council should discuss imperial legislation, imperial Acts, and imperial Bills?—No, I should limit it to the budget.

15860. As to Local Governments being allowed to issue loans of one or two lakhs of rupees, does any Local Government ever really want to borrow so little as a lakh?—I simply put that as a figure; it was more the principle I was dealing with.

15861. You deprecate any curtailment of the right of appeal. At the same time you say that District Officers are not sufficiently in touch with the people; might that not be due largely to overwork on their part?—I do not think appeals add much to the work, but at the same time the feeling of the people is so strong in this connection that I certainly would wish the present state of things to remain unaltered.

15862. Is there not a limitation with regard to appeals in civil matters? No second appeal is allowed on questions of fact. Do you see any harm in applying that rule to administrative and executive matters?—I think in matters in which appeals lie to the Local Government, the privilege ought to remain where it is.

15863. You desire that the Court of Wards should be able to take over estates which do not pay revenue direct to Government. What value would these estates run to?—May I give you an instance? I know of an estate which is at present in the possession of an Indian lady; the property is mismanaged and the income is wasted; in a civil suit the High Court has appointed a Receiver, and steps are being taken to bring that estate under the management of the Court of Wards on the ground that a portion of the property pays revenue to the Government, and therefore it comes within the definition of the section in the Act, but the bulk of the estate does not pay revenue direct to Government.

15864. Do you mean that the estate pays rent to an over-landlord?—Yes.

15865. Then would you put the Court of Wards in the position of tenants to a landlord, which is what it would come to?—As trustees, no doubt, but at the same time I do not see that there is any harm in that. It would also protect the interests of the tenants.

15866. Would it not lead to friction between the Court of Wards and the local landlord?—No, and it is a matter of absolute necessity as I find by experience.

15867. Would it not be an advantage for the Collector to change his district occasionally, in order to see how things are being managed elsewhere?—I think that a Collector ought to stay in a district for three years.

15868. But you would not have a Collector stay his whole time in one district? It might be to the advantage of the Collector to be shifted, might it not; and might not the advantage be to the people that he should have experience of two or three districts and be able to compare the administration?—Yes.

15869. Is it your opinion that an Advisory Council should be purely advisory?—Yes.

15870. The question would be somewhat like that of a Judge trying a case with assessors?—Yes; I need not necessarily act upon their advice. What I mean is that the opinion of an Advisory Council may be brought to the notice of the local authorities and the Local Government.

15871. Should their opinions be brought to the notice of Government as a matter of right?—Yes. It might be at the instance of the members of the Advisory Council, or it might be at the instance of the Local Government that important matters should be brought forward.

15872. In dealing with a matter which a Commissioner could dispose of himself, would it be necessary to refer the case to Government, if the Advisory Council and he disagreed?—Yes, I think so.

15873. Why do you consider that legislation would be required to bring this Council into existence? Might it not be done by executive instruction?—It might be, but no Executive Officer would then be bound to consult it.

15874. But if Government said, "You must send cases up to us if you and the Council differ," would not Collectors have to obey the order?—Yes; in that case it would be so, and legislation would not be necessary.

15875. (Mr. Hichens.) How long would it take a Collector to know his district?—He would be able to know his district generally in the course of a year, I should think.

15876. But how long would it take him to acquire a thorough knowledge of it?—Two years or so, I should say.

15877. So, practically speaking, if he is in a district for only three years, he would go away as soon as he has learnt it?—It might be so.

15878. Is that a sound thing?—It is sound from the point of view that there are instances sometimes in which the people do not want the same officer to remain for a very long period. It depends very much on the temperament, disposition, and work of the officer. No second appeal is allowed on questions of fact. Do you see any harm in applying that rule to administrative and executive matters?—I think in matters in which appeals lie to the Local Government, the privilege ought to remain where it is.

15881. Would you base the rule on the assumption that the Collector is going to be unpopular?—No, I have no reason for making an assumption of that kind.

15882. Would it not be a sounder assumption that the Collector would be a good man, in which case he ought to stop for 10 years?—Certainly.

15883. Are you a member of the Legislative Council?—I was for two years—1902-3.

15884. Was the question of the financial settlement between the Government of Bengal and the Imperial Government being discussed during your time?—Yes.

15885. Was there any statement published about it?—I do not particularly remember.

15886. Was any statement published about it?—I do not particularly remember.

15887. Was the matter discussed in public or private?—Not that I know; but it was discussed later.

15888. You say that you want a further separation as regards financial matters between the Local Government and the Government of India. Would you go so far as to have a separate budget with regard to provincial funds?—I would like minute details in every provincial budget to be settled by the Local Government.

15889. Only the details? Are you quite content that the general budget should go to the Government of India as it does to-day?—Yes; I simply want minute details to be left to be settled by the Local Government.

15890. Is it a good thing that some outside body, that is to say, the Government of India, should control the expenditure of the provinces?—Yes.
MINUTES OF EVIDENCE:

15891. Should a provincial Government be allowed to make its own budget as it likes without any criticism?—I think not.

15892. If the budget were fully discussed in the provincial Legislature, would you modify your opinion with regard to the criticisms of the Government of India, and would you say under those circumstances might it no longer be necessary to refer it?—If the provincial Governments were given power to discuss imperial budgets, then, of course, I would certainly have no objection. But so far as minute details are concerned, I adhere to my opinion that they should be left to provincial Governments without having to go up for the sanction of the Government of India.

15893. (Mr. Dutt.) I suppose all those matters regarding the financial settlement are settled by correspondence between the provincial Government and the Imperial Government, and are not discussed in the Legislative Assembly?—I think so.

15894. So that the Legislative Council has no opportunity of knowing what is being done in these matters until they have been decided?—That is so.

15895. In the Bengal budget discussed after it was received the sanction of the Government of India?—Yes, always.

15896. Therefore if, in the course of the discussion, any new changes appear to be necessary, there is no machinery for introducing those changes?—None whatsoever.

15897. So that practically the discussion is only academic and is of no practical value?—That is so.

15898. Would you like a scheme by which discussion might take place in the Bengal Council before the budget went up to the Government of India for sanction, so that if the Lieutenant-Governor thought it desirable to make any changes in the budget after discussion, he might be able to make them before submission to the Government of India?—Yes.

15899. In speaking of the Bengal Government one might only the Lieutenant-Governor?—Yes.

15900. And the items in the budget are practically settled by the Lieutenant-Governor?—Yes.

15901. You referred to certain matters in regard to which the Local Government ought to have larger powers, but suggesting that in administrative systems brought about too frequently?—Sometimes they are, but there are sometimes urgent reforms which must be dealt with.

15902. Has not every Lieutenant-Governor views and ideas of his own differing from those of his predecessor?—Every Lieutenant-Governor no doubt has some pronounced views different from those of his predecessor.

15903. And to some extent there is a change in the property of a Government with every new Lieutenant-Governor?—Yes.

15904. Would there be more continuity of policy if Lieutenant-Governors were assisted by an Executive Council of two or more members?—Yes.

15905. On the whole, would there be less chance of sudden and needless changes if there was an Executive Council to help the Head of the Government?—Yes, I think it would be better.

15906. With regard to borrowing powers, did you mention a lack of rupees as an approximate limit to which Local Governments might go?—No, I simply gave that as an illustration of the principle I put forward; I do not say that that should necessarily be the sum; it might be a smaller sum.

15907. Have you any idea what approximate sum should be fixed?—No; I would leave that to the administrative authorities to fix.

15908. Would not the granting to provincial Governments of these powers lead to a multiplicity of loans in the country, and probably add to the indebtedness of the country?—I do not think so. It would not add to the permanent indebtedness of the country because a sinking fund might be formed, and gradually the loan liquidated.

15909. Is not the present check beneficial from the point of view that the provincial Governments are stopped from borrowing immediately; they think a loan is necessary, and that they have to consider the matter well before going to the Government of India for sanction to a loan?—I think, having regard to the urgency of some matters, the Local Government ought to have power to raise loans.

15910. In urgent cases, for instance such as famine relief, is there unnecessary delay in getting the sanction of the Government of India?—There is delay, and I want to prevent that.

15911. Would you like to give the Local Governments larger powers in the creation of new appointments?—Yes.

15912. Do you know that the powers of the Government of India are limited in that respect?—Yes.

15913. And you would not give the Local Governments larger powers than the Government of India have in matters of appointment?—No.

15914. Would you give them similar powers?—Yes, I would leave improvements in Services and certain matters to the provincial Government instead of allowing them to go up to the Secretary of State.

15915. Are officers of the Provincial Service—Deputy Magistrates—also too frequently transferred?—Yes.

15916. There is a proposal to empower Commissioners of Divisions to transfer Deputy Magistrates from one place to another within their own divisions; would that be likely to lead to more frequent transfers of Deputy Magistrates?—Not necessarily.

15917. Would it be beneficial for the administration of divisions that Commissioners should have the power of moving Deputy Magistrates from place to place within their own divisions?—It would be an improvement. I do not say that that should be done, but I simply leave it to the Commissioner to know the needs of a division better than anyone else.

15919. You propose to give District Boards some powers of control over the smaller municipalities within a district, on the ground that the smaller municipalities have very limited funds and that the District Boards might help them. Do you propose that a part of the district funds should be diverted from their legitimate purpose to the help of the municipalities?—No, I do not mean that; what I mean is that the smaller municipalities have limited means; they have no engineers, for instance, of their own, but District Boards have engineers, and in cases of settling questions of drainage, or anything of that kind, the District Boards might help.

15920. Without charging any fees?—Yes.

15921. With regard to delegation, supposing some powers have been vested by a Legislative Act in the Local Government, and under a general Act of Delegation the Local Government delegated those powers to Commissioners and Collectors, without any special amending Act, would that not be defeating the object of the original Act vesting the power in a particular authority?—Practically it would.

15922. Supposing the Local Government has power of sanctioning taxation in municipalities, and under a general Act of Delegation empowered all Commissioners and Collectors to sanction the imposition of fresh taxation within municipalities, would not that be defeating the object of the original Act?—It would be so.

15923. (Sir Frederic Lely.) Has the action of the Court of Wards proved to be very beneficial in that it creates a link between the Collector and some, at any rate, of the landowners in his district?—So far as it goes, yes.

15924. If an estate in certain circumstances is not under the Court of Wards, it goes to ruin?—Yes.

15925. The Board of Revenue is practically the Chief Revenue Court of Appeal at present?—Yes.

15926. And parties have a right to appear before it in person or by pleader?—Yes.

15927. Is that a privilege which is greatly valued?—Yes.

15928. If that privilege ceased to exist, would it be populous among the people?—It would not be acceptable.
ROYAL COMMISSION UPON DECENTRALIZATION.

15929. In creating an Advisory Council, would you create it for a whole district?—Yes.

15930. Would the members be elected?—Partly elected, and partly nominated.

15931. Would they be living here and there all over a district, and at a distance from each other?—It might be so, but not necessarily so.

15932. You have enumerated certain subjects on which they should be consulted, the first being income-tax. Do you think they should be consulted in that matter?—As regards the scale and rate, and also they might bring to notice how the Income Tax Officers have acted, and are acting: whether they have over-assessed or under-assessed people; in fact, in all matters.

15933. Would you invite their opinion as to the general rates of income-tax?—Yes.

15934. But so far as their opinion regarding a point of that kind went, they would be an Advisory Council, not to the Collector, but to Government?—Of course.

15935. In dealing with a case of overassessment, do you think a general Council, drawn from every part of the district, would have any opinion as to the means of any particular individual which would be worth listening to?—No, but when the opinions of the various districts throughout the country are brought to the notice of the Government, the Government would consider the advisability of making any change.

15936. Taking the case of a man who the Council assent is overassessed, do you think the opinion of a General Council, drawn from the whole district, as to the means of that particular individual, would be worth anything at all?—I think the matter might be taken into consideration by the assessing officer the next year.

15937. With regard to excise, in what way do you propose an Advisory Council should give advice?—At present the system is not working very satisfactorily, as women and children in the villages have opportunities for getting drunk.

15938. Would the Council be more likely to know more about such a thing as that than the District Officer?—I think the Council certainly would know the people better than the District Officer, and might bring such a thing to the notice of the Government.

15939. As to the right of appeal, do you agree that the popular opinion is that every man has a right to go to the Head of the State?—Yes.

(The witness withdrew.)

The Honourable Babu Kalipada Ghosh was called and examined.

15940. (Chairman.) What is your occupation?—I am a pleader and a landholder. I reside at Ranchi. The existing financial relations between the Government of India and the Governments of Bengal do not require any material change. The financial settlement which was entered into between these two Governments in the year 1904, and on the basis whereof the Bengal Government budgets have been prepared and worked out since the year 1905, was a distaste improved. We have had it, and we have had no serious complaints to make regarding the existing system. The financial settlement entered into in 1904 was not limited to any fixed term, but it has been made for an indefinite period, and it is not now open to the Government of India to absorb any possible balance in the hand of the Local Government at the end of every five years. Of course, the Imperial Government has reserved the power of interference or revision, if occasion arises for it, and this power should be retained, as it is calculated to keep the Government of Bengal always aloof from the sense of heavy responsibility, which might practically amount to a denial of the right of appeal. I am of the same opinion with regard to appeal to Heads of Departments and Commissioners. Generally speaking, I do not consider that the influence of the provincial Government is in the direction of excessive rigidity. Sometimes such influence may be regarded in that light, but it is an error on the right side.

I do not think it safe to curtail the right of appeal to the Local Government. Such curtailment may shake the confidence of the people, and make the officers concerned in some degree irresponsible. To lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist would not be desirable, as such a course may practically amount to a denial of the right of appeal. I am of the same opinion with regard to appeal to Heads of Departments and Commissioners.

Generally speaking, I do not consider that the influence of the provincial Government is in the direction of excessive rigidity. Sometimes such influence may be regarded in that light, but it is an error on the right side.

I do not think that the provincial Governments are, as a rule, too impersonal and too much dominated by considerations of revenue, but a great deal depends upon the tendencies of the Head of the Administration.

The influence of the Commissioners in matters appertaining to departments other than the Land Revenue Department is sufficiently strong, and adequate weight is given to his views.

The Executive Officers have certainly sufficient opportunities for personal contact with the people, provided they choose to avail themselves of them. The obstacles in this direction are sometimes of their own creation, as they either lack due sympathy for the people entrusted to their care, or sometimes show too much favour to only certain individuals or classes, which has the effect of creating bitterness of feeling between different sections of the people. The Executive Officers, I mean the European Officers of comparatively short standing, do not possess sufficient knowledge of the vernaculars, and their success in their departmental examination, in the way in which it is now conducted, is no criterion of their knowledge of the vernaculars. It is by no means desirable to place junior officers in charge of a district, as they cannot be expected to have such knowledge of the vernaculars as a District Officer should possess.
In my opinion any general increase in the administrative staff is not required. The work which a District Officer is now required to do is certainly multiplying, but it can advantageously be reduced. The District Officer's work in connection with (a) municipalities, (b) District Boards, (c) dispensaries, (d) primary education, can very well be entrusted to the local bodies in the district, and in addition he should be entirely relieved of all judicial work.

The existing system requires that a District Officer should look to all departments in the district, and in addition to his heavy executive work, he is required to perform judicial (criminal) work. Transfers of officers are unnecessarily frequent. As soon as an officer acquires some knowledge of the district or division, he is transferred to another place, and this is one of the reasons why an officer fails to enjoy the true sympathy of the people and their hearty co-operation. A sympathetic officer should be allowed to continue in a district or division for at least five years. Such transfers can be reduced by providing certain officers and those regarding leave and furlough, which are at present too frequently granted.

The District Municipalities and the District Boards can be granted larger powers in the direction of the management of dispensaries and educational institutions within their jurisdiction, and they should be entirely freed from all official connection. At present the District Officers and the Government nominees predominate over these bodies, at least in many districts, and the District Commissioner has too large powers of interference, and the people enjoy the sham of Local Self-Government. This reform can be easily effected, as there is no lack of enlightened and educated men in the country to do the work.

I am in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The members of such Councils should be elected, say, one by the Board, one by the municipalities; and if more than two members be considered necessary, certain electorates, as of landowners or of professional people, may be formed, and each electorate may elect one member.

In my opinion it would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

Have you any experience of Government either from the local or from the provincial point of view?—Yes, I have been member of the Bengal Legislative Council for two years.

As such, do you have much opportunity of seeing the working of the Executive Government?—No, not much.

Therefore, perhaps, you are not fully acquainted with either the restrictions or the conditions with regard to the relations between the two Governments—So far as the Executive side is concerned, I do not know much, but so far as finances go, we have a good deal of experience.

Have you yourself at any time experienced any discourtesy from Commissioners or Collectors?—Yes, on some occasions, at the hands of Collectors.

In what way was it exhibited?—I have known even when representative people of a district have very often met with a Collector on certain important matters, they have been told he had no leisure to see them, and I have known of a case of a Collector on tour, when the local zamindar came to salutam him, telling the chauffeurs not to allow him to come into his camp.

Has that occurred in recent years?—No, not in recent years, some years ago.

Was that the only occasion on which you remember such a thing happening?—I have known it happen twice or thrice.—I cannot give you the numbers, but generally I should say yes, though not much.

In the case of District Boards nomination is very large, but in the case of municipalities I think election and nomination are about equally divided.

Do you think that Government hampers the activity of municipalities?—I do. In municipalities where the members are nominated, I do not think they do their work with any amount of independence; whereas if a contractor could make his complaint to the Collector, I think the Collector would take due notice of it, and, in the result, contractors and other people would not be so bold in demanding illegal commissions as they are now. It is a very gross scandal in our part of the country, where I know the whole of the contractors have to bribe these people, and they cannot make a good complaint to a Magistrate.

If you cannot make a good complaint to a Magistrate, how would they be able to substantiate a case before a Collector?—That is another thing; to make a complaint to a Magistrate as a Criminal Judge is one thing, and making a complaint to a Collector is another thing.

But it is not making the complaint; it is substantiating the charge?—Quite so, and if the Collector is entrusted with the supervision of the work, and the complaint is made to him, he would be able to deal with it.

Do you say that a District Officer as a rule has not much knowledge of the vernacular?—I refer, of course, to Junior District Officers. In most cases the senior Collectors have a good knowledge of the vernacular.

After how many years' service does an officer begin to have a good knowledge of the vernacular?—I should say after ten years, and not until then.

Do you think that Government hampers the activity of municipalities?—I do. In municipalities where the members are nominated, I do not think they do their work with any amount of independence; they simply attend the meetings as a formal matter and do not take much interest in the affairs of the district. But in cases where the members are elected, the elected members take a good deal of interest, and the Magistrate, who may happen to be the Chairman, also takes a large amount of interest in what is being done. I have no complaint to make against him, but my point is if the Magistrate's connection is cut off, and the management of affairs is entrusted to a non-official man, the Board will take a greater interest in the work.

Are the places where the municipalities elect their members more numerous than the places where they do not elect them?—I cannot give you the numbers, but generally I should say yes, though not much.

In the case of District Boards nomination is very large, but in the case of municipalities I think election and nomination are about equally divided.

In municipalities do you find a greater number of intelligent persons?—Yes.

Would not that account for the greater interest taken in the conduct of municipal affairs?—It might be so.
15964. Do you wish to see the connection between Government and District Boards somewhat reduced?—Certainly; I should make them purely non-official. I think the grants-in-aid which is now given by the Government to District Boards?—The Government only does that in special cases.

15966. If the connection between the provincial Government and District Boards is cut off, would it not be just to reduce the grant or cut it off altogether?—I think if the District Boards took all the revenue, it would be insufficient. Under special circumstances the Government may make a grant.

15967. What is the time an officer should stay in a district?—At least five years.

15968. If you cut off municipal and District Boards from the District Officer, what would he have left to do?—He would have the police duties to look after, income-tax, the Government estates, and, in several parts of the country, he would have to look after the Court of Wards and Encumbered Estates. He also has to deal with excise, and I am in favour of giving him Public Works; then he would have places to visit, which I think is a very necessary thing for him to do.

15969. If a District Officer has no connection with the District Board, when he went into a village or town, would he be received with as much attention as he is now?—So long as he is the Head of the police, I certainly think so.

15970. Would he retain his hold upon the district by virtue of his being the Head of the police?—Yes.

15971. Do you mean that he would only have influence with regard to criminally disposed classes of people? What interest would the respectable classes of the community have in the District Officer? they would not be in terror of him as Head of the police?—Of course, respectable people would not be in terror of the police, but if the District Officer is divested of some of his powers, I think the respectable people would still have regard for him.

15972. But would not divesting him of three powers lower his position?—No, I think not. I do not mean to say that the District Officer should not have the power to criticise the actions of the Board, only he should not preside as Chairman.

15973. Then would you still give him some power of supervision over their expenditure and action?—Yes, that is necessary.

15974. You are in favour of increasing the powers of municipalities and District Boards? Ought they to have both primary and secondary schools under them?—No, I think only primary schools.

15975. Should they have the management of village schools?—Those schools to which grants-in-aid are given by Government are under the management of the Education Department, and the inspectors under it.

15976. Would you leave them under the Education Department?—Certainly; the Education Department should have the local portion, that is to say, the appointment of teachers and the specification of textbooks and so on; but as far as finances are concerned, I think the District Officer should look after them.

15977. In the event of any attempt being made to create village communities, would you give them any part in the management of schools?—No.

15978. Would you keep schools out of their hands entirely?—Certainly.

15979. (Mr. Hitchens.) Are officials of a municipality appointed by the Chairman?—Yes.

15980. Who has the power to dismiss them?—The Chairman; but in certain cases within certain limits, he is bound to do it at a meeting of the Commissioners; he cannot do it himself alone.

15981. Have they any right of appeal from the Municipal Commissioners to the Commissioner of the division?—Yes, I would not do away with that.

15982. I thought you wanted to give municipalities real independence?—I am in favour of giving real independence to the Municipal Commissioners, but I am not in favour of doing away with the right of appeal from them, because they might not understand things properly in certain cases, and the people ought not to be deprived of any right of appeal.

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15983. Are you prepared to entrust them to administer the local affairs of the municipality?—Yes.

15984. In that capacity would they not have to perform very important duties, such as imposing taxation and seeing that taxes were fairly and justly collected, and they would be responsible for the general efficiency of their taxation?—Yes.

15985. Would you entrust them with all these powers, and yet not allow them to be able to dismiss their officers?—I think the fixing of any rate should rest with the Local Government; I am not in favour of delegating that power to the Commissioners or any other body.

15986. Is it the case that the maximum rate of taxation which can be levied is laid down by law?—Yes.

15987. Would you give the local authority power to collect that rate up to the maximum without further sanction?—Yes.

15988. You would give them very large powers of taxation, and you would give them power to appoint, but would not give them power to dismiss?—What is your reason for that?—I would give them power to dismiss, but I would not deprive the men who had been dismissed of any right of appeal.

15989. If you would give them absolute power in other matters, why not give it to them in that respect?—Simply for the reason that dismissal is one thing, and appointment is another. I think if a man makes an error which is not serious and is dismissed, he should have a right of appeal.

15990. The appointment of a bad man to an office under the municipality might affect the whole town?—Yes.

15991. Is that not an important matter?—Yes, but I do not think it is so serious as the case of a man being dismissed and not having a right of appeal.

15992. Have you ever been on a District Board?—No, but I represent all the District Boards in my division in the Legislative Council.

15993. Should further powers be delegated to Local Boards from the District Board?—I would not say so generally. It might be advisable in particular cases which would depend upon the constitution of the Local Boards, and the best body to deal with them is the District Board. I should not say that all the Local Boards ought to possess such and such powers.

15994. Broadly speaking, you do not think decentralisation should get any further than the District Board?—That is my opinion, broadly speaking.

15995. Would you be in favour of giving further powers to the village panchayats?—I should theoretically, but the difficulty is we have not much experience of village panchayats nowadays in our country.

15996. Would you like to make an experiment?—I should.

15997. How often does a District Board meet?—Once a month.

15998. Has a District Board great local knowledge?—They have not as much local knowledge as they ought to have.

15999. Taking it that a Local Board would have more knowledge of its particular area, would you be in favour of doing something more for Local Boards?—Yes.

16000. (Mr. Dutta.) Do you agree with the last witness that the Bengal budget should be discussed in Council before being submitted to the Government of India for sanction?—Certainly; but the point is that the Members of the Council cannot discuss the budget, because it is cut and dried before it comes to them.

16001. Do you think that sometimes changes of administration are brought about too frequently according to the views of successive Lieutenant-Governors?—Yes.

16002. Would the appointment of an Executive Council to help the Lieutenant-Governor add to the continuity of policy in administration?—Most certainly, because it is not in favour of delegating that power to the Commissioners or any other body.

16003. Would it be a desirable thing?—Yes. I am strongly of that opinion.
16004. Are you of opinion that the whole Road Cess money should be paid over to the District Boards?—Yes.

16005. Is it not so paid now?—The Road Cess money is not wholly spent on the purposes of the District Boards, and that is a thing we are trying to introduce into the amendments of the Local Self-Government Act.

16006. Are you not trying to get a provision that the whole Road Cess money should be spent on communications and sanitation?—Yes.

16007. Is it your idea that the whole proceeds of the Public Works Cess should also be paid to the District Board?—No; that would create confusion, I think.

16008. You have suggested that District Officers should be relieved of the duties of presiding over District Boards. In that case, would you give them some power of control and supervision over the work done by the Boards?—I would.

16009. If a district Board went very far wrong, ought the District Officer to have power to make them do their work properly?—Yes.

16100. Would you give him any power with regard to municipalities within his own district?—Yes.

16101. Are you aware of the proposal that each class of men in a subdivision should choose members out of their own class on the Local Board?—Yes.

16102. Would the cultivating classes in a small subdivision be able to find a proper representative from among themselves?—No.

16103. If they were prevented from selecting a representative from any other class, would it not probably be detrimental to their interests?—Yes.

16104. Would you therefore allow them to select a representative from any class they choose?—Yes.

16105. Where the members of an Advisory Board differ from a Collector on any matter, should the Collector be bound by the advice, or should he be allowed to act on his own responsibility?—I should say that would depend on the number of the members. If two-thirds of the Council agreed on a certain point and the Collector differed from them, I think he should act upon his own responsibility.

16106. Then in fact you would allow him full discretion to act upon his own responsibility?—Yes.

16107. Would you propose that the power of sanctioning taxes in municipalities should be transferred to the Commissioner or Collector?—I would not.

16108. Generally speaking, if any powers are vested in the Local Government by a specific Act, would you allow the Local Government by a general Act of delegation to transfer those powers to Commissioners and Collectors?—I think more powers might be given, but generally I would not.

16109. Would you like it to be done by a general Act of delegation or by an amending Act?—I would rather have that done by an amending Act.

16110. (Sir Frederic Lely.) When you say that there are classes who cannot find proper representatives from among themselves, do you mean that it is impossible for any one of those classes to find among themselves a man who knows where the shoe pinches?—There are some men in our part of the country who are unable to put their grievances properly.

16112. Do you mean that they are unable to put it into legal language?—No, I mean that they cannot put them in an intelligible way.

16113. Did you ever go into a village where the people could not make their complaints known in an intelligible way?—In their way they could. Of course, we can understand them; but I doubt if persons sitting on a municipal or District Board would be able to understand them.

16114. Do you mean to say that in a popular assembly they would not be able to make their wants known?—Not always.

16115. Then they must be very extraordinary people?—Yes, they are; and in some parts of the country some of them cannot speak.

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16204. Then they must be very extraordinary people?—Yes, they are; and in some parts of the country some of them cannot speak.

16205. With regard to the Public Works Department, you say that bribery is rampant; has anything else come to your notice in connection with that department which you would wish to remedy?—No.

16206. (Sir Stephing Edgeley.) With regard to delegating powers, would not a general amending Act, properly safeguarded, do away with many present difficulties?

16207. If such an Act were passed, would it not be very much simpler than having to go to the Legislative Council on each and every occasion?—There may be some Cess available for which it would not be necessary to legislate, but all important matters should be left to legislation.

16208. You think it should be limited as to spheres of work?—Yes.

16209. You say that the financial settlement entered into in 1906 was not limited to any fixed term, and it is not now open to the Government of India to absorb any possible balance in the hand of the Local Government at the end of every five years, but the Imperial Government has reserved the power of interference or reversion, if occasion arises for it. Is that a good thing?—Yes.

16210. Does it tend to keep the Government of Bengal alive to its responsibilities in dealing with the extensive revenues at their command?—That is my view.

16211. So that it is really a power of constant control over the Government proceedings?—Yes.

16212. Is that the general impression amongst gentlemen who have studied the subject?—We studied the subject when the financial settlement was discussed in the Council, and it was the feeling of all the members that control should be kept.

16213. If the Bengal Government used its revenues in a manner which did not approve itself to the Government of India, would the Government of India step in and alter the contract?—Yes.

16214. Then that is hardly a final contract?—No.

16215. Do you suggest that these powers of interference should, if possible, be defined?—Yes.

16216. Can you yourself suggest any definition?—Not beyond what I have already suggested, namely, when the circumstances should be so abnormal as to exhaust the imperial resources, or something of that kind. It is very difficult to specify definitely.

16217. Is that a sufficient reservation?—Yes.

16218. Short of that you would not allow the Government of India to interfere with the contract?—No.

16219. (Mr. Meyer.) The financial settlement of 1904 to which you refer is no longer in operation?—Was it not necessary to make a fresh settlement in 1906 consequent on the partition of the province? But the new settlement is on the same lines as the previous one.

16220. In making that settlement, did not the Government of India say very much what you say now, namely, that they would not revise the settlement, except under some grave Imperial necessity, or if the settlement were found to be grossly unfair to the province in some way or other?—Yes.

16221. As regards the instances of discourtesy to which you have referred, if you wanted to see a Collector, and he wrote to you or said to you, "I am extremely busy just now; I must ask you to wait an hour or two, or come another day," would you think that was discourtesy?—No.

16222. Do officers coming from the Bengal districts speak Hindi well?—Not all of them.

16223. Should officers be kept a longer time at Ranchi than when they are there now?—Yes.

16224. You say that a Collector, though he should not sit on the District Board, should have outside powers of control; but would not take more interest in matters of education, sanction and roads, if he sat on the Board and discussed them first-hand, than if he were an outside authority?—Of course, he might take more interest if he sat on the Board, but I say it is not desirable for other purposes that he should.

16225. But would it not bring him more in contact with the leaders of the people of the district who may
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be on the Board, and would he not be able to see them and exchange views with them at the Board meetings? —Of course, if it was simply from a social point of view, it would be better; but my meaning is that his siting as Chairman of the Board takes away the independence of the Board itself.

16046. Does his presence frighten the people? —Not exactly; frightens people, but people cannot express their opinions so freely, and with such independence as they would otherwise.

16047. Do you think anybody whose opinion was worth having would hesitate to speak out freely before him? —They might know of a good deal of the country, because they are local people, but still with the feeling that their position on the Board was by nomination of the District Officer, and that he was present, they would not express their opinions freely.

16048. If they were elected, would they be frightened of him? —Not to such an extent.

16049. With regard to the Board's having larger control over dispensaries, do they not control them now? —Not absolutely; there are the Dispensary Committees.

16050. Is not the Dispensary Committee a branch of the District Board? —No, it is quite a different thing. The dispensary is under the Medical Department, and the District Board is nothing but Chairman sometimes. The District Board only makes a grant to the Dispensary Committee.

16051. Are not the members of Dispensary Committees members of the District Board as well? —Not necessarily; some of them may be.

16052. Does the District Board make the grant and have nothing further to do? —Yes.

16053. What is the character of your villages? We are told that in Bengal village communities do not exist in the sense that they exist in Northern India; that is the case in Chota Nagpur? —We have villages, but not village communities.

16054. Have you no village headman? —Every village has a headman in that part of the country, who has some local designation.

16055. Do the villagers meet together; are there no village officers? —Yes; and there is a village headman called a munsal in our part of the country; in this way we have village communities.

16056. Besides them, have you chaukidari unions? —No.

16057. Who manages the chaukidars? —The police.

16058. Has not the practice ceased now? We are told that in Bengal proper the chaukidari panchayats have become independent of the police. Is that not so in Chota Nagpur? —Not yet.

16059. You suggest that Collectors should get larger powers over Public Works? Might not that be achieved by breaking up the provisional Public Works budget to some extent and giving Commissioners allotments to distribute for different Public Works? —To some extent that could be so, but still the Collector, I think, ought to be given some power as to the actual supervision of the work.

16060. Would you give the Collector a small budget of his own? —I think not.

16061. With regard to class representation on Local Boards and municipalities, do you think, speaking generally, if that practice were adopted, you would get a better class of District Boards than you do now? —Yes.

16062. And that, therefore, they might receive larger powers which you would not propose to give to Boards and municipalities as at present constituted? —Just so.

(The witness withdrew.)

Bar Barigopal Bhattacharjee, M.A., B.L., was called and examined.

16063. (Chairman.) You are Deputy Collector of Income-tax in Calcutta? —Yes.

Subject to the principle that the expenditure should remain within the limits of the provincial contracts, I would generally give the provincial Governments as large powers as may be necessary, in regard to non-recurring items of expenditure, in order to maintain the local administration in a high state of efficiency.

As loans involve the financial credit of Government and have to be raised with reference, among other things, to the personal character of the money-market, I would, as at present, leave borrowing powers in the hands of the Government of India, which can command the best expert advice.

I would give the provincial Governments as complete liberty as is possible in order to enable them to apply to local conditions the general principles of policy laid down by the Government of India. This principle is now recognized in a large measure, as regulating the relations between the Imperial and the provincial Governments. But a large mass of correspondence takes place in settling matters which involve comparatively minor questions of principle, in their relation to different local conditions.

Although the Imperial Secretariat considers matters from a more commanding standpoint furnished by precedents from other provinces, local conditions do not always impress it as effectually as they impress provincial officers. The result is that while, on the one hand, the Government of India take a broader view of matters from the varied materials at their disposal, they become, as times, too impersonal, and discussions become necessary before the local conditions can effectually modify the considerations of revenue. The proceedings of the Oriesa settlement seemed to show traces of this tendency. But, on the other hand, the Government of India have, generally speaking, a much broader and more general view of the Local Governments in matters relating to revenue, and this, generally, prevents any undue predominance of revenue considerations.

I would not curtail the right of appeal either to the Local or the Supreme Government, or to Heads of Departments and Commissioners notwithstanding logical considerations in favour of curtailment. It is a privilege sanctioned by historic usage. It is a valuable symbol of personal Government which links the people to the royal throne. People have such a living faith in this right of appeal to Government that they instinctively invoke it when they feel aggrieved. Like the right of petition, this right of appeal has a high political value, which ought to be preserved.

For the purpose of revenue and administrative work I would amalgamate the Board of Revenue as closely as possible with the Government; and that the two Honourable Members and the Chief Secretary may be formed into an Executive Council, having His Honour as President, and subject to His Honour's orders, the different departments may be distributed among these members. The creation of an Executive Council under His Honour will not necessarily extinguish the statutory powers of the Board of Revenue and, after the Council comes into being, the Board may continue to exercise its powers. In the very small number of cases where the law allows an appeal to Government against the Board's decision, the orders in the appeal cases may be passed by His Honour.

District Officers already possess, in matters of revenue and general administration, powers sufficient for one officer. But the most important reform will be to relieve the District Officers from the necessity of attending to petty matters of routine, so that they may have more time to keep themselves in closer touch with the people and to consider the more important questions.

Without superseding the authority of the Heads and other officers of special departments, I would give the Commissioners and Collectors a voice with regard to any important expenditure departmental in their divisions and districts on matters in which the local public are largely interested. I think that, in matters relating to irrigation and drainage, the weight of the Commissioner should have as much weight as the views of the experts when these matters affect any considerable number of residents of the division.

By tradition and by training, the provincial Secretariat establishment take a broader view of matters in the light of the precedents at their command, and
owing to their detached attitude, their judgment is not
apt to be unbiased by local prepossessions which local conditions
are apt to create. But, while viewing matters from this
departmental standpoint, they fail to observe them in their
true local perspective. This drawback tends, at times, to make their decisions too impersonal,
and also occasionally to give too much importance to con-
siderations of revenue. But the district experience of
the Secretaries operates as a corrective of the draw-
back, and the efficacy of this corrective force depends
upon the measure in which these officials impress their
personality upon the work of the general establishment.

Though the tours afford opportunities for personal
contact with the people, the overworked District Officer
cannot utilise them to the best advantage. In order
to give this element of personal contact the place it
deserves, as a means of improving the relations between
the rulers and the ruled, the Collector should be allowed
to delegate a considerable part of his less important
duties to a gazetted subordinate who should have
similar status and position to the Commissioner's
personal assistant. Some of the inspection work, which
now takes up so much of the Collector's time, may
also be curtailed or delegated with advantage. Tours
should be less hurried than they are now, so that,
with more leisure at his disposal, the District Officer may
understand his people better and that the latter may
properly appreciate the personal qualities of the Head
of their districts. Many officers know some of the
vernaculars fairly well. I think that a higher standard
of knowledge of the written and colloquial vernaculars
should be introduced. Transfers used, in some former years, to be rather
frequent. I cannot suggest any method for their reduction.
In my own Service, they seem to have, of late years, become less frequent.

I have not much faith in the utility of formal
Advisory or Administrative Councils. A tactful and
sympathetic Secretary or Commissioner can easily
choose the right advisers and command their local
advice and assistance. The creation of formal Councils
will have certain drawbacks which may detract ma-
terially from their utility. In the District Boards the
Collector has a Council which he can utilise for advisory
purposes, and he may ask the advice of other residents
not belonging to these Boards.

I would not subordinate the smaller municipalities
to the District Boards. I think that earnest and sustained efforts should be made
to increase the powers of the village communities. Care should be taken to introduce the reform only in
the more advanced villages where there will be a com-
paratively little risk of abuse.

16064. Do you not share the views of the last witness that the powers of the Divisional Com-
missioners and the Collectors of Districts are already
too large?—I think that they might be increased.

16065. You say the tours of District Officers are apt to
be rather hurried.—The District Officer has so
many duties at headquarters to attend to that he has
to return now and then during his tour. In former
years the tours used to be more prolonged, and an attempt
ought to be made to go back to that practice.

16066. Then it is not that the officer wishes to get
through his touring more quickly, but that he is
compelled to cut it short?—He is ; that is why I sug-
gest a delegation of some of his headquarters duties to
an assistant at headquarters.

16067. You are not very much in favour of formal Advisory
Councils, but think the present system of
informal consultations preferable?—Yes, and if any
reform is wanted we might take steps to improve the
present system rather than introduce a new system of
formal Councils.

16068. Would an improvement of the present system be
obtained by an instruction to all District Officers of
whatever grade to constantly consult local opinion?

—Yes, in such a way that it will inspire confidence in
the people and encourage them to be candid with the
District Officers.

16069. With regard to village communities, do you
think something might be done in the direction of
giving them slightly larger powers?—Yes.

16070. In the way of forming a village Bench for
judicial purposes?—To a very limited extent for
judicial purposes—mainly for the purposes of sanita-
tion and police, and under proper condition; for
municipal rather than judicial purposes.

16071. (Mr.Mayor.) Each Commissioner in Bengal
has a Deputy Collector as his personal assistant?—Yes.

16072. What are the duties of a personal assistant?
—He relieves the Commissioner of a large mass of
routine work, and, subject to the orders and approval of the Commissioner, he carries out much of the Com-
missioner's duties in less important matters which
form a considerable portion of the office work.

16073. Does he pass orders on behalf of the Com-
missioner?—Not in important cases, but in routine
cases he passes orders, and there are certain classes of
cases in which he submits to the Commissioner after
disposing of them.

16074. Do you mean cases such as sanction to expen-
diture?—No; he does not dispose of those matters;
he submits the matter to the Commissioner in every
case where expenditure is concerned.

16075. What are the sort of cases to which you refer?
—There is a long list of them.

16076. Supposing the Commissioner's sanction was
necessary to the spending of one hundred rupees,
would he send that to him?—That is the practice.

16077. It was suggested at Madras that the limits of income-tax assessment might be raised; what are they
in Bengal? who makes the original assessment?—Myself and my Collector. Of course, the lists are
submitted by assessors. They are non-gazetted officers
on pay ranging from Rs. 300 to Rs. 550 in Calcutta
and from Rs. 80 to Rs. 100 in mufassal districts.

16078. They are practically clerks?—They are not
exactly clerks, because they are treated as belonging to
a class midway between the gazetted and ministerial
classes.

16079. Are they permanent men or are they changed
from year to year?—They are permanent men, but
they are transferred from district to district at times.

16080. Would an improvement of the present system
of village communities be wanted we might take steps to improve the
Divisional Boards, but think the present system of
advisory councils is better.

16081. What are the sort of cases to which you refer?
—The deputy
Collector in cases where the income is less than
Rs. 10,000 and the Collector in other cases.

16082. When a Collector takes a case, does he pass
orders on behalf of the Commissioner?—Yes.

16083. Are you speaking now of the headquarters
divisions, and a certain number are assigned to each
division, and the Commissioner arranges the length of
time they shall spend in a district.

16084. Who makes the assessment?—The deputy
Collector in cases where the income is less than
Rs. 10,000 and the Collector in other cases.

16085. Who makes the assessment?—The deputy
Collector in cases where the income is less than
Rs. 10,000 and the Collector in other cases.

16086. Have you a Deputy Collector in each district in charge of income-tax work?—The Deputy Collector
who is in charge of excise is also in charge of income-
tax.

16087. They are practically clerks?—They are not
exactly clerks, because they are treated as belonging to
a class midway between the gazetted and ministerial
classes.

16088. But are you not doing away with the Excise
Deputy Collector class and substituting special excise su-
derintendents?—The scheme, I understand, has not
been introduced into Bengal.

16089. Are you speaking now of the headquarters
division?—Yes, when the Sub-Divisional Officer has
jurisdiction. Taking your district administration, the
Collector is in charge of the headquarters sub-division?—Yes.

16090. How many Deputy Collectors are there gen-
erally?—There are different numbers fixed for different
districts; there are districts of four classes.
16089. Taking an average district, how many would there be?—I think four may be taken as the average number.

16090. You have at the headquarters sub-division four Deputy Collectors and one Joint-Magistrate?—Very seldom a Joint-Magistrate.

16091. Do your district establishment want sub-divisions?—I think the staff is not so very excessive, but making allowance for one officer to be set aside for the special excise and income-tax work, the remaining three are hardly sufficient for the whole work of administration. The staff has been recently increased to some extent.

16092. Would it not be better to have regular Sub-Divisional Officers to do the revenue and magisterial work under the Collector's supervision?—Yes, in some places a Sub-Divisional Officer could do the work, but his functions are mainly judicial; he has very little revenue work.

16093. Why should he not have both; why should he not be a regular Sub-Divisional Officer?—The revenue work in Bengal is centralized and has not been sub-divided according to sub-divisions as the assessment work has been.

16094. Similarly your Sub-Deputy Collectors are concentrated at district and sub-divisional head-quarters?—Yes.

16095. Does much municipal work go up to the Commissioner for sanction?—Yes.

16096. Might some of the powers be delegated to the Sub-Deputy Collector or to the municipality itself?—Yes; an attempt might be made to delegate some of the powers, but very few.

16097. Speaking generally, is it your impression that a good deal of work comes to the Commissioner that need not come up, and that could be sanctioned as a matter of course?—Yes. With regard to Collectors I am sure that there might be a substantial amount of delegation, but with regard to municipalities I am not quite so sure.

16098. (Sir Steyning Edgerley.) Do you think an officer works harder when he is on probation than he does afterwards when he has been confirmed?—After his confirmation more important work is given him. I think after confirmation he has to work harder.

16099. Do you think he lets things go a little, while on probation, and after he is confirmed he works harder?—No, I do not think that, but less important duties are then given him, so that harder work is not necessary.

16100. Do you think he tries more when on probation than he does afterwards when he has been confirmed?—He tries both while he is on probation, and afterwards, according to the individual nature of the officer.

16101. What advantage do you expect to get by the appointment of an Executive Council?—The more important work that now goes to His Honour will be reviewed by three officers.

16102. You would get a broader decision?—Yes.

16103. Do you suggest that the Commissioner should have enlarged powers in order to make him in the eyes of the people and officers under him the de facto representative of the Government in his division?—Yes.

16104. If you have a broader Government and a more powerful Commissioner, what room is left for the Board of Revenue?—The Board of Revenue will remain nominally in order to fulfil the requirements of certain laws and regulations which require the existence of that body.

16105. Does your work as Deputy Collector of Income Tax in Calcutta bring you into very close connection with the commercial and native communities?—Yes.

16106. What, generally, is the reputation in commercial circles of the Port Commissioners?—They are looked upon as an efficient body?—Yes, I have heard the Port Commissioners well spoken of.

16107. Do you make the original income-tax assessments?—I do a part of the original assessment, so does the Collector. The assessors' list of proposals are submitted to me, and after my scrutiny they are submitted to the Collector; the Collector and myself jointly scrutinize them.

16108. If you prepare the list what is the necessity of submitting it to the Collector?—has he any data on which he can form a second judgment which you do not possess?—Some of the cases are very important and the Collector's views are necessary in those cases.

16109. Are those cases specially marked in any way?—No.

16110. Do you submit the list as a whole to him?—Yes.

16111. As a matter of fact, the Collector does not examine the whole list or anything like it?—He does.

16112. Does he make an independent examination?—Yes.

16113. What are the arrangements for appeals?—I take objections with regard to assessments on incomes below Rs. 10,000; appeals from my decisions do not lie to the Collector, but to the Commissioner; objections with regard to incomes above that amount are dealt with by the Collector and an appeal lies to the Commissioner.

16114. Are a good many of your assessments affirmed after examination of the books of the Division?—Yes. With regard to Collectors I am sure that there might be a substantial amount of delegation, but with regard to municipalities I am not quite so sure.

16115. Do you examine those books?—Yes.

16116. Then when the appeal goes up to the Commissioner, does he examine them again?—Yes, he tells the books now and then, but very often he requires us to examine the books again, and submit the result to him.

16117. Is there a still further appeal from the Commissioner?—To the Board of Revenue.

16118. What course do the Board of Revenue generally take?—The Board of Revenue take the Commissioner's report, and pass orders.

16119. Do they generally call for another report from you?—Yes, through the Commissioner.

16120. Do they make any independent inquiry into the books or into the evidence?—Yes, sometimes.

16121. Do the matter end with the Board of Revenue?—Yes.

16122. Would not justice practically be done to most people if the appeal ended with the Commissioner?—Yes.

16123. As I understand, there is no special advantage in appealing to the Board of Revenue, for they do not, as a rule, make an independent investigation?—But sometimes questions of mixed law and fact arise which require the decision of the Board, and with regard to those cases it is better to leave the jurisdiction of the Board.

16124. Then you think two appeals are necessary?—One appeal will be sufficient for the great majority of cases where merely questions of fact are involved, but where any intricate principle of assessment is involved I think it is safer to leave an appeal to the Board.

The witness withdrew.

Mr. C. H. Bompas was called and examined.

16125. (Chairman.) You are the Magistrate and Collector of the 24-Parganas?—Yes. I have been so for the last two months. Before that a good deal of my time was spent in the Santhal Parganas.

Speaking broadly, the principle on which the Local Government has surplus funds it may distribute them among divisions or districts not in accordance with ascertained wants, but on the basis of a statement of the amount of delegation, but with some similar rough principle: it thereby parts with its control of expenditure: but this is not possible where great economy has to be practised and is only legitimate, so when the money is to be expended on objects, such as communications, on which practically unbounded expenditure is justifiable. When funds are limited they must be allotted where they are most needed; and
work and earn a pension at the end. I would engage all Government officers for a first term of five years, with a bonus, and then for a second term of 10 years, again with a bonus: then for a third term of 10 years after which they would be entitled to pension. These terms would still be so much better than those offered by private employers that recruiting would not suffer, while men much longer life and better efficiency would be worked out, and public interests would not suffer in order that unfit men might earn a pension.

16125. You have a particular system of Government in the Santhal Parganas, have you not?—Yes.

16126. The Commissioner has very large powers in all departments?—Yes, as superior to the Deputy Commissioner. The Deputy Commissioner is practically the person who exercises the powers and he has the local knowledge, but he is subject to the control of the Commissioner in every way, and the Commissioner is the High Court.

16128. What is the distinction between that collectorate and others?—The Santhals once rose in rebellion against an artificial system of government, and the idea was to abolish everything between the European official and the people. The ordinary laws do not apply unless they are specially extended; the ordinary departments have no authority unless they are specially empowered; there are no pleaders to come between the European official and the people. The High Court has no authority, because it acts on too centralised lines; the zamindars have had their powers of interference with police power, and throughout a greater part of the district the police were abolished, so that there is nobody between the people and the English official.

16129. What has been the result of the peculiar system of Government?—I think those who can judge recognises it as very successful. People like the European managers of estates and land-holders in the district. It is not popular with the educated foreign class that is to say with the English officers. The Santhal Parganas is a district where in every year in volume and complexity, and need for very successful. People like the European managers of estates and land-holders in the district. It is not popular with the educated foreign class that is to say with the English officers.

16130. Is there much crime there?—No. I do not think there is more crime there than there is in regular police areas. The question was gone into the other day and the police said there was crime, but I do not think there is there.

16131. On the whole, is it a satisfactory form of Government?—For a primitive people most satisfactory, and I should like to see it extended to all those districts where the people can be described as a primitive class.

16132. Does the Deputy Commissioner there have any particular functions which he has that are more or less at his discretion?—There was a Road Fund which was practically spent at his discretion, but the subsidiary Sub-Division and the Commissioner.

16133. Has the Deputy Commissioner no lump sum grant made to him by the Commissioners have in the rest of Bengal?—The Commissioner gets his lump sum and he gives it in smaller lump to the District Officers.

16134. Did you get a lump sum such as the Commissioners get elsewhere?—I got my share of the Commissioner’s lump sum.

16135. What is your view with regard to appeals?—I think in executive matters one appeal should be sufficient.

16136. Have you found that work well in the particular district of which you have been speaking?—There, there are several practicalities; there was an appeal from the Sub-Division Officer to the Deputy Commissioner, and anything could be taken up from the Commissioner.

16137. And beyond him?—It could be taken to Government, but in practice that seldom occurred.

16138. With regard to revenue appeals, is one appeal sufficient?—Yes, except on points of law; on a point of law I think an appeal to the Board of Revenue is necessary to secure uniformity, just as an appeal to the High Court is sometimes necessary.

16139. What do you mean exactly by your remarks with regard to localising the Services?—I think it is desirable that Government officers should know more
about the people than they do, and it is impossible for a man to get to do that in a whole province, because he might feel he was getting acquainted with the people under his charge.

16140. How long would you keep him there?—His whole service so long as he was doing that particular work.

16141. You would bring an officer, say, to Bihar, and you would keep him in Bihar until he ceased to be a Commissioner?—Yes, as a general rule.

16142. Would that not lead to difficulties as regards healthy and unhealthy districts?—It would lead to some people having less pleasant lives than others, and it is possible that in some unhealthy districts you would have to make special arrangements for officers; you might allow them to spend two or three months in the year on duty up in the Hills; I would rather have a man for seven years, nine months in his district and three months away doing work from Darjeeling, than have seven different officers in a place in seven years.

16143. How long would you keep him in any one district?—I would keep an officer in a district until it became absolutely essential in the interests of some other district to take him there.

16144. Then you do not think there should be such a limited period of time as five or six years' service in one district?—No; I was six years in the Santal Parganas, and whereas I believe I was only just beginning to be really useful.

16145. Are the present leave rules inconvenient, not to the individual but to the Service?—I have not thought over the matter, but I doubt whether it is necessary to let a man take furlough for two years at a time.

16146. By going home for such a long time does he lose touch with his work, and perhaps his knowledge of the vernacular?—I should think that would be probable.

16147. Would it conducive to ill-health to keep a man out here for eight years with only one period of privilege leave?—I think frequent short leave is very much the best thing from the point of view of health, and from the point of view of work. I think six months' leave sets a man up and the officer he takes leaves the better, as long as he has not been too much run down to begin with. Of course, I do not say that officers would like it. I have a list here of the Collectors who have served in the district of the 24 Parganas since its formation, and you will see that at first they used to stay for five years and over, but gradually the period decreases, and I think it is impossible to conduct business satisfactorily on those lines.

16148. I see that one officer stayed 15 years, but of late years the average seems to be four or five months at the outside?—Yes. There are three or four who stayed a couple of years, but until the second year of their service I do not think their administration could have been satisfactory.

16149. How long would it take an officer to become acquainted with an ordinary Bengal district?—I consider you are no good under a year and you should know your district in three years. I do not think under that time one would be in a position to give an independent opinion on anything relating to his district, though one might be able to give an intelligent opinion when pressed over a certain kind of business.

16150. And it is your view that you certainly cannot get to win the confidence of the people under that time?—Yes.

16151. Ought a good deal more care to be taken in the selection of all officers?—I think more ought to be done in the way of weeding out the admittedly inefficient men in all departments.

16152. Then the Government begin to discover that a man is really inefficient?—I do not think I can make any general statement about that; it depends on the individual. I think you find that in any Province there are two young Deputy Collectors who were in their second year and had just been confirmed, but everybody knew they were perfectly useless.

16153. And in spite of that they have been confirmed?—Yes. They worry through their probationary periods somehow; they have very little work to do while on probation, and of course a man is not likely to do much while on probation so he cannot prevent his confirmation.

16154. Then practically the probationary period is a matter of fact?—I do not know what the figures are, but I should be surprised to find that anyone had not been confirmed after probation; certainly the number is infinitesimal.

16155. When ought this weeding out to begin to take place?—I would have two pauses in a man's service when one might say "Is he fit to go on?"—one after five years' service and another after seven years' service. If a man is hopelessly incompetent you would find it out during the first five years, or afterwards he might take to drink or something of the kind.

16156. Or he might become a useful officer?—Yes.

16157. (Sir Frederick Ley) As a matter of fact, few men do take two years' leave at a time?—Wall—18 months is not uncommon—two hot weathers.

16158. Is it not also a fact that the majority of men take leave of some kind or other before their eight years are up?—Civilians do certainly.

16159. Would it be a good thing to try and equalise matters by granting free quarters, for instance, to men in bad districts?—Do you mean as a sort of capitation compensation? I do not think that would make much difference. I think there are not many stations in Bengal in which if you told a man he had to live for the rest of his life there, he would not try to improve the conditions, but now he tries to get away as soon as possible.

16160. But it might possibly facilitate things, if a man were given a good house to live in?—Yes. There are one or two sub-divisions in Bengal where there is an allowance given because they are so unhealthy.

16161. Does your experience in the Santal Parganas indicate any particular line of change which you would suggest as distinct from any other part of the Presidency?—I should like to see Chota Nagpur, where the conditions are very much the same, brought into line.

16162. Are there any particular points in connection with the administration of the Santal Parganas which would bear on the system in the rest of the Presidency?—Not for Bengal proper. You cannot switch off one rail on to another altogether; you must continue on the lines you start on. The whole system is different. Of course, you might say that you would have a simpler form for administering justice in small cases as distinct from that in the rest of the Presidency; there are one or two sub-divisions in Bengal where there is an allowance given because they are so unhealthy.

16163. Is it not the village system rather different from that in the rest of the Presidency; there is more or less of a village constitution?—There is a very strong village constitution.

16164. Does that practically lead to self-government?—Yes. Each village has a headman who has police powers, and in a homogenous village he has also large social powers by custom. Then in the police tracts the heads of a certain number of villages, 30, 40 or 50 in number, elect for a period of three years a local man of position who is called a sirdar, who exercises all the powers of an officer in charge of a police thana, and who is the representative of the Government in that area. At the end of the three years the headmen are called together and asked whether they like that man, or whether they would prefer another. They have a most elaborate system of local self-government.

16165. Are there any artificial creations of government in the form of District Boards or municipalities?—There are municipalities and a Road Cess Committee.

16166. Is there any attempt made to blend them on to the indigenous village community?—No, there is no connection between them.

16167. Would it not be a good thing to do that, and to bring the village administration into play for the purposes of spending the local cess?—As far as the villagers are concerned, the Road Cess Committee does not exist; it is the Deputy Commissioner.
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16168. Then is it not worth while to bring the village in?—If course the expenditure does not concern the ordinary village; you cannot have a road to every village.

16169. Is the money spent on roads entirely?—The road fund is for roads.

16170. And do the villagers provide themselves with their ordinary wants—water-supply, and such like?—Yes, and they make their own roads, such as they are.

16171. That is to say those which you do not make? They make village roads. They are accustomed to being useless, and if they get an order to make a village road, they make it.

16172. (Mr. Dutt.) Is there a special grant given for Education in the Santah Parganas?—Yes, we have funds for education too.

16173. Is it a lump sum allotted for the whole district?—Yes. The District Officer distributes it. There is a District Committee of Public Instruction. It does not trouble the Deputy Commissioner very much.

16174. You think some districts are too large in area?—Some are unmanageable.

16175. Is it not possible to carry on the work of those districts by adding to the number of officers?—You can cut a district into two, or you can cut the work into two and try the old system of having separate Magistrates and Collectors.

16176. Are some of the sub-divisions very large in area?—The Sadar sub-divisions will have to be cut into two directly they can afford to have Sadar Sub-Divisional Officers.

16177. Do you favour the idea of having a Sub-Divisional Officer for the 16169. The money spent on roads entirely?—The road fund is for roads.

16178. At present there is no local Revenue Officer between the Sub-Divisional Officer and the people, and the only medium is the police?—Most sub-divisions have a kanungo I think.

16179. Does he live at the headquarters of the sub-division?—Yes.

16180. Would the work in Bengal be improved by having local officers and entrusting them with revenue work, each in his own circle, and also with the work of looking after the village panchnays and village matters?—What sort of revenue work do you refer to?

16181. Any work in the circle?—What sized circle?

16182. I leave that to you. Would it be possible to create such circles—dividing a sub-division into two or three circles and placing a Sub-Deputy Collector, or an officer in a similar position, in charge of each, and then entrusting him with all the work within his circle?—I do not think there would be enough work for him to do unless you gave him both civil and criminal powers.

16183. If you gave him both civil and criminal powers, what plan answer?—It depends: I think if you made him a regular munsiff it would tend to increase litigation enormously.

16184. If he were given criminal powers and relieved the Sub-Divisional Officer to that extent what would you say?—Speaking broadly, he would be a sort of Sub-Divisional Officer, and the more officers you have the better the administration, but I suppose the expense would be prohibitive. I would like to have a Sub-Divisional Officer for every thana, but it is a question of money.

16185. Except on the ground of expense it is an arrangement which might improve the administration?—The more Government officers you have, the more efficient the administration would be.

16186. With regard to localising Services to particular divisions, would you localise all the men in the Provincial Service, Muniffs, Deputy Collectors and so on?—Certainly.

16187. In a district or in a division?—As far as possible I would say that a man should stay in his district, but you would not under very exceptional circumstances, take him away from a division in which he knew the language and the manners and customs. In the Santah Parganas I happened, by some chance, to have a Deputy Collector who had been at head-quarters for 20 years, which was most useful, and I think it is hardly ever an officer who can tell one what has happened three years ago.

16188. (Mr. Huchens.) Two objections have been urged against keeping a person too long in one district, one of them being that he is likely to get stale; what have you to say to that?—I think the evil of a man being in a district for a short time, knowing he is only going to be there for a short time, and thereby prevented from taking an interest in his work, is much greater than the evil which might result from a man getting tired of the work. Speaking generally, the more you know about a district, the more interested you are in it.

16189. Perhaps also you would say that even if a man got stale he would get over it?—I think a man would be prevented from getting stale by taking frequent short leave, which I am much in favour of.

16190. The other objection is that a man's experience would be, comparatively speaking, limited if he were kept in one district, what do you say to that?—He certainly would have a little experience of the other districts in his division. During the course of his service it would be found impossible to keep him in one district, but in the division he ought to have ample experience, and I think it better that he should know one class of work thoroughly than that he should get the same experience which would be shifted from one end of the province to the other.

16191. Would you say that the mere fact of suddenly transferring a man from one end of a province to the other gives him a wide experience which is of value?—I do not think it is very valuable.

16192. The fact being that the matters which come under his notice and control are very varied and wide, and that in itself gives him a wide experience?—I think any district in Bengal provides quite enough for one man to think about.

16193. With regard to your statement that you think one appeal sufficient, what is your opinion as to what has been told us, namely, that it is part of the tradition of the country that a man should be able to appeal up to the supreme authority, and that it would be impossible to eradicate it?—I think in the imagination of the people that the supreme Head of the Government may be taken to be, first, the District Officer, and, secondly, the King on his throne in England; they do not think that a Lieutenant-Governor is any nearer approach to the supreme authority than a Commissioner or the Viceroy, and if they once have the power of appealing to all of them they go up the whole scale.

16194. But is the tradition of the existence of a right of appeal to the supreme Head one to which it would be desirable to run contrary?—No, I do not think it would be so. I think we have very largely taught the people to appeal from department to department, and the traditional feeling would only lead them to apply to the Emperor in England. You do get people sending home letters to the King.

16195. Are you in favour of creating substantially smaller provinces?—I should like to see it come.

16196. Would your idea be to have a considerable number of, say, Chief Commissioners?—Or independent provinces; it would not matter what you called them.

16197. You base your idea rather on the fact that there is a large and diverse population than on the size of the area involved?—Yes; if you get a homogeneous population, it does not much matter what the area is.

16198. Why do you lay such stress on the homogeneity of population?—Because there is no harm in passing an order that will be appropriate to a large population, and you may get such an order where the population is homogeneous, but where you have a heterogeneous population, it is seldom that you can pass such an order.

16199. If you take Switzerland, South Africa, and many other countries, you find the populations are not homogeneous, but at the same time they have one Government which to all appearance works satisfactorily,—why cannot you do that here?—I do not think it would work. You would not get very great dissatisfaction for there is a population of 65,000,000 governed by one Government; if you take Australia with its few millions, it has a dozen or more independent Chambers.
16200. Is there any other reason than the mere fact that the population is not homogeneous, which would urge you to divide them into smaller districts? —I think there are many arguments, one from the practical point of view, if you are going to have some extension of Local Self-Government, you must have smaller areas. Any elected legislative body in Bengal cannot represent any particular portion of it or the interests of any particular portion of it.

16201. (Mr. Meyer.) How many sub-divisions do you usually have in a district? —I do not know what the average would be, since districts have none; a big district will have three or four.

16202. Do you include the headquarters sub-division or do you mean only the outlying sub-divisions? —Including the headquarters sub-division.

16203. On an average are there three—the headquarters sub-division, and two outlying sub-divisions? Yes.

16204. Are the outlying sub-divisions in the charge of either a Deputy Collector or a Civilian? —Yes. He is mainly concerned with magisterial work.

16205. Does he take original first-class cases and appeals in second and third-class cases from Magistrates? —He does not hear appeals.

16206. Does he take second and third-class cases himself? —In many sub-divisions there are only one officer who does the work with the help of some Benches. He sometimes has a Sub-Deputy Collector.

16207. In that case does not the Sub-Deputy Collector take third-class work? —Yes.

16208. Does the Sub-Divisional Officer control the Local Board if there is one? —He may or may not; in my present district they have nothing to do with it; where there is a second officer the sub-treasury is in his charge.

16209. Then a Sub-Divisional Officer mainly tries first-class cases; has he enough work to do? —They are overworked in these sub-divisions, purely by magisterial work. Of course they do a good deal of touring, and they are supposed to inspect everything, but principally they act as Magistrates.

16210. Is not the headquarters division the apex of the district, and supposed to be directly under the Collector? —It is supposed to be.

16211. Then you have, or are supposed to have, a Joint-Magistrate at headquarters? —Yes.

16212. Then you have Deputy Collectors? —There is a fixed standard staff for each district; in a big district there may be six Deputy Collectors at headquarters.

16213. What work do they do? —One is in charge of the treasury, there are men mainly employed on criminal work, and there are all the Collectorate Departments and the Certificate Department of which they are in charge. Income-tax is generally under a special officer.

16214. Have not steps been taken to start a separate superintendent of excise? —I do not think that will be proceeded with.

16215. I understood that there had been reports from Bengal suggesting that the work of Deputy Collector of Excise was not satisfactory and that regular establishments were wanted? —It was discussed at the last Commissioners' conference, and did not meet with favour.

16216. Then you think the old system will be retained? —That was the strong opinion at the Commissioners' conference.

16217. In Madras, everything is territorial, with the districts divided into sub-divisions and each Sub-Divisional Officer responsible for the territorial work in the sub-division, the Collector being the controlling authority. Do you not think it would expedite the work if the same kind of thing were done in Bengal? —It is so in some departments. Certificates are sent for the Sub-Divisional Officers to dispose of.

16218. At present whenever any person in a district is in trouble about income-tax, excise or land-revenue, instead of going to a local officer, he has to go right up to headquarters. Is that a satisfactory arrangement from the point of view of the people? —With regard to excise he would probably put in a petition before a Sub-Divisional Officer; as to income-tax he would not, but then it is in his power to bring his petition before a Sub-Divisional Officer as to income-tax.

16219. Is it not more desirable, from the point of view of the people, that you should scatter these offices and have more local representatives of the Government scattered over a district? —It would be better in the more backward districts.

16220. Why do you object to it in the other districts? —I do not know the other districts so well. You do not get departmental efficiency by making subjects like excise and income tax over to a number of scattered officers.

16221. Do you get a certain revenue from your estates under Government management? —That is not done from the headquarters. It depends entirely on the circumstances of the estate; an estate may be large enough to support a separate manager or it may not. A Government estate lying in a sub-division would be managed by the Sub-Divisional Officer.

16222. Who deals with stamps? —In most cases the Collector himself, generally through a Deputy Collector.

16223. Have you no Regulation or Act in Bengal allowing the Collector of a district to delegate his powers as Collector to subordinate authorities? —No, there is certainly no general power; in any Act, anything to be done by a Collector, it has to be done by him unless the Act itself contains power to delegate, as most of them do.

16224. You have a certain number of Sub-Deputy Collectors at headquarters; without bringing in the question of increasing the staff, could you not utilise the existing staff by putting them in outlying extensions, and grouping them into sub-divisions? —Yes, it could be done, but I would rather put a Deputy Collector than a Sub-Deputy Collector in independent charge.

16225. Several witnesses have suggested that the Collector requires, in addition to all this multitudinous staff, a personal assistant; do you share that idea? —No, the present Deputy Collectors are practically personal assistants in the different departments. I would like to have a competent officer in my present district to be my personal assistant.

16226. If you had such an officer at the headquarters sub-division who could take your place when you went on tour, would you want anything more? —Yes, I have that at present; I have a Joint-Magistrate.

16227. Have you got full power of appointing your own clerks? —Yes, but the appointment of sharistadar is in the hands of the Commissioner.

16228. Does he make it or simply approve it? —I do not know what happens in practice; in practice probable the Commissioner signs the form.

16229. What pay does the sharistadar get? —Somewhere between Rs. 100 and Rs. 150.

16230. What are your relations with the District Superintendent of Police? Is he your assistant? I understand, in all matters affecting the order of the district? —Yes.

16231. As regards the organisation of the police force is he under you? have you anything to say as regards the appointment and promotion of police constables and head-constables? —I have nothing to do with constables and head-constables, but recommendations for promotion to sub-inspectors go through me to the Deputy Inspector-General of Police.

16232. And you simply write what you suggest should be done? —Yes; if I had been long enough in the district to know that a man was incompetent, I should say he was, and he would not be promoted against my advice.

16233. Do you have anything to do with appeals or dismissals? —Yes; punishments of sub-inspectors have to be confirmed by the District Magistrate.

16234. A punishment like a fine or instance, a punishment like a fine or awarding a black mark; I fancy all minor punishments have to be approved.

16235. Could you suspend a sub-inspector or would that have to go to a higher authority? —I could suspend a sub-inspector.

16236. Putting it shortly, then, you have a great deal to say with regard to the discipline of the police
force?—Not in practice; I have a competent District Magistrate to intervene in any case in which he considers the comfort of the inhabitants of a district was being endangered by the continuance of any particular police officer in any particular place.—Yes.

1620. As regards the mere discipline of the police force, would it not be simpler to leave it in the hands of the Policial Department, leaving of course the District Magistrate to intervene in any case in which he thought the comfort of the inhabitants of a district was being endangered by the continuance of any particular police officer in any particular place?—Yes.

1621. As regards the Public Works Department, have you any control over the Executive Engineer?—No.

1622. Are you consulted as to what he intends to do in the district, in the way of expenditure on buildings, roads, or irrigation, and so on?—I am consulted in the way of expenditure on all buildings with which I have any connection.

1623. And roads?—In most parts of Bengal, the Public Works Department have nothing to do with roads.

1624. Then, speaking generally, you have nothing to complain of as to being kept uninformed as to expenditure on Public Works?—No.

1625. As regards forests, what is your position?—The Forest Officer stands very much in the same position as the District Superintendent of Police.

1626. Does that arrangement work smoothly?—All these arrangements depend on the individual. If you have an individual with an ordinary amount of tact it works satisfactorily.

1627. If you do not agree with the District Forest Officer what happens, do you override him?—The matter would be referred to the Commissioner and the Conservator. With the present Conservator of Bengal the relations with the forest authorities are extremely amicable.

1628. He remains your assistant as long as he likes, but if he differs from you, he may appeal to someone else?—The District Officer would stop him and the matter might be referred.

1629. But can you say definitely, on a matter affecting the people's grazing and so on, to the District Forest Officer, "I do not agree with you, you must be good enough to do what I want"?—Yes. He would have to comply with the wishes of the District Officer unless the matter was decided by a higher authority.

1630. But still he could require a reference in the meantime?—Yes, he could require a reference.

1631. It has been stated that a great deal of work falls on Collectors in regard to the partition of estates—by what order?—In every case, under the law, however small the estate may be.

1632. Am I right in thinking that the Collector has power to suspend revenue, not of permanently-settled estates, but of Government estates, in cases of calamity and so on?—No. I think the effect of the rules is that he has to get sanction to a suspension. He does not have to get sanction for an individual amount, but sanction to adopt the policy of suspension, and then the matter can be left to him.

1633. The Commissioner being above you, does he intervene again?—Yes, there are two lines of appeal, and two authorities as to police, which I think is rather unfortunate.

1634. What are they?—A man might be dealt with by the Deputy Inspector-General of Police and dismissed, in which case an appeal would go up to the Inspector-General of Police without going through me at all; or he might be dismissed on the report of the Superintendent of Police, in which case the appeal would lie to the Commissioner.

1635. But how could he be dismissed by the Deputy Inspector-General without its going through you. Ordinarily the action would be taken by the Deputy Inspector-General, would it not?—Yes, but the Deputy Inspector-General knows what is going on, and I think he can dismiss without reference to me.

1636. Could a District Superintendent go straight to the Deputy Inspector-General and say to him,—"Such and such a constable ought to be dismissed"?—The report would have to come from the Deputy Inspector-General.

1637. Is that double line satisfactory?—No.

1638. As regards the mere discipline of the police force, would it not be simpler to leave it in the hands of the Public Works Department, leaving of course the District Magistrate to intervene in any case in which he thought the comfort of the inhabitants of a district was being endangered by the continuance of any particular police officer in any particular place?—Yes.

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1650. Can a Collector make any partition on his own authority, or has he to go up to the Commissioner in every case, under the law, however small the estate may be?

1651. Am I right in thinking that the Collector has power to suspend revenue, not of permanently-settled estates, but of Government estates, in cases of calamity and so on?—No. I think the effect of the rules is that he has to get sanction to a suspension. He does not have to get sanction for an individual amount, but sanction to adopt the policy of suspension, and then the matter can be left to him.

1652. He cannot suspend, for however short a time, without getting the sanction of the Commissioner?—As a matter of fact, what happens is that the matter would be more expensive. That trenches on the larger provinces now.

1653. Are you in favour of giving Collectors power to suspend within the revenue year on their own authority?—Yes, I think it is only in the case of an application between six months and a year that it goes to the Board, and after a year nothing can be done.

1654. An idea was put forward in Burma that there should be periodical divisional conferences consisting of District Officers and a few selected persons, once a year, to discuss matters relating to the districts generally,—would you be in favour of that?—Yes. We have them regularly as regards District Officers, but non-officials have not been admitted to them.

1655. You think that everybody should serve, as far as possible, in a particular division, and remain there to the end of his service. Bihar is a division by itself, is it not, differing materially in many ways,—in the language, in the kind of people and a variety of other matters, from other parts?—Yes.

1656. With a self-contained division like that, would you consider desirable to keep it by itself?—I would be more expensive. That trenches on the larger questions of politics on which I do not wish to express an opinion at present. I am talking about the efficiency of the present Service.

1657. You desire to split up the Provincial and Indian Civil Services between each division in any case?—Yes. But you might give promotion according to the general list. One of the objections of small counties is that promotion is very unequal.

1658. Would you remedy that by a general list?—Certainly, I would begin with that.

1659. How would you manage when you came to the charge of districts?—Then you would have some inequality. It would be more obvious, but it would be really no greater than the inequality between different provinces now.

1660. In the same way the promotion of a Commissioner, being within a division, might be still more unequal?—Yes. I think the Services will certainly have to forego some of their amenities.

1661. Would you go a step further and let a Commissioner appoint his own officers—appoint a man to be an officiating Collector, and a permanent Collector?—I do not see why he should not.

1662. As regards forests, what is your position?—The Forest Officer stands very much in the same position as the District Superintendent of Police.

1663. Does that arrangement work smoothly?—All these arrangements depend on the individual. If you have an individual with an ordinary amount of tact it works satisfactorily.

1664. If you do not agree with the District Forest Officer what happens, do you override him?—The matter would be referred to the Commissioner and the Conservator. With the present Conservator of Bengal the relations with the forest authorities are extremely amicable.

1665. He remains your assistant as long as he likes, but if he differs from you, he may appeal to someone else?—The District Officer would stop him and the matter might be referred.

1666. But can you say definitely, on a matter affecting the people's grazing and so on, to the District Forest Officer, "I do not agree with you, you must be good enough to do what I want"?—Yes. He would have to comply with the wishes of the District Officer unless the matter was decided by a higher authority.

1667. But still he could require a reference in the meantime?—Yes, he could require a reference.

1668. It has been stated that a great deal of work falls on Collectors in regard to the partition of estates—by what order?—In every case, under the law, however small the estate may be.

1669. Can a Collector make any partition on his own authority, or has he to go up to the Commissioner in every case, under the law, however small the estate may be?

1670. Am I right in thinking that the Collector has power to suspend revenue, not of permanently-settled estates, but of Government estates, in cases of calamity and so on?—No. I think the effect of the rules is that he has to get sanction to a suspension. He does not have to get sanction for an individual amount, but sanction to adopt the policy of suspension, and then the matter can be left to him.

1671. He cannot suspend, for however short a time, without getting the sanction of the Commissioner?—As a matter of fact, what happens is that the matter would be more expensive. That trenches on the larger provinces now.

1672. You desire further that everybody should put in as much of his time as possible in one district;
would not that tend to develop in practice very con­
siderable diversity in the administrative system as
between one district and another, and still more as
between one division and another?—I hope it would.

16273. I see your point in the case of divisions, but in
between one district and another would it be equally useful?—In practice you would get a good deal of movement
between the different districts, but they are under the supervision of an Examiner who would ensure a
considerable amount of uniformity.

16274. You have referred as an analogy to a native
regiment, but are you aware that a native regiment is
moved every three months, and that it is in no sense to
be good for the Officers and men to remain too long in
one place?—Yes, but that is not quite the same thing;
the officers are not moved from the regiment, but the
whole regiment is moved to a different part of the
country.

16275. What would the people in a district do if you
sent an officer to Darjeeling for three months every
year as you suggest?—If you take some districts, the
District Engineer would be just as available at Darjeeling
as if he remained in his own district, where he might
be 60 miles away from a line of rail.

16276. You have had experience of District Boards and
Local Boards.—I have had very little experience of
District Boards.

16277. A witness has said that the Dispensary
Committee was a committee consisting partly of
members of the District Board, and partly of outsiders
presided over by the Civil Surgeon, if not by the
District Board Chairman, and all that the District
Board had to do was to hand over their money to the
Dispensary Committee to spend; is that so?—That is
the system which is being gradually introduced.

16278. Previously, had the District Boards some­
thing to say with regard to the management of
dispensaries?—Even where that system is in force, the
District Board passes the budget, and the expenditure
has to be made according to that budget. The object
is that people who subscribe to the institution should
know that their money is being spent properly instead
of being swallowed up in the general fund of the
District Board, as used to be the case.

16279. Then the Board passes a vote for Rs. 10,000,
say, for dispensaries have no further concern with it?—
It gives a grant to each dispensary. It says you must
and we will give you Rs. 1,000 this year, and
sanction your spending Rs. 1,500, but you may one see
if you can raise the other Rs. 500 by subscription, or
by income from endowments.

16280. Where does the committee come in?—They
superintend the work of the institution, and see that
the money is spent in accordance with the budget, and
that the doctor does his duty properly.

16281. I understand that there was one committee
for the whole district?—No, each dispensary has its
own committee.

16282. Does the District Board retain its full powers
of control?—Yes. I think the District Board has
rather too much power, or had; we want to decentralize
it, and let the people feel, if they can get subscriptions,
that the doctor does his duty properly and that
money is spent in accordance with the budget, and
that the doctor does his duty properly.

16283. Can you do that and other things, by
increasing the powers of the Local Boards?—As I
understand, Local Boards have very small powers now?—They have small funds.

16284. Would you give them a larger share of the
Red Cross or the district funds, however they are
delivered, and give them powers with regard to local
education and roads, and so forth?—They look after
the roads and that sort of thing now; but the real
difficulty is where you have five or six Local Boards
and one District Board in a district. They are not
wealthy enough to pay for five experts, and if a Local
Board is to exercise large powers, it must have a
competent staff, such as an engineer and so on.

16285. In Madras the District Engineer serves the
District Board as a whole—both the District Board and
the taluq Board—could that not be done here? If
you make the District Engineer, who is at headquarters
under the Chairman, the man to pass the estimates and
give out the contract and pass the works, it does not
seem to me to make much difference, if you merely
pass the money through the books of the Local Board.

16286. The Local Board, at least, would be able to
allocate money to local works, and for roads in which
it was interested?—It does so now with regard to
roads of local interest as compared with roads of
district importance.

16287. Have Local Boards sufficient power or are
you prepared to give them more?—I do not think
there is any need for any change in principle; we
should all be glad to give more money to Local Boards
and get more work done.

16288. Assuming the system of class representation
which the Bengal Government have been advocating
goes into force in District Boards and Municipalities, would you be prepared to give them larger powers
than they have now with less control from outside?—
I think there is not much control from outside.

16289. In regard to the undertaking of works
costing more than a certain sum, have they not to
refer to the Collector or some other officer?—Yes;
and I think that is probably necessary. An ordinary
small municipality has no competent engineering
adviser to advise it.

16290. With regard to the village system you have
spoken of, would you utilise it for educational and
sanitary purposes by making small grants of money to
the villages to spend at their own discretion?—Is
subject to proper inspection?—You could do that. I think it
would work.

16291. And would it be appreciated by the people?
—Yes. They often apply to have a school started in a
village.

16292. Supposing it was possible to say, "We give
you so much, build your school," would they be able
to manage it?—That is what is done now. We give
the teacher a small grant, and he gets some small sums
from the parents of the pupils.

16293. Is there a satisfactory system?—It is not
satisfactory, because we do not pay the teachers
enough, otherwise it would be.

16294. Do you do the same with regard to matters
of sanitation; do you give them the money and say
"Make your well or tank"?—No, they probably
could not be trusted to make a well. When I was in
Singhbhum, which was more primitive, I used to allow
them to make their tanks; I used to give the village
headman Rs. 400 or Rs. 500, and tell him to make a
tank.

16295. I suppose that could not be applied fully to
Bengal proper by reason of the absence of village
communities. Could chaukidari panchayats be a
substitute?—Chaukidari panchayats are things of
purely artificial creation of which I have not had much
experience, but at present I do not think there is much
use to be made of them in that way.

16296. (Sir Stewig Edgeley.) Supposing you
wanted to get rid of a man after about 18 years' service,
how would you propose to do it?—You can dismiss a
man now for cause shown, but it is very difficult
to do it in practice.

16297. Would you accept the difficulty of dismissing a
man with between 15 and 25 years' service?—Yes.

16298. Would you have no system of pension?—
You suggest that up to 15 years he should serve
subject to bonus, and then he should be subject to
pension?—Of course it is a great advantage to have
security of tenure, and I would like to retain as much
of that as possible.

16299. So that you would accept any inconvenience
caused by a person deteriorating from 15 to 20 years?
—Yes. I do not say that that is a cut-and-dried
scheme.

16300. With regard to your evidence as to smaller
provinces, supposing you had Commissioners under
the Local Government, would you give them as large
powers as possible in their areas?—Yes.

16301. In that case would you want the Board of
Revenue?—Yes, I think you want the Board of
Revenue and the Commissioners, but a great deal of
the work is now done by sub-order.

16302. If you enlarged the powers of Commissioners,
as far as practically possible, where would be the
necessity of the Board of Revenue?—I would cut out
the Commissioners in a great many results matters.
Mr. C. H. Bompaz.  
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16303. You said that if you placed Sub-Divisional Officers in territorial charge you would lose departmental efficiency, but would you not get very much better inspection?—Yes, but I was thinking of a case in the Santhal Parganas where we had six strong Divisional Officers who knew the district thoroughly, and who had the powers practically of District Officers, but in a question like an excise settlement we found it better not to let them make settlements; the sub-division was too small an area, so we centralized that.

16304. A witness stated that one great danger of the departmental system in the Public Works Department was that there was considerable corruption amongst the subordinates, and that the control or influence of a Collector would be of great value; would you get that by giving territorial charge?—I do not think any system will have any effect on that custom of the country.

16305. But perhaps it might be much more likely to be found out?—It is not a question of finding it out; we all know it. I do not know that it would have any effect.

16306. Not more than if you had all your officers grouped at headquarters?—I do not think so. You see the officers are largely touring officers.

Adjourned.  
(The witness withdrew.)

TWENTY-THIRD DAY.

CALCUTTA, Tuesday, December 31st, 1907.

PRESENT:

C. E. H. Hodhouse, Esq., M.P., Under-Secretary of State for India, Chairman.


R. C. Dutt, Esq., C.I.E.

W. S. Meyer, Esq., C.I.E., I.O.S.

W. L. Hicksen, Esq.

BABU JOGENDRA NATH MUKHERJEE was called and examined.

16307. (Chairman) What is your occupation?—I am a lawyer. My home is in Calcutta, but I practise in the mufassal, and I am a wilay of the High Court. I was a member of the Bengal Legislative Council, upon which my term of service is just over. I have been a member of the municipality of Purnea for about 18 years. I am now the Chairman, and I was Vice-Chairman before for about nine years. The position of Chairman is purely honorary.

The provincial Governments should be invested in certain directions with larger financial powers, although I would proceed cautiously in the matter. Generally speaking, the provincial Governments might be relieved of the necessity of going up for sanction to the Government of India in matters of purely provincial interest or of routine.

A more complete separation than at present exists might be effected between the imperial and provincial finances, and it could be done by letting the provincial revenues alone as a matter of permanent rule, making it possible for the financial relation between the Imperial and the provincial Governments to be readjusted only in cases of extreme necessity. A fixed plan like the above appears to be possible in view of the regular annual surpluses in the revenue, and the practical finity of currency in point of exchange.

Provincial Governments might be given borrowing powers up to a limit of, say, fifty lakhs, provided the settlements with the Imperial Government in respect of the divided heads of revenue were of a more permanent character than at present. The Local Governments might be invested with borrowing powers on the same conditions as those which exist in respect of municipalities, District Boards, and other local bodies under the 1ocal Authorities Loans Acts, the provincial revenue being rendered liable to make good the debt in case of the failure of the Local Government to repay it. Such loans should be raised with the approval of the Imperial Government.

Delegation of further financial powers to provincial Governments and to heads of Imperial Departments does not appear to me to be desirable in respect of the creation of new appointments, the enhancement of salaries, etc.

Larger administrative powers should be given to provincial Governments generally in the application to local conditions of general lines of policy had down by the Government of India, and where there is no declared policy I would leave the Local Governments free to act.

Restrictions as to details imposed upon Local Governments in all matters of routine should be done away with in all cases. For instance, I fail to understand why it should be necessary for the Local Government to go to the Imperial Government in authorising local bodies to borrow money from outsiders and not from Government. Such a course would appear to be still more unnecessary in view of a more permanently fixed financial settlement between the two Governments. A general Act of delegation in such matters, somewhat on the lines of Act V. of 1866, wherever possible, appears preferable. In other cases specific amending legislation may be resorted to.

In view of a more complete separation of the provincial and imperial finances, it would be well if the duties of Directors and Inspectors-General were confined to the supervision of details only in respect of departments primarily administered by Local Governments.

Provincial Governments should develop their administration on their own lines, with discretion to adopt or not, as they like, suggestions of reform brought to their notice from other provinces. The Government of India should, however, retain in their hands the authority to interfere in extreme cases.

I would leave the right of appeal to the Government of India as it is, and would not curtail the existing rights of appeal by officers of the Government against orders affecting them personally.

Under existing conditions it is neither possible, nor desirable, to allow Commissioners and Collectors to control to a greater extent than at present the expenditure in their divisions or districts. It is desirable to invest them with larger powers of control if they were advised in important executive matters by competent Advisory or Administrative Councils.

The influence of the provincial Governments is not in the direction of excessive rigidity or uniformity. There is, no doubt, some tendency in that direction, but it is unavoidable and not excessive.

The tendency of the provincial Secretariats is to regard matters too much from a purely departmental standpoint. The provincial Governments do not appear to be so impersonal as the Imperial Government; in many cases, however, they are too much dominated by considerations of revenue.

Generally speaking, the European Executive Officers do not have sufficient opportunities for personal contact with the people at large. The existing obstacles in
case of all Executive Officers are to be found more in the temperament of these officers than in the nature and scope of the duties they are required to perform. Some of the means by which obstacles might be re-
moved are (1) to form Advisory or Administrative Councils constituted more or less on an elective basis; (2) more frequent inspection of town and village areas outside the district headquarters. And an appreciable number of Executive Officers do not possess a sufficient knowledge of the vernaculars in the province.

Neither any general increase in the administrative staff nor any general reduction in the area of district or other charges, seems to be required.

Transfers are much too frequent. One of the methods by which they could be reduced is to restate the leave rules.

Larger powers should be given to the municipalities and District Boards in respect of leave, pensions and gratuities. As an example I may state that leave to Chairman should not be made dependent on the sanc-
tion of the Government. Such a course, as a rule, is useless. The present functions of municipalities, District Boards, Local Boards and village unions might be suitably extended in respect of education, and of the three last-named bodies, in respect of sanitation as well.

I am in favour of the creation of Administrative Councils to advise and assist Divisional or District Officers; and means should be discovered to secure the services of really representative men for them. These Councils should be mainly constituted on an elective basis. Responsibilities could be given to these Councils on the following subjects: supervision of police work and checking of police oppression in the interior of a district, sanitation, and education,

It is desirable, and possible, to give village com-
munities a reasonable share in the disposal of local affairs relating to revenue in non-permanently-settled areas, police, sanitary and educational matters. They may also be invested with the powers to deal with questions as to easements and encroachments upon village roads. They may also be invested with powers in respect of local markets in connection with the excise administra-
tion. I would not invest them just at present in Bengal with powers to dispose of petty civil and criminal cases, but wait until the opportunity was ripe for noting how they discharged their functions in respect of the other matters referred to above.

16308. What is the reason that Divisional and Dis-

16309. Would the people welcome any greater access of intercourse?—I think so; and a great deal of important information might be obtained by direct communication with the people themselves. At present important information is always obtained through the police, and there is a tendency on the part of the District Officers to avoid these officers. The people regard them as more or less exclusive in their dealings.

16310. Have you yourself experienced any redu-
tion of the powers of District Officers in that respect?—At the beginning of my career I used to feel diffi-
cult to pass over, it might be different, but, as a rule, that is my general experience.

16311. And have discussed matters freely with you?—On certain points; but on many points I have come away with the impression that if the District Officers would talk to me freely, I could exchange views with him, and I have had to come away sometimes discouraged.

16312. Do you yourself start subjects and then find him recalcitrant upon them?—No as a rule. I would not start anything unless it was a matter which concerned me, and not one which I was bound to give up a suggestion of any sort.

16313. Is there a lack of knowledge of the vernac-

16314. Are not Deputy Magistrates nearly all Indians?—Yes.

16315. Would you put their exclusiveness down rather to the fact that they are officials, and being officials leads them to keep aloof from the general population?—I think that may be said to be so generally.

16316. Is there a sort of feeling that their office is so important that they must not come in contact with the people?—More or less, that is so.

16317. Are Deputy Magistrates wanting in knowl-

16318. Is the knowledge of the language greater or less now than it used to be?—As far as I may judge, Deputy Magistrates and Collectors?—I have not noticed whether it has improved or otherwise.

16319. You are in favour of giving larger powers to municipalities and District Boards?—Yes. I quality that as regards leave, pensions and gratuities. Government looks upon these bodies with a certain amount of suspicion, with the powers of leave and pension and gratuities, which a District Board might grant to their servants, would be abused. Therefore anything with regard to these matters has to be sent up for sanction to the higher authorities, with the result generally that there is a dislocation of business for a time.

16320. As Chairman of a municipality, do you apply to Government for leave?—Yes; of course I did not have to apply to come here, because I should not be away for a very long time; but sometimes when a man applies for sanction for leave, he does not obtain it for nearly a month. Such a provision is unnecessary and undesirable.

16321. Might the Local Government leave all these matters to the Commissioners, and perhaps to Col-
llectors, to settle on the spot?—Yes.

16322. Generally speaking, might greater powers be given to municipalities?—In my experience I have had nothing to complain of; but I do not know about other municipalities. I have read about complaints on account of interference and so on. If I wanted to apply funds for sanitation or roads and other things, I have found that my plans have never been interfered with in any way.

16323. If they had power to depart from the budget, would municipalities take money which was meant for education and use it for roads, or that they might take money which was meant for sanitation and apply it to increasing emoluments or things of that sort?—Of course there might be some danger of that; but what they would do from a practical point of view, it is difficult to say.

16324. Having been a very long time the Head of a municipality, do you think such a thing might occur? I have never done it. If I want to transfer money from one major head to another, I have to apply to the Commissioner.

16325. But if you had that power, would some Councillor probably make that suggestion to you?—I would not do it myself. Of course it is possible.

16326. And if that were done, would it not be a very improper use of the money?—I think so.

16327. With regard to village communities, you represent that in certain respects an attempt might be made to create an interest in local self-government among them. Would you allow them to interfere
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with regard to education?—So far as the village schools are concerned, I would try to institute a sense of self-help in villages.

16328. Do you mean you would not give them control over expenditure, but that you would allow them to interest themselves in the management?—In Bengal, village communities are not worked on the system which obtains elsewhere in India. But an attempt might be made to organize them; a village or a cluster of villages might be formed into a unit. Of course there is a system of village unions, but, as a rule, they are very few, perhaps none at all in Bihar. Outside village unions, there is no administrative vision under which village communities can be approached, or under which local questions could be dealt with by them.

16329. You would like to make some beginning, but you would not give them any extensive power?—Yes. I would wait and see how they work with small powers.

16330. Would you entreat them, to begin with, with any powers to dispose of criminal or civil cases?—I would not. Of course I know that on the Bombay side there are patels and so on, who exercise civil and criminal functions to a limited extent. But there is so much party feeling in almost every village in Bengal that it would be better to wait and see how they exercise any residual powers entrusted to them before investing them with civil and criminal powers.

16331. Does that party feeling exhibit itself between Muhammadans and Hindus?—No. It is quite apart from that. In a village, for instance, where a man has many people in the shape of followers of his own, the villagers would follow him and carry out his behests in opposition to the desires of the rest of the people.

16332. Is the existence of men of that sort a source of danger?—Not always, because there are some good points in it; such a man becomes a sort of headman and adjutant disputis, and in many ways represents the villagers.

16333. (Sir Frederic Lely.) Have you taken an interest in public life for many years?—Yes, for 20 or 21 years.

16334. Are not most of the Deputy Magistrates in these days English-speaking graduates?—Yes.

16335. When you began life were they so well educated?—Yes; almost as well as they are now. Under the competitive system many young people have been appointed Deputy Magistrates.

16336. Have you noticed any tendency amongst highly educated Indians to adopt an exclusive attitude towards the people? Do you think that is a usual result or accomplishment of high education?—I cannot say it is the result of high education. Neither do I think that it is the duty of a magistrate to acquire and receive, but it is to some extent the result of the exclusive character of the office they hold.

16337. As a matter of fact, is an Indian officer of to-day any more exclusive than he was 20 years ago?—I think within the last 20 years the difference is not very noticeable. There may be a tendency that way, both amongst Europeans and Indians.

16338. Do the people take a real interest in municipal affairs?—The general body of the public in backward districts do not. As regards Purnea, they sometimes take an interest in the proceedings, but not as a rule.

16339. Do they watch how their representatives vote?—No, I do not think they do.

16340. Are there any contested elections?—Yes.

16341. Upon what points do contested elections turn?—I cannot say. I do not know.

16342. Would his caste make a difference?—No; they think what sort of man he is—is he likely to do them any good?

16343. Are the municipal proceedings conducted in English?—Yes.

16344. Are there many members who do not understand English?—Just a few; but there is no one now on the municipal Board which I represent who does not know English.

16345. Does that not rather tend to give an undue advantage to an English-speaking candidate?—Yes.

16346. Do you not think there would be a feeling that there would not be much use in electing a vernacular-speaking man?—Yes; there is some sort of feeling that he would not be of much use on the Board.

16347. Do you not think there would be a feeling that there would not be much use in electing a vernacular-speaking man?—Yes; there is some sort of feeling that he would not be of much use on the Board.

16348. (Mr. Dutt.) Are most Deputy Collectors graduates of the Calcutta University?—Yes.

16349. Are they selected by competition?—They used to; but that is abolished now. They are now appointed by nomination from amongst certain classes.

16350. When was that change introduced?—Five or six years ago.

16351. Are the nominated Deputy Collectors more accessible than the old class of Deputy Collectors who were appointed by competition?—No.

16352. Are they an improvement on the old system?—No.

16353. Are they worse than the old class who were appointed by competition?—Of course, there are good points and bad points on both sides, but, on the whole, I should like to do so.

16354. You say your villages are torn by factions; if power were given to village panchayats or village groups in Bengal, would it not really mean that it would be adding to the power of the zamindars?—In suburban areas, I do not think it would be so, but in the interior I think it might give some importance to the zamindars and to the money-lending classes as well.

16355. Are there any contested elections?—Yes.

16356. Have not provincial Governments been in­clined to introduce too many changes according to the ideas of every new Lieutenant-Governor?—Yes, I have noticed that to be so.

16357. Do you object to any material powers being delegated by a general Act of delegation?—Yes.

16358. In such cases would a specific amending Act be better?—Yes.

16359. Do you not think there would be a feeling that they would be better?—Yes.

16360. Have not provincial Governments been in­clined to introduce too many changes according to the ideas of every new Lieutenant-Governor?—Yes, I have noticed that to be so.

16361. In matters on which the policy has been laid down, you think the Local Government should have a free hand in following it out?—That is my view.

16362. But you would not allow the provincial Government to bring in changes of policy without the approval of the Imperial Government?—Quite.

16363. If Advisory Councils were formed, would they bring the officials oftener into touch with the local men?—Yes, I think so, provided they are not place-hunters or seeking for the favour of the Col­lector; if they were truly representative men with whom the Collector came into contact, I think the result would be what I have indicated.
16364. How would you provide against place-hunters finding a seat on an advisory Board?—It would be very difficult to lay down any rule of conduct.

16365. Is the Vice-Chairman of your municipality also an Indian?—Yes.

16366. So that practically the whole work of the municipality is carried on by non-officials with paid servants under you?—Yes.

16367. Is the work proceeding smoothly?—I think so. There has been little or no hitch.

16368. Are the collections satisfactory?—Yes. They generally average 98 or 99 per cent.

16369. In sanitary matters is the municipality conducted as well as when the Collector was the Chairman?—Quite as well, because when he was the Chairman we had practically the carrying on of all the work.

16370. Have you much money to expend on sanitary improvements?—No. A great deal of the money we receive is devoted to the charitable dispensary and to roads, &c. For sanitary works, such as drainage, very little money is left.

16371. What are the sanitary works which you can execute within your means?—Some drainage in bazars. The municipality is a very scattered one, and of course a comprehensive drainage scheme would mean a considerable outlay, which we cannot afford under existing circumstances. A second difficulty is, that even if we had such a scheme carried out, we would not be in a position to keep it up, because even now we have to take the rain water a distance of three or four miles from the municipal limits in order to find an outlet for it.

16372. Supposing Government came to your help, and gave you either a bonus or a loan, to carry out a comprehensive drainage scheme, would you have sufficient money to keep it up?—I think so. As far as bazar places and thickly populated places are concerned, we might be able to do it.

16373. Is the management of the drainage in the hands of the municipality?—No. There is a Dispensary Committee consisting of members of the District Board and the municipality, and outsiders, the Civil Surgeon and the Collector included. The Collector is Chairman.

16374. Do you only find the money?—Not only the municipality, but the District Board to some extent, though we pay the major portion.

16375. Have you any schools in the municipality?—There is a school which is kept up by Government entirely; and there are primary and secondary schools with the municipality towards which contribution is made by the municipality.

16376. Are they supervised by the municipality?—No; there are sub-inspectors and deputy-inspectors of schools who are paid by Government, or by the District Board, and they inspect; but reports with regard to certain matters are submitted to the municipality, and if there is any suggestion contained in these reports, it is attended to and carried out.

16377. So that you pay the money, but you have practically no hand in the management of the primary schools?—Practically that is so.

16378. Do you not think you ought to have the management of the schools, as you find the money for them?—That is my view.

16379. In the matter of leave, pensions and gratuities, you think the municipality ought to have a free hand. But might that not lead to jobbery?—It might.

16380. Then is it not safer on the whole that Government should have some control over the grant of gratuities?—Of course, if it was found there was a tendency to jobbery, I would rather keep the final control in the hands of Government.

16381. Then you do not insist on complete independence in that matter?—It is a matter of minor importance and there is some risk.

16382. You think District Boards ought to have a free hand in regard to primary education; but has not a District Board a free hand now?—But the supervision and direction are carried out through the Government officials.

16383. Have you not sub-inspectors who are the servants of the Board, who inspect all these primary schools?—Yes, but the schools are managed and run up under certain rules framed by Government, and those rules have to be observed. The deputy-inspectors and sub-inspectors of schools are more or less overruled by the rules, so that, practically, the District Board has no voice in the management.

16384. Do you not recognize the necessity of some rules being laid down by Government?—Yes, I do.

16385. But you think they ought to be a little more elastic, and that the District Board ought to have power to modify them according to circumstances?—Yes, I would be satisfied with that.

16386. Would you recommend the formation of sub-committees for the management of different branches of the District Board's work?—Certainly.

16387. Each sub-committee having a Chairman of its own and laying its report before the Board?—Certainly, I think that would lead to better results than are produced now. There is one point, and that is with regard to the Sanitary Board, as to which I feel keenly. Although the Local Self-Government Act contains a section to the effect that the Government may extend powers with regard to sanitation to District Boards, I propose that it should be just the other way about, and that every District Board should have the power to deal with sanitary questions, and in case the Government thought that the circumstances of any particular District Board did not allow of such a power, dealing with sanitary questions, such a District Board might be excluded. But as the law stands at present, Government can only extend it to particular District Boards, and very few of them enjoy this power.

16388. You say when an Advisory Board is formed the supervision of police work should be entrusted to them. How would you effect that?—The members of the Council, being in touch with the people, should be in a position to bring anything like police scandals and things of that kind to the notice of the District Magistrate, but if the matter was left to the department, probably such questions would never reach the ears of the Magistrate.

16389. Should the Advisory Board be consulted on proposed legislative measures?—Yes, I am decidedly of that opinion. I think those things should be submitted to the Advisory Councils, and if there was a practical unanimity of opinion, Government should think over it, and either introduce, or not introduce, the measure. I would leave the final power in the hands of Government, but the opinions of the Boards ought to be obtained.

16390. (Mr. Hickens). How long has Purnea been under municipal Government?—I should say over 40 years.

16391. Do you think, looking back over the period during which you have been connected with it, that the people take more interest now in municipal affairs than they used to do twenty years ago?—Yes; decidedly they do.

16392. For example, in the matter of elections, did they elect members twenty years ago?—Yes.

16393. Are the elections as keenly contested to-day as they used to be?—They are more keenly contested now. At the beginning there was practically no contest; but for the last twelve years there have been frequent contests.

16394. Do the leading men of the town come forward to stand for election?—Leading men who have public spirit do come forward. There are leading men who are simply engaged in making money or minding their own business, who do not take any interest in public affairs, and do not take the trouble to seek election.

16395. To what do you attribute that?—To want of education and want of public spirit.
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16397. But it is sufficiently pressed home that if things go wrong in the town, and the people suffer inconvenience, they are only to blame themselves for not displaying public spirit?—Or do they merely think that they cannot get into very serious trouble, because if anything happened the Government would step in and put things right?—I do not think they have any opinions of any kind whatever: they are simply indifferent, and amongst the money-making classes, perhaps, they cannot afford the time.

16398. Has the municipality power to make the majority of appointments in the Council?—Yes. Subordinate appointments. The appointment of Chairmen has to be sanctioned by the Government. We have no Secretary; the Vice-Chairman does the work of Secretary. He is not a paid official. Under him there are overseers and an accountant head clerk with office staff, and an outdoor establishment which carries on the outdoor work. We appoint these ourselves without the confirmation of Government. The Board can also dismiss them.

16399. Without an appeal to Government?—I am not sure about the appeal.

16400. Do you think there should be an appeal or not?—I would not restrict the right of appeal, because if the municipality went wrong, it should be sought.

16401. Is your principal source of income from an assessment rate?—Yes, the principal source of revenue is that derived from the assessment of landed property, carriage licences, and things like that.

16402. Do you impose the maximum rate imposed under the law?—Yes.

16403. Therefore you cannot, practically speaking, increase your expenditure, unless the town increases in size and your revenue rises automatically?—That is so.

16404. Does the Government make you any contribution?—Sometimes. Now-a-days, owing to the increased expenditure, unless the town increases in size and value, and the rate of assessment is raised, there will be less left for the Imperial Government.

16405. If you have anything at all, do you feel you would like to count upon it when making up your budget?—Yes.

16406. Is your budget submitted to Government?—It is, nearly two months before the financial year to which it applies.

16407. (Mr. Merger.) Were you in the Legislative Council when the last provincial settlement was made in 1904?—No; I have read the debates on the budget of the Indian Government of that time.

16408. There was a new settlement in 1906; were you there then?—Yes.

16409. Was that settlement explained by the Financial Secretary in putting the Bengal budget before the Legislative Council?—It was to some extent, and we had some intelligent grasp of the thing. I could follow the general principles of it.

16410. You say that there should be a more complete separation between imperial and local finance in particular matters, the financial relations between the Imperial and provincial Governments being adjusted only in cases of extreme necessity. Is that not what has been done?—Yes, there is a fixed proportion under the divided heads, but there is no assurance; the Government can step in at any moment, and unless that is any certainty, the Local Governments cannot have distinct funds of their own for the purposes of work extending over a series of years.

16411. Are you aware that the Government of India has stated that they will not alter the provincial settlement, except in cases of grave imperial emergency?—Yes. I refer to the speech of Sir Edward Law in introducing the budget of 1904-5.

16412. Assuming that there has been such an assurance, does that not meet your view?—It does. But to my mind, the assurance given is not sufficient for the credit of a quasi-independent provincial fund to the extent of enabling it to borrow. I think the Government of India should specify the emergencies which would be held to justify them in disturbing the settled arrangements.

16413. When speaking of investing the provincial Governments with borrowing powers up to a limit of 50 lakhs, do you mean 50 lakhs in one year?—No, altogether.

16414. Would that not interfere with the borrowing powers of the Government of India as regards rupee loans?—That is a difficult question to answer; but I think not, because the borrowing powers of the Government of India are practically unlimited.

16415. Is not the amount that is tendered for loan in this country relatively small?—It is.

16416. And if the provincial Governments absorb some of it, will there not be less left for the Imperial Government?—But my idea is that money can be raised in England on much more favourable terms by the Government of India. I would negotiate the market, as I found it.

16417. Anyhow you would admit that the needs of the Imperial Government must come first?—Certainly.

16418. You say that you do not want to delegate further financial powers to Heads of provincial Governments with reference to the creation of new appoint­ments, and so forth; but at the same time you want to give provincial Governments a freer hand in matters of detail. Is that quite consistent?—I refer to the actual acts of administration. I do not include new appointments. I think that every such case should go to the Government of India.

16419. You think the influence of the Departments of the Government of India is in the direction of excessive rigidity or uniformity—have you any experience of your own upon that point?—I am not prepared to cite instances, but with regard to land revenue adequate consideration is not given to the expenditure incurred on that account.

16420. Do you mean with regard to such a matter as the assessment of land revenue?—Yes.

16421. But is that not a matter for local officials?—But there are certain fixed rules.

16422. Might the Public Works Department be more under the influence of the Commissioners?—Yes. I think in the Public Works Department there should be less rigidity, and I have come across instances of great dilatoriness and expense incurred in having to get certain things from England from the Stores Department of the Secretary of State.

16423. Would you be in favour of giving a Commissioner the power of financial sanction with regard to a number of Public Works projects which are now sent to the Local Government—in fact, letting him a little budget?—I think that would be better than the present practice.

16424. How would you have the Administrative Councils to disposed of minor matters on the spot?—I think the Administrative Councils would become more certain in their action.

16425. Assuming the Collector does not agree with the Administrative Council on any matter, what would happen?—He would be bound to refer the matter to higher authorities.

16426. Would you propose to allow members of Administrative Councils to dispose of minor matters on their own authority?—I would not risk an opinion without knowing the members of the Council.

16427. At any rate would you have such a system introduced by way of experiment in two or three divisions or districts?—Yes.

16428. In general district administration is there a tendency to concentrate a good many Deputy Collectors and officers at headquarters?—Yes.

16429. Would it be better to divide a district more into territorial sub-divisions, and to give each man a territorial charge, both criminal and revenue?—I would keep the magisterial powers separate.

16430. Would you have more Magistrates scattered about the districts, so that the people could come more
1642. Could you work on the natural village system instead of on an artificial grouping like chakdari unions?—Chakdari unions already exist in the district.

1643. But that is an artificial grouping more or less?—Yes.

1644. Supposing you wanted to develop village government, would it not be better to go on the natural village lines than on the lines of this artificial community?—I think it would.

1645. You speak about the power of municipalities to grant leave, pensions, and so forth. Are there not general rules on the subject and within those rules the Chairman can grant leave and pensions?—Yes. But it requires the sanction of the Government in several matters.

1646. Is it not necessary, supposing the Chairman proposes to take long leave, that the Collector or Commissioner should be informed of the fact?—Certainly; all I object to is that it should go right up to the Government.

1647. Might not the Commissioner also have some or other powers which the Government now exercise vested in him with regard to the control of municipalities?—Yes.

1648. For instance, might he not appoint the nominated members?—Yes.

1649. Would you make the Commissioner the local representative of Government?—Yes.

1650. Have municipalities less power than District Boards in the matter of administration?—I think so.

1651. Does a municipality simply pay for its schools while the Education Department manages them, whereas a District Board has the management of its primary schools?—Yes.

1652. But, subject to those rules, a District Board can open or close a school, and raise the pay of any teachers which a municipality cannot do?—Yes, the sub-inspectors or deputy inspectors send in reports to the municipalities, and the municipalities have to act upon them more or less. I know of an instance where my municipality wanted to act somewhat contrary to the report of the sub-inspector, but the Education Department intervened and the municipality had to give way.

1653. How does the Education Department intervene—what is the procedure?—The inspector of schools writes to the Magistrate: A copy of the letter is forwarded to the Municipal Commissioners and discussed; they send their reply; but the result is that the opinion of the inspector of schools is upheld.

1654. Supposing a case occurred in which the Municipal Commissioners did not agree with the inspector of schools, but held to their previous resolution, would the Divisional Commissioner have power to make you conform to the view of the inspector of schools?—I do not think the Commissioner has any direct power, but he has the right to sanction or disallow the budget.

1655. He might put pressure on you through the budget?—Or by some other means which I cannot at present think of.

1656. When the budget comes up before the Commissioner, do the Educational and Medical people make remarks upon it?—As a rule they do not do so at the time of the preparation of the budget, until they are consulted as to their requirements. Those are considered by the Budget Committee of the Municipal Council.

1657. But do they also write to the Commissioner and say: "We think this allotment is satisfactory or unsatisfactory"?—I do not know whether they do so, or if they do it through the Magistrate or directly.

1658. If the departmental people write to the Commissioner about your allotments, do you not know what happens?—No.

1649. In regard to the grant of larger powers to District Boards and municipalities, might that be facilitated by having a different system of election, and by having representatives of various classes and grades in the community, instead of representation by local areas as at present?—No, I do not think that would work. I prefer the local area system because I think the best men would thus be brought out.

1650. Does the present system afford a complete safeguard to the minority?—Yes, I think it does.

1651. (Sir Stepney Egberley.) In all questions where the Government officer has to judge of the mistakes of subordinates, has he not to be very careful to maintain a reputation for impartiality?—Generally, of course, that is the case.

1652. You instance that sort of question as one where a Collector was rather loath to talk at large. Do you not think that if he did talk at large, it would be a very dangerous thing?—I suggest a certain point of view, and having regard to the kind of question which might be put, it might be so on occasions.

1653. And the officer whose conduct was under enquiry might feel himself seriously prejudiced?—Certainly.

1654. Are not those personal questions in a district extremely interesting to everybody?—They are bound to be, to more or less.

1655. You said that you found officials would not discuss certain important subjects, and amongst others you mentioned the conduct of police officers. Would they discuss that properly?—Generally they might, without any imputation against any particular officer.

1656. What is the size of the Purnea municipality?—It is scattered, but it has a population of about sixteen thousand. Its revenue is about Rs. 62,000.

1657. Has the growth in Local Self-Government within your experience been as much as might have been reasonably expected?—I am not satisfied certainly with the present state of things, but there has been a marked improvement, and people have been taking more interest in public matters recently.

1658. Do you think you could go quicker?—I do not think so, until the class which holds aloof comes forward, and participates more in public affairs.

1659. Some witnesses have suggested to us that there is a certain lack of continuity in the policy of the Local Government—do you share that opinion at all?—Yes. The only remedy I can think of is that the policy should be laid down in black and white with the help derived from school fees.

1660. Do you not think any alteration in the constitution of the Local Government could be made which would meet the difficulty?—Do I understand you to mean the Legislative Council.

1661. An Executive Council?—I have not thought about it.

1662. Is the municipality represented on the Dispensary Committee?—Yes.

1663. And is the only contributor?—It is the main contributor.

1664. Does it furnish the largest number of members?—Yes, but there is no fixed rule. We have a full representation on the Committee.

1665. Is there any educational sub-committee of the District Board?—I think there is, but I am not a member of the District Board.

1666. You say that you have no voice in the management of primary schools. Is that only in the case of grant-in-aid schools, to which the Government give a settled grant?—Yes, but also in the case of schools within the municipality maintained solely by it, with the help derived from school fees.

1667. If you liked to start schools quite independently of the rules with your own money, could you do so?—I think the department would have to be consulted.

1668. Surely anyone in Purnea could start a private school?—Yes.

1669. Is the municipality in the same position?—Is it not only because you want a grant-in-aid that you...
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have to comply with the rules?—Yes, it is generally so, but under the existing rules the application of money to any school cannot be made unless the school is carried on in accordance with the Government rules.

16470. You suggest Advisory Boards for the Commissioners and Collectors?—In regard to the Commissioner, I am not quite clear, but I am very keen about the Collectors.

16471. As regards the District Officer, he has his District Board which he meets once a month—does he want a separate body for advice?—By Advisory Council I mean a separate body. The District Board deals with a limited class of questions only, and there are other questions which might be conveniently dealt with by an Advisory Council.

Maharaj-Kumar Kripto Dav Law was called and examined.

16475. (Chairman.) Are you a zamindar?—Yes. I live in Calcutta. My native place is Gauhati, but I came here when I was very young.

The provincial Government should have the power of creating new appointments when occasion arises up to Rs. 500, or enhancing the salaries up to that amount without taking the sanction of the Government of India.

Executive Officers generally have not at present sufficient opportunities for personal contact with the people. The existing obstacles are want of proper knowledge of vernaculars, pressure of official duties, and, above all, their want of sympathy and good feeling leading in some cases to discourtesy and dissimulation to mix with the people. European Executive Officers on arrival in this country should be made to learn the vernaculars, and they should also study the current vernacular literature by reading newspapers, periodicals, novels and so forth. They should mix freely with senior Indian officers of all grades, whether Judicial, Executive or Educational, and on festive and other suitable occasions, such as musical parties, mournful occasions, &c., with the community at large according to the Indian custom. Provision should be made in the rules of promotion to give preference to those who, besides their official qualifications, pure and simple, possess the quality of sympathy and good feeling, thereby narrowing the gulf between the rulers and the ruled. The Divisional Commissioners in their periodical inspections of the work of the subordinate European Executive Officers should be directed to report also about their behaviour towards the people generally.

An increase in the administrative staff is required. Owing to the increase of work in the different departments, the present officers are overworked. Curtailment of the number of persons in the large districts is not desirable, as by the division the smaller part is generally joined to an adjoining district, the headquarters of which become thereby narrowed the gulf between the rulers and the ruled. Besides it would involve division and transfer of an immense number of records which in course of transit might be lost or get mixed up. All these combined cause dissatisfaction among the inhabitants thereof on account of the inconvenience in transacting their business.

Should the powers of the Commissioners, Collectors, and other local authorities be enlarged, preference should be given to capacity and experience over seniority, as seniority does not necessarily denote the necessary qualifications for administrative and executive work.

Transfers of officers are frequent, and in order to obviate this disadvantage the staff should be increased, so that in case of the illness or absence of an officer on leave, &c., the next senior man there may officiate in his place.

I am in favour of the creation of Advisory Councils only to assist Divisional Commissioners, and they should be empowered to meet Advisory Councils in the headquarters of each district under their charge. Each Council should consist of five or seven members representing the different important interests, such as land, sanitation, education, trade and agriculture, &c., and the Commissioners should consult with them on these and on all other important matters, either on their inspection tours, or by means of letters when occasion arises. The reports of such Councils should be sent to the provincial Governments.

It would not be expedient to invest District Boards with powers of supervision and control over smaller municipalities, as it may cause friction.

It is desirable that village communities should be vested with powers with regard to primary education, and in the disposal of petty criminal and civil cases. Should they be found working satisfactorily in the aforesaid matters, police and sanitation may also be placed in their charge.

16476. You state that District Officers are not only ignorant of the vernacular, but that some of them are so far as I can hear, I do not think so; I think the natives of the country would like it and appreciate it.

16477. Have you yourself come across any personal cases of discourtesy on their part?—No.

16478. Would either Hindu or Muhammadan gentlemen be disinclined to welcome a closer social intercourse between District Officers and the people in a district, would things work better?—Yes.

16480. Would you suggest that village councils or village communities should be formed?—Yes.

16482. Would you suggest that village councils or village communities should be formed?—Yes.

16484. With regard to Advisory Councils, you think that such Councils might be created to assist the Divisional Commissioners. Should the members be selected and appointed by the Commissioner?—I have not given the matter consideration in that way, because I do not know how a provincial Advisory Council would be formed.

16485. With regard to Advisory Councils to District Officers, what have you to say?—I do not think they are necessary.

16486. Would you suggest that village councils or village communities should be formed?—There is some kind of village community now in existence, and those I think should be encouraged. I would give them rather larger powers.

16487. Would you give them power to dispose of criminal cases?—Yes, small criminal cases, such a case, for instance, as that of a man who has stolen fruit from another man's garden.
Mr. Frederick George Dumayne was called and examined.

16490. (Mr. Dutt.) When you spoke of village communities as being in existence, were you referring to the charakdari panchayats?—Yes.

16491. Is anything left of the old village communities in Bengal?—No.

(The witness withdrew.)
sition of a jetty under whatever conditions the
Local Government may approve as necessary in the
general interests of the port.

Under section 111, for the amount of all tolls, dues,
rates and charges leviable under the Calcutta Port Act
in respect of any goods, the Commissioners have a lien
on such goods, and may seize or detain the same until
such dues are fully paid, but this lien is gone the very
moment that it is acquired or removed. It may
afterwards be found on audit that all the proper
charges have not been recovered, and there is a diffi-
culty arising in recovering these charges. The only
way of recovering them is by a suit against the owner,
a very burdensome process. The Commissioners are
of opinion that they should be given the same powers
as are conferred upon railways under section 55 (1) of
Act IX of 1890, viz.:—

"If a person fails to pay on demand, made by or on
behalf of a Railway administration, any rate, terminal
or other charge due from him in respect of any animals
or goods, the railway administration may detain the
whole or any of the animals or goods or, if they have
been removed from the railway, any other animals or
goods of such person then being in, or thereafter
coming into, its possession."

Powers should also be given to the Commissioners
to grant remissions of tolls, dues, rates and charges to
meet cases of hardship, e.g., when an importer through
the non-receipt of his bills of lading and other docu-
ments is unaware of the arrival of his goods, and con-
sequently incurs the special rent charges which are
leviable with the object of hastening the removal of
goods from the wharves to prevent the wharves becom-
ing congested.

Under section 35 the works to be constructed and
carried out by the Commissioners should further include:—
(a) Light-houses, light-ships, beacons, boats and all
other apparatus or appliances necessary for, and incidental to, the
safe navigation of the port and the approaches thereto.

(b) The construction and application of dredgers
and other machines for the purpose of carrying
out the works by inserting the words "of goods
and in clause (7) after the words "carrying " in the
first line. When in 1905, the Commissioners obtained
power by the Calcutta Port Amendment Act IV, 1905,
to build vessels to carry passengers and their personal
effects, the Commissioners sought to obtain power to
build vessels for the purpose of carrying goods also, but this
was not proposed on account of the objection that was
made to the time. When in 1905, the Commissioners would
not undertake the duty of providing vessels for the
"carriage of goods within the port so long as the
works were done on private account or for private agencies
and at moderate cost, but the power should nevertheless be
given them, so that they might exercise the duty whenever they considered it
to be desirable that they should do so in the general
interests of the trade of the port. The Trustees of the
Port of Bombay are given this power under section
45 of the Bombay Port Trust Act, VI of 1879.

(c) The construction and application of dredgers
and other machines for the purpose of augmenting
the waters of docks and channels, and further adding
the words " docks and channels," as the navigable channels in
the port and in the approaches thereto.

(d) The equipment of vessels, tugs or other boats,
and the use as well within the limits of the
port as on the river and the high seas beyond those
limits, of such vessels for the extinguishing of fires ashore on the property of the Commissioners, and
aforesaid in the port and in the approaches thereto.

(e) The building and equipment of vessels, tugs or
other boats, and the use as well within the limits of the
port as on the river and the high seas beyond those
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(f) The building and equipment of vessels, tugs or
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port as on the river and the high seas beyond those
limits, of such vessels for the extinguishing of fires ashore on the property of the Commissioners, and
aforesaid in the port and in the approaches thereto.

(g) Light-houses, light-ships, beacons, boats and all
other apparatus or appliances for the extinguishing of
fires, and for the purposes of navigation, and for the
safe navigation of the port and the approaches thereto.

(h) The building and equipment of vessels, tugs or
other boats, and the use as well within the limits of the
port as on the river and the high seas beyond those
limits, of such vessels for the extinguishing of fires ashore on the property of the Commissioners, and
aforesaid in the port and in the approaches thereto.

(1) Clause (8) should be modified to give greater
latitude in the works that the Commissioners may
carry on as to cover any works required to be done.
The opinion of the Commissioners in meeting, may be
desirable in the general interest of the trade of the port.

16493. You represent that a good many of the
reflections which now have to be made by the Port
Trust to Government could be easily dispensed with and
the work carried out by the Trust itself?—Yes, we
should like to get rid of any of the charges of delay,
but the control of the Local Government and the
Imperial Government should remain in regard to the
larger works of the Trust.

16494. With regard to the dismissal or appointment
in the intermediate stages of officers whose monthly
salaries do not exceed Rs. 200, or in fact with regard to
all such officers whose salaries do not exceed
Rs. 500, would you like matters to be dealt with by the
Port Trust or by the Local Government or to us.

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salaries do not exceed Rs. 200, or in fact with regard to
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Rs. 500, would you like matters to be dealt with by the
Port Trust or by the Local Government or to us.

16497. With regard to the limit of cost of works,
you now have to go to the provincial Government for
sanction for works over Rs. 50,000, and you want to be
able to finish works on your own responsibility up to
two lakhs of rupees? Notwithstanding any other
restrictions, either upon the Local Government or upon
the Government of India, with reference to the orders
of the Secretary of State, do you think the experience
of the present occasion may be laid before the Local
Council dealing with all these questions, would there
be any opposition on the part of the Local Govern-
ment?—None whatever; we are really doing the work
now with their approval.

16498. If a Bill was introduced into the Legislative
Council dealing with all these questions, would there
be any opposition on the part of the Local Govern-
ment?—None whatever; we are really doing the work
now with their approval.

16499. Have you ever promoted a Bill in the Legis-
lative Council to do any of these things?—No, but we
have no reason to anticipate any objection whatever.

The Chairman said: "I think the opportunity of representing points which they might have laid before the Local Government at some convenient time.
16500. (Mr. Hicksen.) How are the members of the Port Trust appointed?—Six of them are elected by the Proprietors and the rest by the Bengal Association—an Indian Association—which is also commercial, one by the Calcutta Association, which is also commercial, one by the Corporation of Calcutta, and there are three large lines of railway running into Calcutta, two of which are usually represented on the Trust by the railway representatives being nominated by the Local Government. Then there are the Collector of Customs, and the Deputy Director of Royal Indian Mail, and the Collector of Mails. Our Chairman, who is one of the Commissioners and presides at our meetings, is generally the senior member of the Board of Revenue, and the Collector of Howrah is a member, because Howrah has an interest in our operations. Finally there is the Vice-Chairman.

16501. Under whom is the administration of the Pilot Service now?—It is under a Government officer called the Port Officer of Calcutta. He is subordinate to the Marine Department of the Local Government.

16502. Have you any reason to suppose that the Local Government would be unwilling to give up that branch of the work?—I do not think the Government would be unwilling; the pilots might object to be transferred from what might be termed a Government Service to the Service of a Port Trust.

16503. Can you issue a loan without the sanction of the Government of India?—No.

16504. Do you see any objection to that restriction?—No, certainly; in fact, we quite agree that the Government of India must have control in that matter, because the interests of the tax-payer must be superior to the interests of the local rate-payer, and we can only float our loans after consideration of what the operations of the Government of India may be.

16505. Do you mean that your loans might spoil the market for the Government of India?—That is one reason; a second is that we have the advantage of the financial advice of the Government of India, and freely avail ourselves of it.

16506. Do you ever raise your loans in England or Europe?—This year we obtained for the first time, on the recommendation of the Government of India, the sanction of the Secretary of State to raise a million of rupees in London, and it happened that I was on leave at the time. I interested myself in London in seeing what could be done in the way of raising money on more profitable terms than in Calcutta. It may have been that at the time the London market was unfavourable, but at any rate I found that I could probably raise a loan at 96, out of which I would have to pay underwriting charges and brokerage, while we were able at that time to place the same loan in Calcutta at about 96½ net.

16507. Are all large works put up to public tender?—No; in Calcutta we usually do most of our work departmentally, and our objection to going up for the sanction of the Government is that whereas the Government, or the Government of India, agree to the amount of the work, and may sanction a work up to two or three lakhs of rupees, we then have to go up to Government for sanction to a contract for bricks or a contract for sand, which we think is unnecessary.

16508. You mean that, first of all, you get the various administrative sanctions that are necessary, and, having got those, you have to get sanction for the individual contracts?—Yes, that is what we object to.

16509. Is it not desirable that there should be a rule to the effect that the purchase of any article over a certain sum in value should be put up to public tender?—No, on the contrary I think that would be objectionable; you might very frequently have to meet a ring of speculators who had worked the market against you, and it would be very difficult to get through it. For instance, we may buy land to make our own bricks, or we may buy a quarry to get our own stone, and I think we ought to be absolutely free in all matters of that kind.

16510. (Mr. Dutt.) Does your total loan amount to a large sum?—No, it is quite small, it being a very large sum in our currency, and it is not possible to put it up to public tender.

16511. Is the money borrowed on the security of the property vested in the Commissioners?—Yes, none of it is guaranteed.

16512. (Sir Frederick Ley.) What are the functions of the Port Officer?—He has control of the Pilot Service, and he is also the Shipping Master, that is to say, he deals with the engaging and discharging of crews, and he also administers several of the Acts with regard to the registration of vessels, &c.

16513. You propose to take away from him the control of the Pilot Service, is that all?—The Commissioners are largely representative of the commerce and shipping of the port—their representatives representing the shipping as well as the trade, and it is the Commissioners' ships that are being navigated, so to speak; therefore it is the Commissioners who are most interested in the Pilot Service, and they think that they should have the right of control over it.

16514. Do you come into collision with the Port Officer at all?—No, except in the matter of pilotage, and even then I could not say we come into collision; but we think it is not a right distribution of work.

16515. (Sir Stepped Edgerley.) Is it satisfactory that your Chairman should be only a part time officer?—The question has only been informally discussed. In the Bombay Port Trust the Chairman is a man who devotes his whole time to the work, but here it is the Vice-Chairman who is the Executive Officer, and I rather regard it as disadvantageous to this Trust that we have the senior member of the Board of Revenue as our Chairman, because it helps us in conducting our business with the Government. I think that it is a good arrangement, and there has been no difficulty in regard to it.

16516. Is not the Chairman a fairly busy man independently of the Port Trust business?—Certainly.

16517. And unless there happened to be a very carefully selected Vice-Chairman, there might be some difficulty in carrying the work on?—There might be the same difficulty if you had a carefully selected Chairman.

16518. In proposing that you should take over the Pilot Service, do you suggest that it is not efficiently managed at present?—No; we only suggest a change.

16519. (Mr. Meyer.) Is the senior member of the Board of Revenue always Chairman of the Port Trust?—Not always; occasionally the junior member is Chairman.

16520. Suppose the senior member takes leave and the second member becomes acting senior member, would he act as Chairman of the Port Trust?—No, not ex-officio—Government would have to appoint him.

16521. Would it not be better if one member of the Board of Revenue were to be appointed Chairman of the Port Trust during his term of office without reference to the fact that he was first member or second member?—No, I think that Government should have the selection. They may appoint any official they please, and it happens that they have always appointed a member of the Board of Revenue.

16522. Does that lead to a good many changes in the Chairmanship?—Yes.

16523. Is that prejudicial to the working of the Trust?—No, the Chairman presides at our meetings.

16524. It necessarily, however, makes the Vice-Chairman the real Executive, does it not?—Yes, and it is so intended by the Act that he should be; but, on the other hand, while it makes him the real Executive, he is not the Chairman, and he has not the full control, perhaps, that he might otherwise have.

16525. Speaking generally, do you find that the Chairman takes full interest in the administration?—Yes.

16526. With regard to the present restriction in the matter of works, do you find that that leads to useful engineering advice being given you by the high Public Works officials of the Local Government and the Government of India?—No, they have left us very much to ourselves; they consider that we know what suits us best, and they leave us to carry out the works we suggest. I presume they always approve of them, because we have never had any point raised.

16527. You say that you desire to be allowed to invest your sinking fund in any public securities, and
Mr. W. G. Kichler was called and examined.

Mr. G. W. Kichler.

31 Dec., 1907.

16533. (Chairman.) You are on special duty in the office of the Director of Public Instruction of Bengal, and have been in the Educational Service in India since March, 1907. —Yes.

16534. A scheme has been put forward by the Director of Public Instruction by which Directors would become a Joint-Secretary to Government for the purposes of education. In that proposal do you concur? —Yes.

16535. At the present moment, in making their proposals, why do not the Education Department go to the Secretary to Government, before they have actually formulated them? —I understand that the Secretary in the General Department prefers, before he passes judgment on any proposal, that it should be put before him in a cut-and-dried form.

16536. Do you see any objection to the Head of your Department conferring unofficially with the Secretary to Government, before these proposals are formulated? —No; it would be an excellent thing.

16537. It might save, what the Director calls, laborious working up in the office of the various schemes? —It might to a certain extent, but still it would not alter the procedure, which the Secretariat would think necessary, namely, that when any proposal did come from the office of the Director of Public Instruction, it should, first of all, be noted on the Secretary's office. 

16538. Do you see any objection to the Head of your Department conferring unofficially with the Secretary to Government, before these proposals are formulated? —No.

Mr. G. W. Dumayue.

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16529. With regard to the Pilot Service, how far does your jurisdiction as a Port Trust extend down the river? —Really to the Sandheads. The pilot comes on board at the Sandheads.

16530. So that you would not require any extension of jurisdiction to take in the Pilot Service? —No.

16531. Has the matter of extension of jurisdiction been discussed? —The matter came forward on one occasion when I was a member of a Committee about three years ago to consider the fees payable to the Pilot Service, and, by the order of the Commissioners, the matter was referred to the Committee. Afterwards, the Commissioners taking charge of the Service. The Committee considered that the matter was outside the province of its enquiry, and said that, if we were asked, we might submit it to the Government. We did not do so, and have not done so up to the present time, although, perhaps, we might do so later.

16532. I put to you that your Trust, as a Trust, has not really fully considered the matter? —No, they have fully considered it and determined upon it.

(The witness withdraws.)
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16547. Does the Education Department feel that in regard to any attempt to carry out the policy of the Government of India, there is too great a restriction upon it in matters of detail?—Yes.

16548. Are those details insisted upon by the Local Government or by the Government of India?—I take it, by the Government of India. Of course, this is a complaint made by the Local Government itself, and only indirectly by the Director of Public Instruction.

16549. Has there been any desire on the part of the Government of India to interfere in educational details?—I have only been here since the 19th December, but one thing has come to my notice in connection with the transfer of the Engineering College from Silpur to Ranchi. A letter had been addressed to the Local Government which filtered down to the Secretary, and he has to work up a case in his own office, because, if he has any objection to the procedure in his own office, he has the ultimate voice in the matter, and can reform it.

16550. What have you to do with the Engineering College?—It is an educational institution, and all educational institutions, whether directly owned by the Government or not, are subject to the control of the Local Government.

16562. Might not a general principle be involved in regard to education in which the Government of India have unduly interfered?—Yes; they went very fully into the curricula of study, and into the question of the syllabus and the method of awarding scholarships: also into the method by which the schools should be inspected. The Government of Bengal had put forward certain proposals with regard to a system of inspection of schools, and that system was taken exception to by the Government of India: they said that, unless the case was put more clearly, they would not be able to give their sanction.

16551. Can you recollect the details in which the Government interfered?—There was a question of having a common play-ground, upon which the Local Government was perfectly capable of arriving at a decision. The Local Government does not object in the slightest degree to suggestions coming from the Government, but they do object to being expected to defend their position, and to send in a report to the Government of India. There would be no harm if the Local Government were to say, "We suggest that such and such a thing should be done upon matters of detail; will you take them into your consideration?" but they should have the Local Government to exercise their discretion, which, I consider, they are perfectly capable of doing. Great delay is caused from the fact that the Local Government has to send in a report to the Government of India, and in order to send in that report, it has first of all to come to the Secretary, and he has to work up a report in support of the position which he has taken in the matter.

16552. Do you have to answer the criticisms of the Government of India paragraph by paragraph?—Yes, and we have to make out a case.

16553. You would prefer broad principles to be laid down by the Government of India, but you are not inside those principles, great latitude to be left?—Yes.

16554. Does the Director-General of Education interfere in your department?—He does not interfere directly, but in connection with the point I have just raised, there might be a good deal of undue interference. He of course advises the Home Secretary to the Government of India, and then the Home Secretary, acting on the advice he has got, sends these letters to the Local Government, so that though the Director has no direct power, he has a good deal of indirect power, and I should imagine since the office of the Director-General of Education has been instituted, that there has been a good deal more interference in matters of detail in purely educational matters with the Local Governments than there was before.

16555. You have never been in the Secretariat of the Education Department?—No.

16556. So that you have no special experience, either one way or the other, of whether there was, or was not, interference?—Except in one or two cases, which have been put before me, and Mr. Earle has shown me on or two cases in which there has been undue interference. One case I might cite was in connection with the organization of European education here. The last letter that came from the Government of India went into very great detail with regard to purely educational matters. The Government of Bengal has its educational advisers, who are quite competent to advise them on all these points, and, of course, it is not a question of the Government of India merely giving the advice; it is a question of their expecting an elaborate report in reply to their suggestions.

16557. Is the organization of European education to which you refer, confined only to the province of Bengal?—No; it is a scheme which affects the whole of India. There must be a certain amount of co-ordination in respect of education, but within the limits of that co-ordination, a certain amount of latitude should be left to the Local Governments each to work out its own scheme.

16558. Can you give any other instances of detail with regard to education in which the Government of India have unduly interfered?—Yes; they went very fully into the curricula of study, and into the question of the syllabus and the method of awarding scholarships: also into the method by which the schools should be inspected. The Government of Bengal had put forward certain proposals with regard to a system of inspection of schools, and that system was taken exception to by the Government of India; they said that, unless the case was put more clearly, they would not be able to give their sanction.

16559. With regard to the curricula or the method of inspection, is there any reason why the procedure in Bengal should differ from the procedure in the United Provinces?—There might be some local conditions which might give rise to a difference, but apart from that, the Local Government ought to have a little initiative. We ought not to have an absolutely stereotyped system throughout the whole of India.

16560. One can understand that in different provinces, with different races and different languages and so forth, they might require different treatment, but in the case of European education, would not the conditions of European education be very much the same in all the provinces?—They would, at any rate in the north of India.

16561. Would it not be desirable to standardize that education in the case of Europeans?—The principles on which the Local Government proposed to exercise were very small; it was merely a question whether manual and scientific education should both be made compulsory.
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get the necessary information which they require. The standing orders require that, in the case of the appointment of a European, certain particulars should be furnished to the Government of India. In reply to the request for information these particulars were not furnished, and the Government of India wanted information why an officer from the ordinary Provincial Service had not been appointed. The correspondence to which this gave rise delayed the matter for many months, and in consequence of this delay the unfortunate individual concerned did not get any pay for seven months. The Government of India might have sufficient confidence in the Local Government to allow them to pass orders in such a case. It did not seem to be necessary that they should withhold their sanction and consequently withhold the pay of this gentleman, who was doing the work, for a long period pending the receipt of the necessary sanction.

16565. Would you regard the appointment of a single individual, a European, as standing on exactly the same lines with regard to the interference of the Government of India, as the adjudication upon the curricula or the method of inspection?—Not on quite the same lines. There must be standing orders with regard to a case of this kind, but the only point is with regard to the procedure and the unnecessary delay caused by not placing sufficient confidence in the Local Governments.

16566. Apart from such advice, which may run counter to the views of the Local Government, do you regard the appointment of the Director-General as satisfactory?—In many respects the Director-General's appointment be an extremely useful appointment. We must have co-ordination in education throughout India, and the Director-General would be able to give the necessary advice to the Government of India with regard to that point.

16567. Does the Director of Public Instruction correspond with the other Education Departments in the provinces?—Yes, he corresponds with them unofficially, and there are also conferences of directors, which are held periodically.

16568. Is there any stated time at which these conferences are held?—Nothing has been laid down with regard to having them at regular intervals.

16569. The first one which was held was in 1901?—Yes.

16570. How many have been held since?—I think there was one later than 1901.

16571. At what intervals would you suggest that they should be held?—Every three years at least, and such conferences would largely take the place of the Director-General, because from the work of these conferences the Government of India would be able to get the necessary information which they require.

16572. Would you say, if it was laid down that conferences should be fixed at brief intervals, that the Director-General might disappear?—I would not like to give an opinion upon that, because I am not acquainted with the details of the Director-General's work; I am only speaking on general principles, but it seems to me that there might not be the same necessity for the Director-General as there is at present.

16573. Perhaps someone in the position of a Secretary to calculate the work of the conference might be a good substitute for the Director-General?—Yes, that was my idea.

16574. With regard to the delegation of powers by the Central Government to the Director-General, Mr. Earle and you agree that the Director-General ought to be allowed to make appointments to the Subordinate Service in the Provincial Service?—Yes, but I understand Mr. Earle to mean that he ought to be allowed greater powers, not only as to appointments up to a maximum salary of Rs. 3,000, say, but also with regard to the creation of fresh appointments subject to a maximum limit of Rs. 5,000 a year.

16575. Would they be pensionable?—Yes.

16576. I understand that in no single case during the last five years has any appointment recommended by him been refused by the Local Government?—Yes.

16577. You say the Director-General would like to be able to incur any additional expenditure up to Rs. 10,000 a year. Is that very much on the same lines as the power which a Commissioner has in Bengal at present?—Yes, it is pretty much on the same lines; of course the Director wants to have his power of expenditure raised.

16578. Does he want to have a special sum earmarked to be at his disposal for any purpose?—No, he would have an allotment of a considerable sum, and for each single project he would not be able to exceed Rs. 10,000; but the total amount would be considerably larger.

16579. There ought to be a delegation of powers to inspectors and principals of colleges, provided that the Collector of the district agreed with the proposal?—Yes.

16580. Whence is the expenditure upon education in primary schools derived?—Partly from a direct grant from provincial revenues, and partly from certain revenues which are at the disposal of the District Boards.

16581. One witness to-day told us that the District Boards managed the primary schools, but subject to certain general rules and regulations laid down by the Government; is that so?—Yes, under certain rules which restrict, or define, their control.

16582. Has the District Board any real power of control or management?—The whole management of primary education is very small indeed—really there is none—and it merely consists in the distribution of stipends to the gurus. The District Boards might show more initiative with regard to primary education. During the whole period in which they have been charged with primary education they have shown no initiative, and have made no serious proposals towards the improvement of primary education.

16583. What sort of proposals could they make?—For instance they have a certain number of schools which are called model schools, but they never have made the slightest attempt to improve them. It would have a good effect on education generally if District Boards would come forward and make their schools really model schools.

16584. But could they improve the school premises?—They could provide better school-houses to begin with.

16585. Of the funds provided by Government or by increased taxation?—It is quite possible they would have to come up to Government for increased funds, but that is where the initiative would come in. Why do they not come up and say, "We would like to improve our schools, but we have not got the money?"

16586. Suppose they came and said, "We want better school buildings, better school furniture, we want a better class of instruction, and we want to raise the pay of our teachers"; is that the sort of proposal which Government would be prepared to consider?—Yes, those are the sort of proposals to which I refer.

16587. So far as you know would your department be prepared to recommend that the increased expenditure involved in those proposals should be met from provincial funds?—We would require the District Board to provide its own funds. The department would recommend whether the amount should be drawn from provincial funds. The amount of money at the disposal of District Boards is limited, but even with the money which they have at their disposal, they have not done what they might have done.

16588. How do the District Boards manage their primary schools?—They have no primary schools of their own. There are what are called model schools, and they have some of those under their direct control or management.

16589. Apart from such advice, which may run counter to the views of the Local Government, do you regard the appointment of the Director-General as satisfactory?—In many respects the Director-General's appointment is extremely useful. The Government of India might disappear?—I would not like to give an opinion upon that, because I am not acquainted with the details of the Director-General's work; I am only speaking on general principles, but it seems to me that there might not be the same necessity for the Director-General as there is at present.

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16591. With regard to the delegation of powers by the Central Government to the Director-General, Mr. Earle and you agree that the Director-General ought to be allowed to make appointments to the Subordinate Service in the Provincial Service?—Yes, but I understand Mr. Earle to mean that he ought to be allowed greater powers, not only as to appointments up to a maximum salary of Rs. 3,000, say, but also with regard to the creation of fresh appointments subject to a maximum limit of Rs. 5,000 a year.
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Board approves. The District Board does not actually add a member of its own to the Board of Management.

16588. The Chairman of the Purnea municipality told us that, while the cost of primary schools fell entirely on the municipality, they had no control over them. Do you agree with that statement? I should hardly be inclined to accept it. Municipalities have to contribute a certain portion of their income to private education, but it is simply a matter of giving stipends to the gurus.

16589. Who appoints the gurus? They appoint themselves. We have a number of schools which have sprung up in one way or another; the inspectors who are paid by Government inspect those schools, and say which gurus are deserving of stipends or not.

16590. Do the gurus draw a stipend from the municipality on the certificate of the inspector?—Yes.

16591. Who provides the books used by the scholars? Ordinarily they provide their own books.

16592. Who provides the furniture in the schools?—Unless there is a special grant made, which is seldom the case, the furniture is provided by the gurus themselves.

16593. Does the other expenditure, beyond the stipend of the gurus, fall on the municipality?—There is no such expenditure.

16594. Therefore the statement by the Chairman of the Purnea municipality that the municipality pays the cost of primary schools really only refers to the stipend of the gurus?—Yes. As far as primary education is concerned, throughout the country the only expense lies in the stipends of the gurus.

16595. Who pays the expenses of middle schools?—The Education Department. No expense falls on the municipality with regard to middle schools.

16596. Therefore from a financial point of view they can claim no control?—Except that the municipalities may give grants to the middle schools. Sometimes a middle school gets a grant both from the department and the municipality. The municipality has control over the management of a middle school.

16597. In cases where municipalities give a grant would it be advisable that they should have control?—There is little to control. If there was anything of importance to control, I would be willing that the municipalities should have a voice in the matter.

16598. Might you not give them some share in the control and management?—Yes, if the grant were applied to a legitimate purpose.

16599. But is it applied now to any illegitimate purpose?—I do not consider that merely giving a stipend to the gurus is any reason for giving control.

16600. Is that the grant always goes to?—Yes, in primary schools. If municipalities were to give a grant to the middle schools for some legitimate purpose, then they might be given some share in the control.

16601. Do they have a representative on the committee of management?—Yes. If they liked they could certainly have a representative on the committee.

16602. Would that be a good thing to do?—Yes.

16603. What would the control of the committee of management over a school amount to in point of fact?—It does not amount to very much.

16604. Ought it to amount to a good deal in a case where a grant-in-aid is given?—Yes, of course; the committee of management ought to have considerable control of study.

16605. Would you go so far as to say that in most municipalities of moderate size there are persons capable of exercising an interest in the management of schools?—That is, as a committee of management, but they do not take any interest in the schools.

16606. If you give a person nothing to do, what can be taken in interest in?—They have something to do if they like to carry out the duties assigned to them—on paper they have a good deal to do.

16607. What is it they can do in practice?—They have control in appointing teachers, and to a certain degree, in regulating the course of study. In the larger municipalities, they leave to the teachers and all matters of that kind—the ordinary matters connected with the administration of schools.

16608. Has the committee a free hand in the appointment of teachers?—Yes, subject of course to the approval of the inspector of schools.

16609. What pay does the inspector of schools get?—That varies. He may be an Indian, or he may be a European.

16610. With some real knowledge, of course, of education?—He ought to have a real knowledge, and it is assumed he has before he is appointed.

16611. Under whose care are the secondary schools?—They are entirely under the department; some of them receive grants-in-aid, and some are directly managed by the department.

16612. Where do the funds of the secondary schools come from?—From provincial revenues.

16613. And towards their upkeep neither the District Boards nor municipalities contribute?—No. They may contribute in rare cases, but it is a very exceptional thing.

16614. Who makes the appointment to the Provincial and Subordinate Services?—In the Subordinate Service, below a salary of Rs. 200 a month, the appointments are made by the Director of Public Instruction; after that they are made by the Local Government.

16615. When Educational Officers are appointed from England to this country, are they required to know anything either of the Indian language, or Indian history, or Indian social conditions?—The only requirement as regards language is that, within two years, they are expected to pass an examination up to the Higher Standard in the vernacular of the division in which they are serving.

16616. Are they often moved from division to division?—Yes, too often.

16617. And, in consequence, they may be posted to a division with the language of which they are not acquainted?—Yes, that is frequently the case.

16618. And being themselves inspectors of schools they receive no instruction at all in the literature or history of the country for which they are going to provide education?—Not necessarily.

16619. Do they often have such knowledge when they come out?—If they take an interest in the subject, in a way they do.

16620. But how can they? They do not know where they are going to be appointed to. They are nominated on a vacancy occurring and they come out in the next mail?—Yes.

16621. What is the nature of their appointments?—That may vary. They may be appointed as professors of a college or inspectors of schools.

16622. (Mr. Meyer). Do you say that all the primary schools in the management of which the District Boards and municipalities are concerned are under the charge of gurus?—Yes. All the primary schools.

16623. Does no municipality maintain a school of its own?—No.

16624. Are there no mission or other primary schools maintained by private resources?—Yes, there are a few.

16625. Would those be aided by the municipality or the District Board?—They would be aided if necessary.

16626. Therefore assistance to primary education is confined to those two classes of schools?—Yes.

16627. Are local bodies bound, in regard to the vernacular schools at any rate, by the recommendations of the officers of the Education Department? Can they aid a vernacular school unless the officer of the Education Department says the guru is a satisfactory person?—They could act against the opinion of the inspector, but if they did, the matter could be referred to the Commissioner of the Division.

16628. Might not a municipality have some little power in the matter of selecting schools to which it gives aid?—Of course, if you allowed them to do that it would be on the advice of some Educational Officer.
16629. Do you think the Education Department is all in all?—No; there should be some advisory officer with some experience of education.

16630. Should the action of the municipality be in subordination to the Education Department?—It is a very difficult question to answer, because from what we see up to the present time they do not seem to take much interest in primary education.

16631. Will they ever take an interest if you bind them hand and foot in every little detail?—They might take some interest, and there is no harm in their taking the advice of the inspector of schools. They might listen to his advice, and not necessarily accept it.

16632. But at the present time can they reject his advice?—Yes.

16633. Are you prepared to allow them, in regard to aided schools and so forth, to listen to his advice but, if necessary, to go their own way?—Of course there are many things which you might give in the case of one municipality which you might not be disposed to give in the case of another. You might give them certain powers, as a matter of experiment, in order to see what the result would be, but you cannot come to any conclusion without experience.

16634. Are you prepared to try the experiment?—I am perfectly prepared to try any experiment which would tend to make a change for the better.

16635. As things are at present, would it not be better to take the schools entirely under the department, is it because the municipal share in them more or less a farce?—The point is that there is nothing in it at all because it is only as to the payment of the guru. It would be better to carefully define them, that if they were prepared to spend more money on the municipal schools and make them middle schools, every municipality ought to have one or two middle schools within its area.

16636. But if they have schools, do you admit it to be right that they should claim some voice in their management?—Yes.

16637. Have you any Government middle schools in Bengal?—We have one or two directly paid for and managed by the department, especially in Non-Regulation districts.

16638. What does the Calcutta municipality do in the way of education?—It spends its money entirely in giving aid to private schools, on the recommendation of the inspector of schools.

16639. Then the municipalities, speaking generally, keep up no middle schools, but the District Board does?—Yes.

16640. Are District Boards better able to manage middle schools than municipalities? Can you tell me how the distinction arose?—I do not know that the middle schools in municipalities are directly aided by Government.

16641. Will the Board ever take more interest in the matter if it is confined simply to the mechanical payment of money?—My experience is that a Board does not object to inspection. What they would no doubt like is that they should be able to act on the advice of the inspector without any further reference, but they are very glad indeed to get advice from the inspector of schools.

16642. You said the Local Government was glad to get advice from the Government in India in matters of detail, but you thought it was a hardship that the Local Government should be obliged to follow it; would you apply your own principle to local bodies and your own department?—Yes, as to the actual getting of advice there can be no objection, nor have the District Boards ever objected to it.

16643. What influence has the Collector over educational expenditure in his district?—I think it practically lies in the hands of the Collector, as Chairman of the District Board; he practically regulates the whole thing.

16644. Is secondary education practically entirely carried on by Government with the exception of the middle schools?—Yes.

16645. Has the Collector any voice in the establishment of secondary schools?—No, practically none.

16646. Has the Commissioner any voice in the establishment of secondary schools?—He has general supervision. Things have been changed of late years, and it is not necessary for him to be consulted with the other Heads of Departments in all educational projects. I do not know what the exact rules were before, but if he had to be consulted, the rules had fallen into disuse.

16647. Should not a Commissioner have a considerable say as to how the provincial education expenditure should be allotted within his division?—There would be no objection at all to the Commissioner having a say in the matter, but I feel convinced that with the amount of work a Commissioner has already got to do, he would have to depend on the advice of his expert officials.

16648. Is there any objection to the inspector of schools standing to the Commissioner of a Division in much the same relation that the Director of Public Instruction does to the Lieutenant-Governor?—That course of course raises the whole question of the powers of a Commissioner of a Division. Theoretically there is no objection. If the Commissioner is the practical Head of the Division, all other officials within the division should stand in the same relation to him as other Heads of Departments stand to the Lieutenant-Governor. Before answering the question I should like to know exactly what it involves.

16649. It involves non-technical control, as you might call it. The qualifications of teachers and so forth must necessarily rest with the Director of Public Instruction, but the application of funds to start a school at A, as against B, and so on, would rest more largely on the judgment of the Commissioner. Do you think there would be any objection to certain functions being put into the hands of a Commissioner of a division, but they would have to be carefully defined, and I am not prepared at the present moment exactly to say what power should be given to him, or taken from the Director of Public Instruction.

16650. Generally, do you think the Commissioner might have a larger say?—I have no objection to your putting it in that way.

16651. With regard to college education in Bengal, is the Government much concerned with it?—There are five Government colleges, but of course a college like the Presidency College is a very large unit, though it is only one college it represents a large sphere of educational activity.

16652. Does the Government spend more money in direct control of its own colleges, or in aiding other people's colleges?—It spends its funds almost entirely at present on its own colleges.

16653. Was there not a recommendation, made by the Education Commission of 1883, that the Government should gradually withdraw from higher education as they found private enterprise supplied it?—Yes.

16654. Is the Bengal policy in that direction?—I understand they are acting on later advice.

16655. And was that general idea not repeated in the resolution of 1904?—Yes, it might have been, but still a large amount would have to be voted by Government. Latterly a large number of grants-in-aid have been given to private colleges, and the policy of giving grants-in-aid to these colleges has been extended. That is a recent development.

16656. Did Government aid them formerly?—No, but the regulations now require so much higher standard that the other colleges regard it as necessary to ask for aid.

16657. Did not the Government of India enjoin that policy for which they gave a special grant?—Yes, and that is, of course, in accordance with the policy.

16658. Therefore the merit, such as it is, is with the Government of India?—Quite so. I do not wish to detract from their merit at all, but it certainly is a policy which I should have been very strongly in favour of from the beginning, only the difficulty lay in getting the money.

16659. You propose that when a scheme has been prepared in the Director's office it should not be noted on, in the first instance, by clerks in the office of the Secretariat, but that it should go straight to the Secretary?—Does the Director get elaborate schemes from inspectors of schools and principals of colleges?—Yes.

16660. Would you think it wrong that they should be noted on by clerks in the Director's office?—No.
1666. Is not the Assistant Director a junior officer?—Yes, but he is an Educational Officer and I would recommend that certain cases should go direct to the Assistant. 

1667. Has not the Secretary a great deal of work to do? He gets schemes which go into many details. Is it not reasonable that he should get some one in his office to note the precise and so on?—To a certain extent; but the point is, whether the information he gets from the Director of Public Instruction is not sufficient for him to come to a conclusion on the case cited. If it is not, why is he not placed in closer touch with the Director of Public Instruction? 

1668. Is the Director of Public Instruction aware of all the precedents and rulings and so on?—He ought to be: in educational matters the Director of Public Instruction should be absolutely conversant with them. 

1669. Under your plan would it not be better to abolish the office of the Director of Public Instruction and allow it to be amalgamated with the office of the Secretary?—If that can be done. 

1670. You desire greater latitude to be given to the Local Government in matters of detail, and you complain of three or three cases in which you say that there has been unnecessary interference in matters of detail. If you can only produce three instances, is it not possible that in many other instances there was nothing to complain of?—There were other instances; but I only wished to take three important ones: I have many other instances in the file of papers before me. 

1671. Are you aware that the Viceroy has to be consulted before the Local Government can be overruled on any such matter?—Yes. 

1672. In many cases are not questions of detail part of the right of appointment of the Local Government as a matter of principle, which, I think, is a different thing altogether?—It is possible, but the impression as to any suggestion made is that even if it is in the form of a suggestion it is not too rigid in regard to the grant-in-aid rules?—I am inclined to be of opinion. I think that a certain amount of discretion should be allowed with regard to the grant-in-aid rules. 

1673. Would you consider the filling up of an appointment a matter of detail, in which the Government of India should not interfere?—Ordinarily I should consider that that ought most certainly to be left to the Local Government. 

1674. Some little time ago there was a Civilian Officer appointed to the Wages Department of the Education Department of this province?—Yes. 

1675. Did not several members of the Education Department decide to memorialise the Government of India?—Yes; I am sorry to say with no effect. 

1676. In that case they did not accept the discretion of the Local Government, nor did they say that they did so far. It was not so much questioning the right of appointment of the Local Government as making an appeal to a superior authority on general principles, which, I think, is a different thing altogether. 

1677. You have referred to the case in which a European Officer was appointed to a position of over Rs. 200. Is it not necessary to safeguard Indians against the undue appointments of Europeans?—Yes. 

1678. You spoke of conferences possibly taking the place of the Director-General of Education; but supposing there was no Director-General of Education, who would preside over the conferences?—I should say the senior Director of Public Instruction, or still better, an officer of the Home Secretariat. 

1679. Do you think such conferences would come to any real good? Might they not possibly dissolve in air?—I hope not; I am very strongly in favour of conferences, because I think they afford the best means of arriving at some useful result on definite subjects. 

1680. Supposing an officer went from Mad as to such a conference, and some new method which he did not like was put forward, and accepted, by the majority of the conference, might be not go back and say to his government, "It is true the majority agreed to this, but they know nothing about Madras, and therefore we need not trouble about it"?—That is exactly in accordance with the general principle which I maintain. Local Governments ought to be allowed a certain amount of discretion. 

1681. You have admitted however that is it useful to have an Imperial Officer who goes round to control what is being done?—I am not prepared to say that the Director-General of Education is not a useful officer. 

1682. As regards the European schools, did not the Government of India lately give a special grant for their assistance?—Yes. 

1683. Might they, therefore, claim some voice in regard to the policy?—Yes. They should have a very considerable voice; but it is not a question of policy, it is a question of detail. 

1684. Do you think a centralized code for all India is unnecessary in the case of European schools?—I think in many respects it is undesirable. 

1685. Does the ordinary Education Code differ from province to province?—Yes. 

1686. Is that again too centralized and ought some of the restrictions to be somewhat relaxed? are they not too rigid in regard to the grant-in-aid rules?—I am inclined to be of opinion. I think that a certain amount of discretion should be allowed with regard to the grant-in-aid rules. 

1687. Have any local proposals been put forward to make the education code more elastic?—No. 

1688. (Sir Steyning Edgeley.) Do you regard education as a purely provincial matter of administration?—Yes. 

1689. Do you hold that the function of the Government of India is to discuss policy and not to impose details?—Yes. 

1690. Is it beyond the capacity of the Secretary to the Government of India to discriminate in any particular case between what is essential as a principle and what is a detail?—No. 

1691. Assuming that a scheme comes up and the Director-General is not satisfied with it, and writes a dissentient memorandum either as to principle or as to detail, or in any other respect, would it be a good thing if that memorandum were, as a matter of course, sent to the Local Government for comment before the Government of India dealt with the case at all?—Yes, I think that would greatly facilitate the dispatch of work. 

1692. It was stated in Madras that the Director-General was a very useful officer as tending to reduce the inefficiency, from an educational point of view, of the Home Department of the Government of India; would you share that view?—Yes. The only alternative I can suggest is a
16693. Does not the Director serve a very useful function, in gathering information as to new methods and studying systems in other countries, and disseminating information?—Yes.

16694. Then it practically comes to this, that you object to interference with administrative detail of any sort?—Yes.

16695. Do you consider that the curricula of European schools is a detail?—I do, except that the broad lines of the curricula might be laid down.

16696. Most of your European schools receive grants-in-aid?—Yes.

16697. Are they Missionary schools?—Largely.

16698. That is to say, they are greatly supported by persons who subscribe to the funds on a religious basis?—Yes.

16699. In order to secure the money given by other countries, you have to consider the susceptibilities of the donors a good deal?—Yes.

16700. And if your curricula are filled up with obligatory subjects, such as manual training and other things, it would be necessary for the sake of the schools to be proportionately increased?—Yes.

16701. And there is also danger of overloading the curriculum with subjects?—Yes.

16702. So is there not a great danger, that any too rigid code imposed by the Government of India would be entirely unacceptable to missionary bodies, and that everything would have to be closed?—Yes. That is an argument against rigidity in the Code and in favour of leaving a good deal to the discretion of the Local Government.

16703. In the European Code have you accepted the conscience clause?—To a certain extent. I mean that religious instruction is allowed to be given, but it is not compulsory, and no one need attend, and it is to be given at the beginning of an hour, so that no inconvenience arises in the working of the school.

16704. How do missionary bodies explain that to their constituents?—I am not in their councils, so far as that is concerned.

16705. With regard to the Local Government your main proposal is the complete amalgamation of the office of the Director of Public Instruction with that of the General Secretary of the Local Government?—That was Mr. Earle's proposal; my proposal was that ultimately it would be better to have a separate Secretary. I would like an Educational Secretariat, with the Director of Public Instruction as Educational Secretary to the Government.

16706. How would you then arrange for touring?—The Director has really very little touring to do; he is only expected to be away forty days on tour. He is not exactly the same as an Inspector-General of Education; and he really is required to be largely at head-quarters on account of his administrative duties. But if it is considered desirable that there should be some inspection by a superior officer of Government, that difficulty would be met by having a Deputy. It is at present argued that the Director's office is under manned in this respect.

16707. Would you suggest a Deputy Director working with the Secretary in the General Department, and the Director himself occupying a position something like that of the Inspector-General of Irrigation in the Public Works Department, that is to say, that he could tour anywhere where it was necessary and still deal with any big cases?—That is not a solution I have yet thought of; it seems plausible, but I am not prepared to give an opinion on it off-hand.

16708. With regard to the Medical College, is your Medical College in Calcutta under the Director at all?—No, it used to be. About ten years ago, on the representation of one of the Inspectors-General of Hospitals, who objected to have it under the Education Department, it was put under him; but there was no opposition offered at the time by the Education Department to the severance.

16709. Has the Education Department any information as to how that has worked?—We have heard of no complaint as to the parting of their connexion, or any other proportion, to education?—No. There are checks, but not of this nature.

16710. And nothing as to the income from pounds and ferries?—No, it is left to their discretion.

16711. Have you any prescribed syllabus for primary schools?—Yes.

16712. Is that available in the vernacular?—Yes, it is at present being changed, but, of course, there always has been a syllabus. We have complete control over it.

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16714. As regards District Boards, you say that the pound and ferry revenue has increased, but you have had no share of the increase. On what basis is the share actually settled which you have; is it a fixed sum, or is it a proportion?—It is not a fixed sum, but nothing is laid down. Pound and ferry revenue is simply set apart for educational work and medical aid. When it was first granted a certain sum was given to one branch and the rest to another: the amount under medical aid has increased, correspondingly to the increase in the revenue, but nothing additional has been given to education.

16715. Do you complain generally, with regard to the difficulty in getting the necessary apparatus to carry on your work?—Yes, we certainly have good grounds of complaint in that respect.

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16717. Do you have a strong governing body for these colleges, under the presidency of the Commissioner, practically relieve the department of the whole of the detail work?—Yes. I am strongly in favour of the colleges being independent and corresponding directly with the Government, but not under the present conditions. I think that the Director should be relieved from the administration of the colleges. They would have a much more vigorous life if they were directly under Government, but under present conditions I would be bold to make any proposal of that kind, for the reason that the General Secretary has so much to do that he knows very little about educational matters. Therefore it is better, under present conditions, that anything in connection with colleges should come through someone who has a grip of education.

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16720. Is there anything in your Local Self-Government Act providing that the Board shall devote one-third of their revenue, or any other proportion, to education?—No. There are checks, but not of this nature.

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16725. Does the Subdivisional Officer visit these schools?—Yes; it is laid down that he should do so.

16726. Has he any regular means of communication with the District Officer with regard to the result of his visits?—If he writes anything in the inspection book, it is always put before the inspector.

16727. What is the link between the Director and the schools; not only primary schools but middle schools and high schools?—The whole of the school work in the division is really under the inspector.

16728. Does the department invite any co-operation as to the inspection and management of the schools?—To a certain extent; there are what are called Boards of Visitors, and where there are managing or visiting committees, the members of those committees are expected to visit the schools and make suggestions.

16729. Who is the Chairman of the visiting committees as a rule?—They would elect their own Chairman.

16730. Has the Collector any definite obligation, for instance, as to a training school or a high school?—No; the primary schools and high schools are practically outside the jurisdiction of the Collector. But at the same time he often visits these schools.

16731. Supposing there was any great laxity in a training college; would the Collector be expected to know about it?—No; it would not be brought to his notice officially, but if, when visiting a high school, he saw it was not being properly conducted, he would make a note of it, and his note would be sent to the inspector of schools. The Collector would not be responsible in the slightest degree.

16732. As a matter of fact, do you ever ask the District Officer's advice on educational matters?—In regard to anything connected with middle schools and primary schools his advice is always asked. In respect of secondary schools his opinion is asked with regard, for instance, to projects for new buildings and hostels, but not with regard to the administration of the school.

16733. Are there any model schools in the province?—There are schools which are under the direct management of District Boards which are supposed to be model schools, but they are not really model schools.

16734. I understand that the municipalities pay for middle schools, but have no hand in the management of them?—Yes, but such payments are very exceptional within municipal limits; they are aided by the department direct.

16735. But on other than financial grounds would it not be a very good thing if a municipality had a right to interfere and to lay down the hours of attendance on the holidays, or the fees that should be levied?—I think it would be a very good thing if the municipalities were to take a more direct part in the management.

16736. Are not the parents better able to judge of these points than a Government department?—To a certain extent. But if an inspector is worth his salt, he ought to be thoroughly conversant with the wants of a district.

16737. But he cannot be so conversant with the wants of a district as the parents of the children themselves?—But the question is whether the parents of the children are going on right lines. This is not only an Indian question but a question which we find in all countries in the world, and parents must not always want what is good for their children.

16738. Would you not admit that it is a good thing for the masters to be interested in pleasing the parents as well as the department?—Yes.

16739. Is not the effect of the present system to make them look only to the department for approval, and not to care in the least about the wishes of the parents?—I think that is largely due to large social question. I think we should find that the masters do very largely for the opinions of the parents, and they could not set the opinions of the parents at defiance. In fact there is a little too much of that kind of thing in schools.

16740. (Mr. Dutt.) If the Director of Public Instruction was a Secretary to the Government of Bengal, might that have the effect of raising the purely departmental view of questions to undue prominence as compared with the administrative view?—I think because a man has special knowledge of a subject he is not therefore debarred from taking administrative charge of the branch which deals with the subject. There are advantages and disadvantages, and certain of the advantages more than counterbalance the disadvantages.

16741. There are other Departmental Heads, for instance, the Medical and Police Departments. Would you recommend that those Heads should also be Secretaries to Government?—Each case ought to be judged entirely on its merits. The educational affairs of the country are of extreme importance, and it is often the case that a small part of the duties of one Secretary.

16742. Is the Inspector of Schools act in consultation with the Commissioner in any educational matters?—Yes. Chieftly in connection with projects for new buildings—matters of administration rather than education.

16743. By whom are appointments and transfers in the Provincial Service gazetted?—By the Local Government.

16744. A suggestion has been made that the Director of Public Instruction should be empowered to appoint and transfer the officers in the Provincial Service; would you agree with that view?—I think it is necessary that the recommendations of the Director are always accepted by the Secretariat, and correspondence merely causes unnecessary delay. The practical thing is to make the Director in a position to know more about such things than the Secretariat.

16745. Does it not give a man a little more dignity if he is appointed by the Local Government?—I would consider that an argument for making the Director a Secretary to Government. It is quite possible that the members of the Provincial Service would prefer to be appointed by the Local Government rather than by the Director of Public Instruction.

16746. Does that portion of the District Board budget which relates to education go to the Education Department?—Yes: it is sent first of all from the Magistrate to the Director, and then the Director sends it to the Commissioner with any remarks which he cares to make. Of course the budget is in the first place drawn up in consultation, nominally, with the inspector, but, practically, with the deputy inspector, who knows more about the district than the inspector.

16747. Does it often happen that the Director makes any alterations in the budget?—I think it hardly ever happens, as long as the District Board spends its allotment. There is a certain minimum sum which they have to spend on education.

16748. The Director does not sometimes say, "You are spending too much on secondary schools, or not enough on primary schools, or anything of that kind?—No, but he has the power to do so.

16749. Do the same remarks apply to the municipal budgets?—Yes. There, of course, we have to see that they spend the minimum sum.

16750. Do you ever make any suggestions as to an increase in the number of the primary schools, or as to raising some of the schools to secondary schools, or anything of that kind?—The deputy inspector very often makes suggestions as to an increase in the number of the primary schools or opening new primary schools in places where they are wanted.

16751. Are those remarks generally attended to?—Yes; with regard to opening of new primary schools. As regards more expensive proposals the deputy inspectors are not in a position to have their opinions really listened to.

16752. So that, generally speaking, you have nothing to complain of as regards the way in which District Boards and municipalities deal with the question of education?—Nothing, except that I do not think they have shown enough initiative in the matter. They are slightly a little apathetic with regard to education, and look at it as the last thing they have to consider in the budget.

16753. You have a class of officers called subinspectors of schools. Were they previously servants of the District Boards?—Yes. We have now taken them under the Education Department in so far as they are
paid by the department. The District Boards have still practical control over the sub-inspectors, and even to a larger extent than before.

16754. In what way?—With regard to the power of transfer. In other respects they are servants of the department.

16755. Do they look after the primary schools under the District Boards?—They are almost entirely concerned with primary schools.

16756. Is it satisfactory that the work of the District Boards should be done by men who are servants of the Education Department?—In theory, of course, it is unsatisfactory, but in practice it has worked pretty well, and there has been practically no harm done.

16757. Have the District Boards the same interest as they had before in founding new schools, and in getting the villagers to find houses for schools, and getting contributions from villagers, now that they have to work through servants who are not their servants?—The sub-inspector understands his position; he is really under the Chairman of the District Board and has to listen to his orders. I admit it is a peculiar system.

16758. On the whole, would it be a better arrangement to re-transfer these officers to the District Boards, and let the sub-inspectors work under the District Boards as their servants?—Yes; in some ways it would, so long as their prospects would not be interfered with. One of the most important reasons for transferring them to the Education Department was that they had very poor prospects under the District Boards.

16759. Suppose increments were allowed them by the District Boards, and they subscribed to a provident fund, would there be any great reason for complaint?—No, I do not think there would be any reason for complaint so long as the District Boards did their duty; it all turns upon that. The inspectors will look after the sub-inspectors; I doubt if we can guarantee that the District Boards will look as well after them.

16760. Would the District Boards take a little more interest if they had to work through their own servants in their own way?—I can only judge from what has happened before, when the sub-inspectors were the servants of the District Boards, and then I cannot say that any more interest was shown. Of course the whole thing is largely due to the fact that, through lack of funds, the District Boards have not been able to do much.

16761. In other respects, with regard to fixing the hours of attendance, the number of holidays in the year, the work, the nature of work, would it be impossible to lay down general principles?—With regard to the power of laying down rules, the District Boards, or the University in the case of University education, have to do that.

16762. Has a District Board now the power of laying down a rule that schools during say, two months in the year, should be held in the mornings, without reference to your department?—They have to refer to our department, but we would not interfere in a matter of that kind.

16763. With regard to these matters would you have any objection to making the rules elastic so as to give more discretion?—No; it is really a question of the District Boards acting up to their duties.

16764. Does your department inspect all the colleges?—No, only the aided colleges and Government schools; the private colleges have not hitherto been inspected; but they are now inspected by the University under the new Regulations.

16765. What sort of supervision by the Education Department do you propose over private colleges?—We propose to encourage the system of grants-in-aid, which will make them amenable to departmental inspection.

16766. Would you try to encourage the establishment of private colleges?—Yes, but I think they must be really aided by Government, because education cannot be conducted as a commercial undertaking.

16767. But there may be colleges which are not commercial undertakings?—There may be, but not many of them have to do with questions of detail.

16768. (Mr. Hickson.) You expressed a view that the Government of India should concern itself with principles and that the details should be left to the Local Government; do you say that the way to tackle the problem as to the division of authority between the two is to decide first of all what the details are?—I should be quite content if a general ruling were laid down that the Government of India should not interfere in matters of detail, except in so far as they might give advice. I do not think one could really say what is a matter of detail and what is a matter of principle: it would be very difficult to differentiate. You must leave it to the common sense of the parties concerned.

16769. If you want to avoid perpetual discussion as to what is a detail and what is a principle, must you not try and lay down some principle?—Yes, you would have to do that.

16770. Is not the way to deal with the problem to lay down certain principles and to say that the interpretation of those principles should rest with the Local Government?—If that could be done, I should welcome it.

16771. Is it possible to lay down educational principles of universal application, and to say that the carrying out of those principles should rest with the Local Government?—It would be, to a certain extent; but there would always be cases in which it would be difficult to say whether or not they came under the general principle.

16772. Can you give me any examples of general principles?—With regard to University education, general principles would regulate the admission to Universities, and would, for instance, decide the age at which the students entered the Universities.

16773. You think that is a matter which ought to be uniform throughout India?—Even with regard to that, I would say that the matter of age might perhaps be left within certain limits; the Government of India ought to lay down a minimum age for admission to Universities.

16774. Is it not more difficult to deal with the matter of education as a general principle than it is to deal with anything else?—Yes, that is so; I find it exceedingly difficult to lay down a general principle with regard to education.

16775. So that it is extremely difficult to lay down or decree in any way the functions of the Government of India in all respects?—It is very difficult.

16776. Have you ever considered whether it would be possible to pass a general Act in which the principles in regard to education should be defined?—I think that would be extremely difficult; I should simply prefer to lay it down as a general ruling.

16777. What happens to-day is that each Local Government frames its own regulations, which are submitted to the Government of India for sanction?—Yes, but from time to time the Government of India itself publicly issues general resolutions on the question of its educational policy.

16778. Is the purport of those resolutions embodied in your Regulations?—Yes, we have always to abide by those general Regulations, but the Government of India go far beyond that when they come to criticise projects which come from the Local Government.

16779. If you want to get a clearly defined line, ought you not to depart from the principle of each Local Government submitting its own defined Regulations to the Government of India, leaving the Government of India to issue a general Act, and leaving the interpretation of that Act—that is to say, the making of Regulations—to the Local Government?—I should very much like to see that done if practicable.

16780. You are aware that there are Education Acts in most countries?—Yes.

16781. And there is no reason why, if there are Education Acts in other countries, there should not be a general Education Act in India?—Yes, but are there Education Acts in countries which present such diversities as India, and which have so many independent Local Governments? That is where the difficulty comes in; of course if there was a general Act it would have to be on very broad lines indeed, and if you had an Act on very broad lines you would have to leave very great discretion to the Local Government. You need not have that.
ROYAL COMMISSION UPON DECENTRALIZATION.

16787. How would you propose to remedy that state of affairs?—I think it could be very easily remedied; you have simply to lay down a general order that an inspector should ordinarily stay five years in his division.

16788. If that is desirable, why has it not been done?—Because the matter has been simply left to the consideration of the moment. I suppose it is so apparent that no one has ever thought of putting it into standing orders, and then questions of departmental convenience arise, and a man is transferred for reasons quite apart from considerations of efficiency in his work.

16789. Have you an adequate number of inspectors?—We have not an adequate number of inspectors at present, but the number is being largely added to, and I think we shall have an adequate number in the course of the next few years.

16790. There will be no difficulty, then, in the way of securing that people should remain a reasonable time in their districts?—I do not think there will be any difficulty. (The witness withdrew).

Adjourner.

TWENTY-FOURTH DAY.

CALCUTTA, Thursday, 2nd January, 1908.

PRESENT:

C. E. H. Horrobin, Esq., M.P., Under-Secretary of State for India, Chairman.


Sir Stevyn Egerley, K.C.V.O., C.I.E., I.C.S.

R. C. Dutt, Esq., C.I.E.

Raja Ranajit Sinha Bahadur of Nashipur was called and examined.

16791. (Chairman.) Where do you live?—I am a zamindar of Nashipur in the Murshidabad district. I am chairman of the Murshidabad municipality, a member of the District Board, and was a member of the Bengal Legislative Council about two years ago.

The present system of renewing the provincial contract after the lapse of five years according to the requirements of the provincial Governments is based on sound principles and needs no change.

A more complete separation than at present exists should not be effected between imperial and provincial finances, as the provincial Government, in case of complete separation, may cease to take such interest as it now takes in respect of revenue with which it will have no concern. Local Governments need not be given borrowing powers.

Local Governments should have powers to create new appointments carrying a salary of Rs. 500 or less, and they should also have powers to increase the salaries of the ministerial staff and ungraded officers of Government.

The Directors and Inspectors-General under the Government of India should, as often as possible, meet the officers in charge of the corresponding departments of the Local Government, and discuss with them important matters relating to their departments, but in no case should the views of such Directors and Inspectors-General be finally accepted by the Government of India without consulting the Local Governments concerned.

I would not curtail the right of appeal to the Government of India or to the Local Government now granted in respect of administrative action either by law or by rules having the force of law, or by executive practice. There should be no appeal against the orders of the provincial Government to the Government of India in respect of officers drawing a salary of Rs. 500 or less.

Small sums should be placed at the disposal of Commissioners and Collectors to meet the requirements of their divisions and districts.

The influence of the Commissioner in respect of the Education and the Excise Departments is not very undesirable indeed. With regard to education, I am certain of opinion that it is desirable for an inspector to get experience of all the divisions; it is possible that he might become a Director, and it is not desirable that his experience should be confined to one division merely; and he would have a broader view, I think, upon educational questions if he moved about from one division to another.

16796. Can you give me roughly any idea of how long inspectors stay in a division now?—It varies very greatly. I should put the average time as between one and two years. Of course there have been exceptions, but on the other hand there have been very frequent transfers.

I am chairman of the Murshidabad municipality, a member of the District Board, and was a member of


Adjourned.

Mr. G. W. Kochler.

31 Dec., 1907.
I do not think it is expedient, or that it will serve any useful purpose, to have Advisory or Administrative Councils to assist District Officers; but an Administrative Council to assist the Divisional Officer might be created. He might be authorized to choose men from the landholders and the members of municipalities and District Boards. All important administrative matters should be referred to them, and Divisional Officers should generally act on such advice, though they would not follow it in any way bound advice.

I would not invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts. Village communities, under proper safeguards, might be gradually invested with powers as regards the disposal of local affairs relating to revenue, police, sanitation and education. They may also be authorised to dispose of petty civil cases.

16792. Have you experience, as Chairman of a municipality, of questions of education?—Yes, but it is only primary education with which we have to deal.

16793. Does the Commissioner take any interest in those schools?—The Divisional Commissioner does not take much interest in them.

16794. Ought he to have some increased power in his division in that respect?—I do.

16795. Are the people in a district in any way reluctant to come and see either the Commissioner or the Collector?—Yes, they do not dare to approach them, because they fear they will not be properly received or treated properly.

16796. Do you know of any instance in which they have not been kindly received or received in a friendly manner?—I cannot give you any particular instance, but generally we find that the District Officers think that their positions will be degraded, and that the people will take advantage of them, if they mix freely with the people.

16797. Have you any knowledge of your own beyond the general opinion that people have been received or treated improperly?—My experience is that they have not been properly received.

16798. Has such a thing ever happened to you?—No, but I have been told that it has happened in other cases.

16799. Are the areas of some of the districts too large?—I think Midnapore is too large.

16800. Apart from Midnapore, is there any district which you think too large?—No.

16801. How long ought an officer to remain in a district before he gets sufficiently acquainted with the people?—He should remain for three years, but he ought to know the people within a year.

16802. Ought he to remain longer than three years?—No, I think not.

16803. In a large district such as you have described, would he have time to get round it in three years?—I think so.

16804. Do the District Officers now consult the people at all?—Very rarely.

16805. Have they ever consulted you?—No. I do not remember to have been consulted.

16806. Have not they asked you: "Is it a good thing to do this or that?"—No, but I think they should. I have generally consult the Vice-Chairman of the District Board among non-official gentlemen of the district, but no one else. The Divisional Commissioner does sometimes consult other gentlemen of influence, but the District Officer never.

16807. Would it be well if that were done?—Yes, it would be well, and it would be better for the administration.

16808. Would it be easy to find proper people to consult?—I do not think it would be very difficult.

16809. Would you have those people consulted in a formal way as a Council, or would you have them consulted just as the District Officer thought fit?—As the District Officer thought fit, and there should be no Advisory Council.
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16829. Do they submit their suggestions or remarks to you?—No, they are submitted to the President of the village committee, and if the President likes to consult the Chairman, he does so.

16830. Are there any dispensaries in your municipality?—Yes. They are supported from municipal funds and by subscriptions凑集 by the people of that kind.—Yes, I have got an Assistant Surgeon.

16831. Is the management in the hands of the Medical Department?—Yes.

16832. You are also a member of the District Board?—Yes, for six years. I was nominated by Government.

16833. Do you find that you have lost the confidence of your countrymen in consequence of that nomination?—No.

16834. Have you any sub-committees on the District Board?—Yes, there is a Finance Committee and an Education Committee. The Finance Committee checks the accounts only.

16835. Who prepares the budget?—The Vice-Chairman. It is not placed before the Finance Committee. It is passed by the District Board.

16836. Would it be a good thing if it was placed before the Finance Committee to be checked and revised before coming before the full Board?—Yes.

16837. You think that village communities should be generally invested with powers with regard to schools and village affairs—by "village communities" do you mean the head panchayat and other members?—Yes.

16838. When those village committees are formed, would you refer to them local affairs with regard to revenue, police, sanitation and education?—Yes.

16839. What revenue duties would you delegate to them?—The collection of the chaukidari tax.

16840. And with regard to sanitation and education?—Only that they should look after roads and tanks and keep the village in order. The schools within the village should be supervised by them.

16841. (Mr. Hichen.) Would you suggest that a Collector ought to continue in a place after he has been there for three years?—No, that is not imperative, but I should not allow him to remain more than five years, because if he were an unpopular man the people would wish him to go away.

16842. Supposing he was not unpopular, and was an able and efficient officer, should he not then stay longer than five years?—I think after five years he would wish him to go away.

16843. Do your duties as municipal Chairman take up much of your time?—Yes; about two hours a day.

16844. Would there be any difficulty in most towns in finding a non-official prepared to give up that amount of time?—No.

16845. It has been stated from time to time that although municipalities have nominally a good deal of power, yet, in practice, they are rather dominated by the Collector—what do you say with regard to that?—I do not find that to be the case at all.

16846. You do not find, for example, that the Collector sends you orders that you must spend more money on this matter or that?—No.

16847. He gives you advice, but he does not give you instructions?—Yes.

16848. Do you feel that you are always entitled to consider his advice on its merits, and reject it or take it as you please?—Yes.

16849. Is it possible to delegate more work from the District Boards to the Local Boards?—Yes, I think so, at least as regards roads and education.

16850. Would you say that a Local Board has very little power at present?—Yes, very little.

16851. Is there much interest taken in their work?—No, I do not think there is because they have so little power.

16852. Is it worth while to try to build up local feeling by strengthening the power of Local Boards?—Yes.

16853. Would you be prepared to make them fixed financial grants?—There is a proposal that three-fourths of their income should be given them, and I agree with that.

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16854. (Mr. Meger.) Do you say that the Collectors do not make sufficient use of their powers in the way of interviewing natives, zamindars and others?—They travel about their districts when the zamindars do see them, but other people are not allowed to do so.

16855. Is it not the district organisation capable of improvement, and is there not too much concentration of Deputy Collectors and other people at headquarters?—Yes, also, I think the districts are sometimes too big.

16856. There are a number of Deputy Collectors at headquarters; might it not bring the Government more in touch with the people if those Deputy Collectors were given sub-divisionsal charges instead?—Yes, but the Deputy Collectors have to do Collectors' work also.

16857. Is it not the headquarters sub-division at present under the direct charge of the District Magistrate?—Yes.

16858. Might not a special officer be placed in charge?—I do not think there is any necessity for that.

16859. You have spoken about delegation of certain powers to village communities; do you refer to the village groups that are made into chaukidari unions?—Yes.

16860. In your part of the country there is no real village community, but only these artificial groups?—Yes.

16861. You have a number of large zamindars?—Yes.

16862. Would it be possible to invest a zamindar with some authority to try small civil and criminal cases?—Some people who live in towns are now appointed as Honorary Magistrates, but the educated classes seldom remain in a village all the year round.

16863. Do you mean that the zamindars are absentees?—They do not live in the villages; they live more in the towns.

16864. If a zamindar does not reside on his estate in the country, has he some one there to represent him?—Yes.

16865. Would it be possible to give those gentlemen small powers with regard to civil matters?—Yes, I think so, but not in criminal matters.

16866. Would you prefer to vest those powers in a zamindar himself who is an Honorary Magistrate?—Yes.

16867. Would you give the Commissioner larger powers with regard to Public Works?—Yes, I omitted to mention that.

16868. Have you, as Chairman, power to dismiss or fine or reduce your municipal clerks?—Yes, and they can appeal to the Commissioners at a meeting.

16869. Can they go on to the Divisional Commissioners?—Under the present law they can if their pay is Rs. 20 or upwards.

16870. Have you any men under your municipality lent by Government, such as Hospital Assistants and people of that kind?—Yes, I have got an Assistant Surgeon.

16871. In order to punish them have you to get the sanction of the Government?—Yes, we have no authority to punish them. We can only complain and get them removed.

16872. Do you support the primary schools by grants-in-aid or do you maintain them yourselves?—By grants-in-aid.

16873. Who settles which schools are to be aided and which not?—The Commissioners settle that, but of course they consult the inspector of schools.

16874. Foes he tell you which schools ought to be aided?—He advises. We are not bound to accept his advice.

16875. Have you any reason to complain that the inspector of schools has interfered unduly?—No.

16876. Does he interfere with your budget allotment?—No.

16877. With regard to District Boards, are you in favour of any change in the present scheme of election?—I do not think I would interfere with the present system.

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Minutes of Evidence:

Raja Ranajit Singh Bahadur
2 Jan., 1908.

Are you of the same opinion with regard to municipalities?—Yes.

(Sir Sydney Edgeryer.) Have you a dispensatory committee in your municipality?—Yes.

Is the municipality represented on it?—The Chairman of the municipality is Chairman of that committee.

Who is the Chairman of the Local Board?—He is a non-official gentleman.

Is there more life in the way of local self-government in your municipality than in your District?

Sri Sitakant Roy Bahadur
2 Jan., 1908.

What is your occupation?—I am a sramadar, banker and merchant. All loans, whether intended for imperial or provincial purposes should be raised by one and the same central authority, viz., the Government of India; otherwise the application of the Supreme Government and of the provincial Governments to the market for the respective loans, if made simultaneously, would unsettle the market: the provincial Governments would not be able to raise loans on the same terms as the Government of India, and the tenders for their loans will always be at a heavy discount. I would allow provincial Governments borrowing powers, provided they do not like the Government of India, and the tendency for their loans will always be at a heavy discount. I would allow provincial Governments borrowing powers, whether financial or administrative, to provincial Governments or to Heads of Imperial Departments is not necessary, for they are already in a position to raise such necessary powers, nor are additional powers in the direction of creating new appointments or of enhancing salaries desirable.

As far as the people are concerned, the Government of India is impersonal, for they are not at all in touch with the representatives of the people. In all matters relating to the people and the country, when people have money for public purposes, the Government of India is too much dominated by considerations of revenue.

I have no definite knowledge of the respective functions of Directors and Inspectors-General under the Government of India. It is supposed that the general impression is that these are sinecure and ornamental posts. The departments which the Directors and Inspectors-General are likely to supervise should be better controlled by provincial Directors and Inspectors-General. But the presence of Imperial Directors and Inspectors-General would be an entire nuisance in connection with the Imperial Government; sometimes necessary in order that the latter may have the benefit of expert advice from the former on local and technical matters. I would not curtail the existing right of appeal either to the Imperial or Local Government. Withdrawing or modifying the right of appeal would be to abuse and to arbitrary action and hasty dismissal.

Present all items of expenditure in the provincial budget are fixed not according to the official requirements of the province, but according to the doles of charity received from the Imperial Government. Constituted as it is, the current staff of District and Sub-Divisional Officers is not sufficiently acquainted with his new duties and with the general impression of the office, which prevents officials, both European and Indian, from mixing with the people. As for the staff of the District Officers, in modern times, again there is no sufficient acquaintance with the customs of the people, and this should be a condition precedent to promoting the next senior or qualified officer on the spot to fill up the temporary vacancy.

The former constitution of the Calcutta Corporation should be restored, and the two co-ordinate authorities, viz., the General Committee and the Chairman, should cease to exercise functions independent of the Corporation. The number of elected Commissioners should be raised to the former number of 50. By reducing the number of elected Commissioners from 50 to 25 all popular control over the town of Calcutta has been taken away and the whole authority vested in the Chairman; for it is the official Chairman, the Corporation through the nominated Commissioners. The General Committee have, as it seems to me, usurped the functions of the Corporation by taking on themselves the authority to sanction, illegally, I should say, expenditure and estimates up to Rs. 10,000 without any reference to, or the approval of the Corporation. What we want is that the General Committee should cease to exist as an independent co-ordinate authority, but like the Town Council of the old Act it should be a Sub-Committee of the Corporation without an independent existence of its own, and what we more particularly want is that the number of elected Commissioners should be raised as before to 50. The Chairman of the Corporation who is to preside over the deliberations of the Corporation should be distinct and separate from the Executive Head of the Corporation, and all assessment appeals should be disposed of, as heretofore, by a special committee of the Corporation.

Though, in name, municipalities are self-governing bodies, in reality they are not so, they being too much under the control of the District Magistrates and the Divisional Commissioners, the latter having the legal power to upset even the unanimous decision of a municipality. All undue interference should cease, and the only controlling authority should be the Local Government, while the functions of the district authorities should be to guide and advise. Municipalities should have complete freedom to prepare their own budgets. Officials should not allow themselves to be elected as Chairmen with a Magistrate acting as Chairman, elected members, however large their number may be, cannot have free scope and petty criminal cases. It is not overwork, but the pride of the office, which prevents officials, both European and Indian, from mixing with the people. As for the District Officers, in modern times, again there is no sufficient acquaintance with the customs of the people, and this should be a condition precedent to promoting the next senior or qualified officer on the spot to fill up the temporary vacancy.

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ROYAL COMMISSION UPON DECENTRALIZATION.

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Rai Sitamar Jan Bhadur

3 Jan., 1908.

independence of action, and they have to bow, involuntarily, as it were, to the decision of the Magistrate-Commissioner.

The Chairman of the District Board should be a non-official gentleman, and two-thirds of its members are appointed in the municipality (but I would rather have three-fourths) should be elected, and even amongst the nominated members there should be a large preponderance of non-official persons and the District Magistrate should have no connection with it.

Before constituting councils for Divisional or District Officers, I would propose to wait till the results of the workings of the proposed Imperial and Provincial Advisory Boards are known. The answer to this question entirely depends on whether the proposed Divisional and District Councillors are to be invested with some statutory powers; whether they should have some control over the administration and finances of the division or of the district, or whether they would be purely honorary advisers, mere ornamental bodies, no statutory obligation being attached to their advice or decision.

It would be a great blessing if the village communities with regard to their work. Do you regard the Trust as an efficient business body?—I think it is an efficient body.

16909. Are you opposed to the taking over of estates by the Court of Wards?—No. At the beginning of my career I used to experience some little difficulty, but now I have none.

16910. Are you aware that the present financial system is based upon divided heads?—I know that some of the heads of finance are under the provincial Government, but I am not aware of the system.

16911. The law now limits the taking over by the Court of Wards to estates which pay revenue to the Government. Do you think the Court of Wards ought to be able to take over the management of any estate, whatever its character, if it were an important one?—I would have no objection to that.

16912. Would you have any objection to Commissioners being invested with the powers of the Court of Wards which are now exercised by the Board of Revenue?—I think I would prefer the present system to continue.

16913. You spoke of the advantages of the present work of Collectors being done by Deputy Collectors in charge of their several departments; is there not room for further delegation?—Deputy Magistrates are already invested with sufficient powers, and I do not wish them to have more. I do not think the people would like it.

16914. You spoke of the zamindar being constantly accessible to his tenants, but large zamindars very often do not live on their estates at all?—Most of
them do not, but there are several who do live on their estates. Of course we go now and then to our country house, and then we are accessible to our tenants.

16915. How often do you go to see your tenants upon your estates?—I do not go simply for the purpose of seeing my tenants—I go four or five times a year for my own purposes.

16916. Have your tenants sufficient opportunities of access to you during those visits?—Native gentlemen are always open to access by their tenants.

16917. How long do you stay on these occasions?—Sometimes for a fortnight, sometimes for a month. I spend about three months in the year there.

16918. You say that the District Board work should be taken away from Collectors, would you also be in favour of magisterial work being taken away from Collectors?—Yes.

16919. Would you reduce the Collector to a mere Collector of revenue?—I would not go so far as that.

16920. Is it not important that a Collector should be looked upon as the representative of Government in his district?—Certainly, but I do not think he should have any judicial power.

16921. You say that he should not be Chairman of the District Board?—Does that mean that you desire that he should have no connection with education, roads, and sanitation in his district?—Not actually, if any other man is entrusted with the position of official Chairman, the Collector of the district might have some control over him.

16922. But would the Collector take as much interest in local matters if he merely came from outside to exercise a check, as if he sat on the Board?—I think the elected and nominated members do not have freedom of action on those occasions.

16923. Are they afraid of the Collector?—Certainly.

16924. Do you mean that men like yourself are afraid?—Yes.

16925. Would you be afraid to speak your mind if the Collector was presiding at a District Board meeting?—To some extent, yes.

16926. Are members of the General Committee of the Calcutta Corporation?—No.

16927. (Mr. Hichens.) Are you a member of the Committee of the Calcutta Corporation?—Yes.

16928. How is that Committee appointed?—It is appointed partly by election and partly by nomination.

16929. You suggest that it has usurped certain functions which should properly belong to the Corporation?—Have you ever brought the matter to the notice of the Corporation?—It has been several times discussed at meetings, but the Chairman was of a different opinion.

16930. Were we told by the last witness that he did not think the Collector in any way dominated over his municipaliuity; was that an exceptional case?—I have no personal knowledge of the work of a municipality and what I have said is hearsay. I think the public opinion is that there is a tendency to interfere with municipal work.

16931. (Mr. Dutt.) Supposing the District Magistrate still remained Chairman of the District Board and the actual work was distributed amongst sub-committees of one department and the District Magistrate retaining supervision of the whole, would that be any improvement on the present state of things?—But everything has to be brought up before the meetings of the District Board and discussed ultimately for final disposal; so that the Magistrate still would have the power to dominate over them.

16932. But would it not be an improvement on the present state of things?—Not necessarily.

16933. Is not the Road Cess now spent in the district where it is levied?—But the district does not benefit from it; and that is a misfortune.

16934. Is not the whole of the Road Cess, minus a part spent on establishment, spent within the District?—But how it is spent, I do not know.

16935. Are you a member of the District?—No, but I know that the people do not see the results. That is my complaint. We pay the tax, but we do not enjoy the fruits.

16936. In a sub-division there are no agencies between the Sub-Divisional Officer and the people except the police?—I wish there were.

16937. Your complaint is that the people are not sufficiently in touch with those Sub-Divisional Officers. Would it be an improvement if smaller areas were created and a Revenue Officer, with some judicial powers, was placed in charge of each of these smaller areas?—I would not like to have the number of officers multiplied; I would like to see the powers given to the communities and to presidents of panchayats. They would not abuse these powers and the people would like it. I think village panchayats should be revived.

16938. Do you propose that power in a village should be given to one man as the head of the panchayat or a number of persons forming a panchayat?—Powers might be given to the president of the panchayat, or it might be given collectively.

16939. Would you also give them some small judicial powers?—Certainly. In regard to small civil and criminal cases, it would be a blessing. They could act as peacemakers between the parties, and settle cases which otherwise would have to come before the Magistrate.

16940. Would you also give them power of managing village schools and of keeping the villages in a proper sanitary condition?—Yes; the more powers given to villages, the better, because they are in direct touch with the people, and they know the conditions and wants of the place.

16941. In that way would the villagers also be brought into closer touch with Sub-Divisional Officers and others?—Not necessarily.

16942. Is your suggestion only made in order to give them some power to deal with their own affairs?—Yes.

16943. (Sir Frederic Lebay.) As regards the pride of office which you allege, has the Indian Officer become worse in that respect of late years?—I cannot say that they are worse in that respect.

16944. Have the Europeans got worse?—All I can say is that they are not in touch with the people; they are not accessible, but I do not know whether they are good, bad, or indifferent.

16945. Can you compare them as they are now with what they were formerly?—It is the general belief that formerly they were more accessible than they are now. When there were no rail or steam communications, they used to live in isolated villages and could not help mixing freely with the people, and they did so with the view of killing time. But now Calcutta and other places being so accessible to them, and there being such a large European colony, they do not mix so much with the people.

16946. Have you observed the same sort of change in the Indian officer that you have observed in the European officer?—No, I do not find any change in Indian officers.

16947. Is it a fact that the District Officer treats all men alike and that he does not recognize distinctions of rank?—He certainly does, and he certainly carries out the instructions of his superiors.

16948. You say that the people should be brought in to help in the administration of affairs, but that you cannot formulate any scheme by which that can be carried out. Can you suggest any one who could formulate a scheme for that purpose?—I am afraid it must be left to the members of the Royal Commission to formulate it and not an humble individual like myself.

(The witness withdrew.)
Mr. A. L. McIntire was called and examined.

16949. (Chairman.) You are the Conservator of Forests in Bengal?—Yes, my service dates since 1884.

16950. What is the organization of your department?—The gazetted staff of the Bengal Forest Circle at present comprises, exclusive of a Conservator, 11 Imperial Service, and 10 Provincial Service appointments, including the Andamans divisional forest officer, who is supplied from Bengal, hold charge of forest divisions, i.e., forest charges which include all the Government forests in a sub-division of a district or in a district, or in a group of districts. The rest of the officers who are not on leave, or on deputation to appointments on the list, are usually employed as attached or range officers, ranges being units into which forest divisions are subdivided, which are mostly placed under the charge of subordinates. My own duties as Conservator are those of a consulting officer in forest matters to the Local Government; an inspecting officer of the divisions included in the circle and of their offices; an audit officer of divisional accounts with powers of sanction of revenue and expenditure transactions which are beyond the powers of Divisional Officers.

16951. Previous to the submission of working plans to the Inspector-General, the Conservator-General submitted them direct to the Inspector-General of Forests, I am in large measure responsible for the work of the circle. The Conservator-General is under no obligation to forward preliminary reports to the Local Government unless he takes a strong exception to any part of the proposals. But he is bound to submit complete working-plans to the Local Governments concerned with his recommendations. Thus in the matter of preparing working-plans I am, for all practical purposes, directly subordinate to the Inspector-General. In practice I have only a right of appeal against the Inspector-General’s orders on working-plans to the Local Government, which, if it supports me, must refer the matters in dispute to the Government concerned with its recommendations. Thus in the matter of preparing working-plans I am, for all practical purposes, directly subordinate to the Inspector-General. In practice I have only a right of appeal against the Inspector-General’s orders on working-plans to the Local Government, which, if it supports me, must refer the matters in dispute to the Government concerned with its recommendations. Thus in the matter of preparing working-plans I am, for all practical purposes, directly subordinate to the Inspector-General. In practice I have only a right of appeal against the Inspector-General’s orders on working-plans to the Local Government, which, if it supports me, must refer the matters in dispute to the Government concerned with its recommendations. Thus in the matter of preparing working-plans I am, for all practical purposes, directly subordinate to the Inspector-General. In practice I have only a right of appeal against the Inspector-General’s orders on working-plans to the Local Government, which, if it supports me, must refer the matters in dispute to the Government concerned with its recommendations.
16960. Is the Inspector-General under any obligation to forward any report to the Local Government?—With regard to completed working-plans he is. He sends the working-plans back with remarks.

16961. Has the control over you increased in any way in recent years?—Yes, by the opening of the Imperial Research Institute. There is one of the Professors of the Institute called an Imperial Superintendent of Working-Plans, who can be sent by the Inspector-General, with the permission of the Local Government concerned, to inspect the forests and gather information concerning them. The Inspector-General gets leave from the Local Government for the Imperial Officer to correspond with me direct.

16962. Does he in any way interfere between the Inspector-General and the Local Government?—The arrangement must give the Inspector-General a more direct power of control. It has only just been introduced and we have not seen its practical working yet.

16963. Do you think the Forest Act is in any way too cumbersome and too centralized?—No, it is a very good Act indeed, except with regard to minor details.

16964. Does the Code hinder or hamper your discretion?—No, except with regard to working-plans; my powers might be enlarged, but that is only a matter of detail which is being considered by Government, and they will be enlarged as far as is necessary or desirable.

16965. Have you not to make reference, if you wish to deforest any part of your area?—Yes; in reserved forests it is very desirable that we should do so. Policy changes and the matter requires a great deal of consideration; there ought to be plenty of scope for consideration before reserved forests are deforested. Once they are deforested, they cannot be afforested again.

16966. Could you not act according to the discretion of the Local Government in a matter of that sort?—Generally you could; but I think you might sometimes temporarily have a change which was opposed to forest interests, and if there was no check, I might get rid of forests which would afterwards be required.

16967. Would it be possible to place a limit upon the area in respect of which an application to the Government of India would be required?—It would be a difficult thing to decide, because area is so indefinite; in some places a small area is of greater value than a much larger area in other places. It is so difficult to make any general rule in that way. It is best at present that the matter should go to the Government of India. You might give the Local Government some discretion.

16968. Has the Divisional Commissioner sufficient influence in forest matters?—If he likes to exercise his powers, he has; it depends upon the Commissioner very largely.

16969. Have your officers a very good knowledge of the vernacular?—Yes, on the whole; most of them go so much about amongst the people that they get a fairly colloquial knowledge.

16970. Are they transferred very often?—Not as a rule. The Provincial Officers have not been very much transferred, but some of the Imperial Officers have been transferred too frequently.

16971. What happens when they are transferred from one province to another?—Are they as a rule ignorant of the language of the province to which they go?—If it is a Hindustan province, they would not be quite ignorant of it. But Forest Officers usually have more concern with local dialects, and these differ in almost every district.

16972. Might that want of knowledge lead to complaints on the part of the people in a district?—It might under special conditions, but it is not so in my experience. Most of the officers make efforts to pick up something of the language, though they are not qualified from an examiner's point of view.

16973. (Mr. Hicken) I understand you advocate that all questions regarding deforestation should go to the Government of India upon the ground that you are more likely to get a continuity of policy. Can you give any instance of lack of continuity on the part of a provincial Government?—Not in any place where I have served myself, but I have heard that in Assam there was some difficulty with regard to it six or seven years ago. I have known an instance where forests would have been deforested, but for the fact that they could not have been deforested without the matter going to the Government of India.

16974. Do you know of any other instance in which the policy of a provincial Government has changed or shifted?—Only the one which I have mentioned.

16975. Have Divisional Commissioners any actual powers in forest matters, or is their position merely advisory?—Yes, but they have some powers in very small details; they are confined to settling disputes between District Officers and Forest Officers.

16976. Is that all the power they should have?—I cannot quite say that; of course a Commissioner does not get executive orders from Government to do certain things, such as giving opinions. A Commissioner's opinion is always sought for, on any important question raised concerning his division.

16977. Do the forest divisions correspond with the administrative divisions?—They are generally parts of divisions; as a rule, as far as possible a forest division corresponds with the district; sometimes we have more than one forest division in a district, and sometimes a forest division comprises more than one district. Every forest division falls inside some administrative division, but no forest division extends into two Commissioners' divisions.

16978. (Sir Frederic Lely.) How are the appointments to the Provincial Service made?—The system of recruitment has been recently altered. Formerly a candidate had to go through a preliminary training at Dehra Dun in a two years' course; then after passing he was appointed as a forest ranger on Rs. 50, and after serving five years, he qualified for promotion to the Provincial Service. Now he can be selected by the Local Government to go to Dehra Dun on a special stipend, and after a three years' course there he can be appointed a probationer by the Local Government.

16979. You say that you have some reserved forests and some unreserved forests?—We have protected and unreserved forests—the latter are designated protected forests. The Act provides for the notification of reserved and protected forests.

16980. Do you allow grazing in these forests by the villagers?—As a general rule reserved forests are closed to grazing, but protected forests are open to grazing. Practically, grazing is free, so far as the villagers are concerned: except in one district, where we follow the Central Provinces methods, I do not think any of the villagers pay for grazing. There are some nominal restrictions, but there is no interference.

16981. Do some of these protected forests come close up to villages?—Yes, in some villages all the waste areas have been deforested as protected forests.

16982. Are there any complaints on the part of the villagers that the forest guards do not treat them fairly?—Most of the complaints of that nature do not come to me unless it is a case of prosecuting a guard, but considering the opportunities the guards have of making themselves objectionable, the complaints are very few.

16983. Has the District Magistrate any say in those matters?—Yes; if he does not think the forest officer is taking proper action, he can give him orders, or have his own enquiries made. Such cases are not frequent. Generally the complaints are made to the forest officer, and, as a rule, he satisfies the people and takes the necessary action.

16984. Would it serve any useful purpose if you placed a limit as regards the area within which the Local Government might be empowered to deforest?—I do not think it would do much good.

16985. With regard to the afforestation of ten acres of land near a village, would it be worth while to go to the Government of India to get orders?—Usually it would not be worth while, but I do not see how you can put a limit on the authority of the Local Government in that matter.

16986. Could you put some limit as regards area?—No, I do not think if you allow the Local Government to do it at all, you must give them free permission to do it without any limit. It is a legal matter.

16987. (Sir Frederic Lely.) Would you deem deforestation unjustifiable?—No, in some cases it is quite justifiable.

16988. Would your professional feeling lead you to think that deforestation is a greater danger than...
afforestation?—In some cases; generally we think afforestation is below the requirements, although this is not always the case.

16993. (Sir Steyning Edgerley.) Has not the Local Government full powers of disposing of working-plans?—They have not full powers, because, in a case of dispute with the Inspector-General, the matter has to be referred to the Government of India.

16994. Is there any special reason for that in Bengal?—No.

16995. Was it the case in the other provinces where you served?—It applies to all the provinces in India.

16992. (Mr. Mayor.) Will you explain generally what working-plans are?—A working-plan is a report describing a forest and containing a detailed description of its management for a period which varies according to conditions, usually not less than 10, or more than 30 years. The cutting of timber is the main point.

16996. A working-plan, therefore, might consider­ably affect the revenue to be derived from a forest?—Yes, to a very great extent indeed.

16997. And the Government of India is interested in that?—Yes, I think it gets half the forest revenue at present.

16998. Is that not possibly the reason why the Inspector-General of Forests has to be consulted in these matters?—No, the reason is that he has to see that proper methods of working are applied.

16999. But you do not propose a sine qua non to proper receipts of revenue?—But improper methods of working might result in a larger revenue for the time being, and less revenue thereafter.

17000. Apart from any need of professional super­vision, might not some control of the Inspector- General of Forests be required on general financial connexions, in order to the fact that there might be a tendency to raise revenue to the detriment of future receipts?—I think the Local Government is quite capable of exercising its discretion in that matter.

16999. You spoke of the Imperial Institute at Dehra Dun as having been only recently established, was there not an Imperial School before?—The whole scheme has been altered. Formerly the officers employed were merely professors, or teachers and lecturers to subordinates; now the thing has been turned into a Research Institute, and they do not spend half their time teaching.

17002. The supervision of working-plans is made over to the best officer in the Department?—I cannot say. It is a selection appointment.

17003. Does he come to you to talk over matters?—He can exercise his own discretion; he can either report to the Inspector-General what is suggested by me or by the divisional forest officer, or he may entirely rely on his own observation.

17005. In a matter like the Forest Department, which in some way has to infringe upon what the people regard as ancient rights, do not subordinates rather take their tone from the Head of the Department?—No, I think they take it rather from the divisional officer.

17006. And does the divisional officer take his tone from the Conservator?—Yes.

17007. If the Conservator shows himself ignorant of the revenue law and the customs and manners of the people, is it not the tendency of the divisional officer also to regard them as of no importance?—No; Conservators have enough general knowledge to know the relative value of local knowledge and general know­ledge.

17008. Are not Local Governments restricted, with regard to the appointments of subordinate officers?—Yes, they are governed by rules.

17009. Apart from any general financial restrictions which may be necessary, should they have a free hand in fixing the cadre of the Provincial and Subordinate Service and of making appointments?—I think the present arrangement is the best one for the time being.

17010. In regard to deforesting, does not the present law require the previous approval of the Governor-General in Council?—Yes.

17012. Might it not be possible to alter "previous approval," to "subject to such general conditions as the Governor-General in Council might from time to time prescribe"? If the Governor-General in Council might say: "You can deal as you like with disafforesting anything under, say, 100 acres, but you must refer any larger matters"—would that meet your object?—It would be safer to leave them as they are.

17011. You spoke of differences of opinion between the Collector of a district and the divisional forest officer, but is it not an advantage to the Collector with regard to forest matters?—Yes.

17014. Then how can an assistant have differences of opinion with his Chief and have to go to some outside authority to determine them?—He is not directly under the Collector in the sense that a Deputy Collector is under a Collector; he belongs to another department, and the Collector has not exactly the same full hold over him as he would have, if he were his assistant or an officer on the ordinary district staff.

17015. In Madras he is regarded as the assistant to the Collector in matters affecting the people and the revenue generally, and independent, subject to the Conservator, in matters of general forestry—is that the case in Bengal?—Yes.

17016. But in these matters affecting the people of the country generally, if there is a difference of opinion with the Collector, must it go to the Commissioner?—Not in every case; the general custom is that when­ever there is any dispute of any kind, and any doubt is raised, the Commissioner is consulted and decides the matter.

17017. As between the Collector and the district Forest Officer or as between you and the Collector?—Either. There might be some difficulty between the Forest Officer and the Collector which might be referred to the Commissioner without consulting me.

17018. You say the district Forest Officer has the right to say to the Collector "I cannot accept your decision," and can ask for reference to the Com­missioner?—I said disputes are referred to the Commissioner.

17019. Does the Collector act on his own discretion, and if there is any doubt he would refer to the Commissioner?—Yes.

17020. But if he thought an objection of the Forest Officer unimportant, it would be open to him to tell him to accept orders?—Yes.

17021. Is not the Commissioner consulted in regard to taking up any new forest area?—Yes, always.

17022. Is he consulted in regard to the preparation of the forest budget?—No.

17023. Has he any power with regard to the appoint­ment of forest guards and so on?—No.

17024. In the matter of punishments, is there any appeal to the Commissioner?—No. (The witness withdrew.)
MINUTES OF EVIDENCE:

Mr. A. Knyvett was called and examined.

17035. (Chairman.) You are the Inspector-General of Police in Bengal?—Yes, under me there are Deputy Inspector-Generals, District Superintendents, then inspectors, and sub-inspectors; there is also a new grade of deputy superintendents, which has just been introduced, belonging to the Provincial Service.

17036. We were told in Burma that there were some difficulties with the Commissioner as regards the posting of inspectors of police—have you found the same difficulty?—No, not during the period of my tenure.

17037. Who posts the inspectors?—It is done by the Inspector-General of Police in consultation with the local authorities and in agreement with the District Magistrates.

17038. Mr. Duly told us that the custom of cold-weather touring was finally put a stop to in 1899—is that so?—Yes; the District Superintendent had to come back at the end of the month to sign certain registers and there was such an order passed.

17039. Was that a good custom or has it in any way restricted the intercourse of Police Officers with the people?—The order was due probably to the shortness of officers, but now since the Police Commission recommendations have had effect, we have more officers at headquarters who are able to do that particular work which the District Superintendent of Police was ordered to come back to do, and that order might very easily be withdrawn.

17040. Does the power with regard to these tours rest with you?—Any order like that would be passed with the approval of Government, and therefore would have to be withdrawn with the approval of Government.

17041. Ought there to be greater power of selection before promoting officers?—Yes. We are free to promote officers, but there are mistakes in the recruitment that mistakes are made; I am not speaking of the recruitments of late years, but in former years.

17042. Ought you to have greater powers of selection than the present?—No, I do not think so; the present rules are very good.

17043. Are the traditions of your Service against the exercise of powers of selection when cases for promotion come up to be considered?—Yes; they have been almost entirely regulated by seniority up to certain grades, but, latterly, the powers have been extended in the way of barring officers from entering the higher grades, and that has now come to be recognized.

17044. Are you quite satisfied with the relations of your District Superintendents and the District Officers?—Yes, except in one or two instances, which have been put right lately.

17045. Are there not two channels of appeals in disciplinary matters?—There were, but that section has been amended by the new Police Act of 1905, which we have just had orders to introduce. We have no longer any reason to complain with regard to that.

17046. Have you anything to say with regard to the Director-General of Criminal Investigation?—No, he has not interfered with our province in any way that I can recall.

17047. (Mr. Meyer.) Are you quite correct with regard to what you said about the Police Act of 1905?—I referred to the proposals contained in the Police Act of 1905. It has been hung up, and we have recently got orders from the Government of India to give effect to certain sections contained in that Act.

17048. Did not the draft Bill simply lay down the procedure with respect to appeals; that there was to be as a rule only one appeal through the departmental channel, that is to say, from the District Superintendent to the Inspector-General?—Yes.

17049. Has the Bengal Government issued departmental instructions, that that is the course which appeals should take hereafter?—That order has been given, but it has not been given effect to yet. The matter is under consideration.

17050. Is there not an article of the Civil Service Regulations which says that an officer shall ordinarily not be allowed halting allowance for more than 10 days, the object being to ensure that an officer tours properly?—Yes.

17051. There has been an exception made in the case of the Criminal Investigation Branch of the police up to 60 days; and you want power to the Inspector-General to give the same latitude to officers of the ordinary police?—Yes, should occasion require it.

17052. Criminal investigation work may require an officer to halt at one place for days and weeks together?—Yes, and as a matter of fact they do.

17053. Does that apply to the ordinary police?—Yes, it does in some cases. Very often an important case requires a man to be on the spot for several days, over and above the 10 days. Perhaps not up to the 60 days.

17054. Is not “60 days” rather a large number? Could you not do, say, with 30 days?—If we had the power of relaxing the rules and the power of discretion, it would be preferable.

17055. Would you stick to the 60 days, though you admit that there is a difference between the Criminal Branch and ordinary police work?—Yes.

17056. As regards the power of the Inspector-General to award memorials to the Local Government, is not the rule now that you need not send on any case to second appeal with regard to an officer drawing its would like no longer to retain?—No, there are not many, and our recent recruitments have been exceedingly good.

17057. It has been stated that, when appeals are submitted, the original officer is called upon to reply to long petitions, paragraph by paragraph, and that it takes an officer six weeks to go through it. Is that so now to your knowledge?—It has been so up to a certain date. The officer who has
passed the order is more or less put on his defence, and so give a decided opinion.

17062. The points of view, has it been prejudicial or otherwise to the general peace of the country? — It is very difficult to get statistics to judge bow a thing like that is acting; but my personal opinion is that, as the chaukidars are the ears and eyes of the police, the police ought to have something to do with their selection and be associated more with them and that they ought to be more or less under him. Of course, as regards getting information and things of that kind, if the hold of the police is loosened over the chaukidar, they are also losing hold of the men of crime detecting.

17064. But is there not a head chaukidar? — No; a daffadar, whom we have the right of selecting.

1705. From the police point of view, has it been prejudicial or otherwise to the general peace of the country? — It is very difficult to get statistics to judge bow a thing like that is acting; but my personal opinion is that, as the chaukidars are the ears and eyes of the police, the police ought to have something to do with their selection and be associated more with them and that they ought to be more or less under him. Of course, as regards getting information and things of that kind, if the hold of the police is loosened over the chaukidars, they are also losing hold of the means of detecting crime.

1705. Has there been any spread of crime or any decrease in the number of offences detected since the change has been made? — I cannot say; there is no reliable statistical indication.

1705. Might larger civil and magisterial powers be given to the Sub-Inspectors panchayat? — I should like to see a village tribunal or a village panchayat which would take over a great deal of the work in connection with crime which is now dealt with by the Courts. It would be very difficult, but it could be done.

17058. Would appeals from the orders of District Superintendents in regard to constables come to you after going to the Deputy Inspector-General? — They would not, unless I had interfered originally in the order; unless I order that appeals should be sent to me, they go into other channels.

17059. Do you follow the principle of not calling for a report, paragraph by paragraph, but telling the original authority to send up the record and then seeing if there is anything more to be dealt with? — No, there are certain rules, but when an allegation is made against an officer, who has passed an order, he is supposed to meet that allegation and offer some sort of explanation, whether it is true or false.

17060. Assuming that appeals must go on, is it possible to simplify the procedure on the lines suggested, that is to say, that on appeal from the original officer he would merely send on his record with any further evidence? — I am not prepared to give a decided opinion.

17061. Have there been a considerable number of changes in the holding your appointment? — Since 1898 there have been permanent Inspectors-General and two officers who have officiated on occasions.

17062. The police, I understand, used to have a good deal to do with the chaukidari panchayats. Has that power been largely taken away lately? — Yes, altogether — we have nothing to do with the panchayats now.

17063. Or in connection with the chaukidars? — No.

17064. But is there not a head chaukidar? — Yes; a daffadar, whom we have the right of selecting.

17065. From the police point of view, has it been prejudicial or otherwise to the general peace of the country? — It is very difficult to get statistics to judge how a thing like that is acting; but my personal opinion is that, as the chaukidars are the ears and eyes of the police, the police ought to have something to do with their selection and be associated more with them and that they ought to be more or less under him. Of course, as regards getting information and things of that kind, if the hold of the police is loosened over the chaukidars, they are also losing hold of the means of detecting crime.

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17068. Ought an experiment to be tried and every effort made to bring it to success? — I should certainly think so.

17069. Then you admit there is some amount of grievance at present in the way in which people are brought to or from the courts in small cases? — Yes, and it would do away with the large number of pleaders you see hanging about the courts, who have to live, and therefore foster and promote complaints of this nature.

17070. Would you add, as a corollary, that if such powers were given to panchayat, they should not be appealable to a magistrate? — They should be absolutely non-appealable, and I would not allow a substitute or a pleader anywhere near them. I should have a record made of what was done, and if possible an officer who could go round periodically and see what the record was, talk over their cases and raise the tone generally of the village community. That could easily be done, and it would be a good thing to do.

17071. Do you mean an officer of the Deputy Collector class? — I would suggest the District Magistrate, and it would bring him more into touch with the people and the Local Government than anything else.
of work has improved. The system has been in opera-
tion since 1905; we had schools before that, but I
think that the improvement has been in the last four
or five years.

17090. Are sub-inspectors eligible for promotion to
the post of Inspectors and Deputy Superintendents?—
Certainly, we do not bar merit.

17091. Have the Magistrate’s powers with reference
to the police been restricted in any way in recent years?
—Not that I know of; he is just what he was before;
he is in general charge of the administration of his
district.

17092. Has he any power over the promotion of
police officers above the rank of head-constable and
sub-inspectors?—He has always the power of recom-
mending.

17093. Suppose a man is promoted and he vetoes it;
has he any power of suspending promotion?—He has
not the power of actually stopping it, but if he gave
his reasons for thinking that the promotion should not
be made, that would most certainly be considered and
given effect to.

17094. Is not the Magistrate the officer who sees the
work of the inspectors so far as criminal investigation
is concerned?—I do not think he sees the actual work
of the officers at all.

17095. Is it the fact that under the old rules the
sanction of the District Magistrate was required in
Bengal before a sub-inspector could be promoted?—I
do not think so; I think promotions are generally
made by consultation; my recollection is that one
always worked with the Magistrate as far as one
possibly could in any matter of that sort. All orders
passed by the District Superintendent used to go up to
the District Magistrate. The order could not be
carried out until it was countersigned by him.

17096. Is that still in force?—Not to the same
extent.

17097. So that the Magistrate’s control over the
police has been relaxed to a large extent?—In certain
matters of discipline and internal economy of the
force, that is all.

17098. Is that relaxation desirable?—I certainly
think so.

17099. Is it still the duty of the chaukidar to attend
at the police-station on certain days?—The whole of
that experiment is in a state of transition. In certain
distRICTS no effect has been given to the new orders
at all; in other districts it has: in the districts where
the new idea is being worked, the chaukidars come in
once a week, instead of once a month.

17100. Do the police still depend upon the chaukidars
for information as to crime in the villages?—Yes; that
is their only means of getting information.

17101. And you have no power of punishing them
or the daffadars if they do not report crime properly?
—The District Superintendent can only recommend
chaukidars for information; the daffadars are under
the police, and they can be punished.

(The witness withdraws.)

17102. (Chairman.) You are Inspector-General of
Civil Hospitals in Bengal?—Yes.

17103. Will you state briefly the organization of
your Department?—The strength of the gazetted staff
of the Department is: 1 Inspector-General of Civil
Hospitals, 1 Personal Assistant, 52 Commissioned or
Indian Medical Service officers, 6 Uncovenanted Medical
officers, 27 Military Assistant Surgeons, and 146 Civil
Assistant Surgeons, or a total of 223. There are also
336 Civil Hospital Assistants (non-gazetted) and 186
local native doctors. There are altogether 608 hos-
pitals and dispensaries in Bengal, of which 19 are in
Calcutta and 584 in the muftassal.

The Inspector-General of Civil Hospitals, as head of
the Medical Service in Bengal is responsible for the
government of the whole Department in all its branches,
and it is his duty to see by inspection and otherwise
that the work is properly and efficiently carried out.
He has also control of medical education in Bengal and
initiates reforms in all matters relating to the Medical
Department. In regard to the Medical College, Cal-
cutta, the ability of the College Council is that of the
Principal and all the professors who discuss from
time to time matters concerning the internal discipline
of the College and any other matter of importance
concerning the College.

Commissioned officers, i.e., all members of the Indian
Medical Service, are appointed in England by the
Secretary of State for India. They belong primarily
to the Military Department of the Government of
India, and are sent to Local Governments through the
Home Department, and are liable to be taken back in
time of emergency. While in civil employ, they are
posted at the discretion of the Local Government on the
recommendation of the Inspector-General of Civil
Hospitals, except in the case of some Calcutta appoint-
ments, which are subject to the approval of the
Government of India. The Uncovenanted Medical
Service, which now comprises 6 officers, is being
gradually closed under the orders of the Government of
India. Postings in this service are made at the
discretion of the Local Government on the recom-
mendation of the Inspector-General of Civil
Hospitals. The Military Assistant Surgeons’ service is a
war reserve lent by the Government of India to Local
Governments; its members are liable to be recalled to
military duty. This service is controlled by the
Director-General, Indian Medical Service, with whom
the Inspector-General of Civil Hospitals corresponds
direct. While they are in civil employ their move-
ments are regulated by the Local Government on the
advice of the Inspector-General of Civil Hospitals.

The Civil Assistant Surgeons’ service is recruited in
Calcutta from passed students of the Medical College.
Similarly, in the case of Civil Hospital Assistants,
recruitments are made from the three Medical Schools
in Bengal. The Inspector-General of Civil Hospitals
has no power to punish Indian Medical Service officers,
Uncovenanted Medical officers, Military or Civil
Assistant Surgeons, but he can, of course, recommend
them for punishment. In regard to Civil Hospital
Assistants, he has full power, but in the case of
Military officers his action has to be reported for the
information of the Government.

Our system is unnecessarily cumbersome, dilatory,
and roundabout. Work would be facilitated by dele-
gating to the Inspector-General powers which he does
does not now possess. Though the code of Assistant
Surgeons and Hospital Assistants is fixed, I cannot recruit an officer to fill a vacancy without first
asking the Governor-General in Council for permis-
sion. I do not see how it is possible to curtail the right of
appeal. If all officers were on an equality in respect
of judgment and ability, it would be possible to limit
appeals; as it is, I do not see how it can be done
without risk of injustice.

So far as my Service is concerned, they have the
best opportunities for coming in contact with the
people. Many officers acquire an excellent knowledge
of the vernacular, and all are required to pass a
colloquial examination in the language of the district
in which they are employed.

No general increase in the administrative staff is
necessary, but owing to the size of the province, it is
not possible for the Inspector-General of Civil Hos-
pitals to give the necessary time to inspection. To
secure greater efficiency in this respect, the Inspector-
General of Prisons and Sanitary Commissioner might
be authorised to inspect hospitals in places visited by
them if the officer in charge is junior to them.

17104. With regard to the Commissioned Indian
Medical Service officers, are you free either to promote
or to post these officers?—I am not free to promote
them, that is to say in rank; I recommend postings to
the Local Government.

17105. Are your recommendations as to postings
often overruled or disregarded?—No. As a rule I get
my own way; practically when there are many postings
to be done, I arrange them with the Lieutenant-
Governor before sending up regular proposals.

17106. Are you content that reference should be
required to the Local Government before your recom-
mandations are sanctioned, or would it be well that
you should be able to transfer your officers as you please?—I undoubtedly think the head of the Government should have a voice in the matter. I think the system under which we work is not a good one. My proposal goes to the Secretariat, and is noted by the Secretary; it may be criticised there, and possibly it may go on to the Lieutenant-Governor for final decision, without my knowing, or having any opportunity of replying to, any arguments that are put forward in the Secretariat, for or against my proposal.

1710. Have you power to post assistant officers, the Assistant Surgeons or Civil Hospital Assistants?—Yes; I can post them except in the case of a Civil Surgeoncy; if a Civil Assistant Surgeon is appointed to a Civil Surgeoncy I require the sanction of Government; with regard to the majority of appointments to which that class are appointed, I can appoint them myself.

17108. And the same with regard to Civil Hospital Assistants?—I have full authority over them.

17109. Amongst your Commissioned Officers have you any whom it would be desirable to get rid of?—I think that, as a body, they are a very efficient service of men. Possibly there are one or two that I might be willing to get rid of.

17110. Have you any difficulty in retiring officers from the Service on account of their connection with the Medical College?—There is no means of retiring them as long as they behave properly; it is a very difficult thing to prove that a man is inefficient.

17111. If you had a free hand with regard to Commissioned Officers, would it be easier for you to retire inefficient officers?—We had it in evidence in Madras that it was difficult to get rid of inefficient Medical Officers because the Director-General thought not to take such officers back to Military employ, and in Madras there were officers who were retained in the Service as a detriment because of the difficulty of retiring them; is that the case in Bengal?—No, I will not go so far as to say that.

17112. Is there any Sanitary Board in Bengal?—There is; I am not a member of it. I know very little about its work. I sometimes get references from the Sanitary Board on sanitary and medical and other questions.

17113. You say that your Service is controlled by the Director-General of the Indian Medical Service, with whom you correspond. Does he interfere in any way with your administrative action?—No, there is very little interference; he has a right to interfere in a few of our appointments in Calcutta; for instance, the Principal and the Professors of the Medical College and the Superintendent of the Presidency General Hospital are appointed subject to the approval of the Government of India; they have nothing to do with other appointments, and they never interfere with them. I think it is a very difficult thing.

17114. You say that your system is "unnecessarily cumbersome, dilatory and roundabout"?—I have to send up so many references to Government that I might set up myself if I had general authority to do so. The number of references in my office is something that has been considered about two months ago, and they then amounted to 881 during the year, and I suppose by the end of the year they amounted to a thousand. They were unofficial references of various kinds. Many of them were very important. Many of them were points that I could easily have settled myself.

17115. Do you think one half of them might be unimportant?—Perhaps a third.

17116. (Mr. Dutt.) When you appoint Civil Assistant Surgeons are their names gazetted in the Gazette by the Secretariat?—On first admission to the Service they are gazetted; not after that.

17117. So that practically it amounts to nomination by the Secretary?—Not at all; it is nomination by the Secretariat, but the appointments are actually made by me; when the appointment is made I send up the notification to the Secretariat to be published in the Gazette.

17118. Have you also the power of transferring them and promoting them?—Yes; but as regards promotion to the senior grade I have to refer to Government; they always accept my nominations. Other promotions are regulated by periodical examinations.

17119. Do you select them for first appointment after an examination, or do you select them from qualified men from the Medical College?—I ask the Principal of the Medical College to give me a list of applicants; for Government service he gives me a report regarding their college career, their records, their qualifications and so on, which I put this list before me I select those whom I consider the best.

17120. Are these Assistant Surgeons in charge of sub-jails in sub-divisions under the orders of the Sub-Divisional Officers?—They are.

17121. Are the relations between them and the Sub-Divisional Officers satisfactory?—No, not always. I think they ought to be relieved of their position as regards sub-jails in sub-divisions; that is a proposal that is now about to be submitted to Government. They are made to do work in sub-divisions which I think they ought not to do; they have to do the work of clerks, and they resent that very much, naturally.

17122. Are Civil Surgeons generally in charge of district jails?—They are. Medical Officers are in charge of all central jails in this province now, with the exception of one at Allahpur.

17123. In what capacity are they in any way subordinate to the District Magistrate?—Not as regards central jails. The Magistrate is practically the official visitor in the case of district jails; I do not think he exercises authority, except that he visits the jail regularly every week, and he concerns himself chiefly with under-trial prisoners, to see how long they have been detained, and points of that kind.

17124. The relations so far are satisfactory?—I think so.

17125. (Mr. Hickens.) Are the hospitals in a district under your direct control?—A great many of them are now under the control of the District Boards. I exercise a certain amount of supervision over them through the Civil Surgeons, but the district hospitals outside the district headquarters are practically under the District Boards; they can appoint their own Medical Officers if they choose, and they manage them in every respect in accordance with the rules of the Medical Department.

17126. (Mr. Hopper.) You said that the local bodies have the power to employ outside medical men; do they generally exercise that power?—What we call local native doctors: they very often employ those; they get them a good deal cheaper than our men.

17127. Do you exercise any pressure on them to take your men?—Not at all.

17128. Have you anything to say to the budgets of the District Boards in the matter of provision of medical relief?—No, they do not come to me.

17129. They are referred to the Civil Surgeon?—A Civil Surgeon is always a member of the local municipality and the District Board.

17130. D. your Civil Surgeons take much part in municipal administration as Vice-Chairmen or Chairmen?—We do not encourage them becoming Chairmen or members; for various reasons it interferes with the work, and makes them unpopular. For instance, we had a man not long ago as Vice-Chairman of a municipality in Bihar, and I had frequent anonymous communications about him, solely founded on his being rather strict about the work of the municipality. He gets them a good deal cheaper than our men.

17131. Have you ever made suggestions to the Local Government to reduce the large number of unofficial and other references by giving you greater power to do so? I am only telling you what the system is; it has been the system in my office for some years. As a matter of fact, I have not tried since I have taken charge.
Minutes of Evidence:

17132. Have you ever asked permission to fill up the recognised cadre of Assistant Surgeons and Hospital Assistants without reference to the Government?—I have not; but if I had taken the system as I found it and gone on with it, it is very likely that there are points as to which if I had represented them and asked for full authority, I probably should have got it.

17133. You rather resent the fact that when you make suggestions as to medical matters to the Government the Financial Secretary deals with them instead of their going straight to the Lieutenant-Governor?—It is not that that I object to so much; it is the system in the office before it gets to the Financial Secretary; it is noted on by several people before it arrives at the Financial Secretary, by clerks and people of that class.

17134. Does not an analogous system exist in your office?—That is a different matter. Before a proposal is having come to me it has been thoroughly threshed out in my office before it goes to the Secretariat.

17135. Is not the Secretariat a larger office and better acquainted with precedents and general lines of policy than your office could be?—There is a good deal of truth in that, but the remedy I think is to strengthen my office, and to let me deal with the matters.

17136. Still, as matters now stand, is there not some justification for it?—No; it promotes efficiency; we probably escape making mistakes by having this system.

17137. Are not Hospital Assistants on a uniform rate of pay throughout India?—I think they are; they begin on Rs. 25 a month and go on through various grades until they arrive at Rs. 70.

17138. The grades and rates of pay being fixed by the Government of India?—Yes.

17139. Have you occasion to consider that the general rates of pay were not sufficient?—Yes. As a matter of fact, we sent up proposals to the Government of India two and a half years ago, and they are still considering them in connection with some scheme for the improvement of the Service generally.

17140. You can supplement the rates of pay by local allowances?—Very small allowances. We are very much hampered there by the Local Government not having done any increase in financial power in that respect. Under the Civil Service Regulations we cannot give any local or staff allowance to our officers without reference to the Government of India, although the charges are debitable to the provincial Government.

17141. Is there a special reserve of officers of the Indian Medical Service?—Yes.

17142. Is it distributed by the Government of India as it chooses?—We get a certain fixed percentage of the reserve—20 per cent.—to make up for leave vacancies, sickness and emergencies.

17143. Are you liable to be disturbed by a sudden change of plan on the part of the Director-General of the Indian Medical Service?—I imagine that if there was any emergency in any other province he would withdraw some of our men. In ordinary times I fancy we have a reasonable certainty of a given number of officers.

17144. Are there similar reserves, on the basis of a fixed percentage, of Military Assistant Surgeons and Hospital Assistants and so on?—Yes.

17145. You make a suggestion that the Sanitary Commissioner and the Inspector-General of Prisons should on occasion inspect medical institutions for you?—Yes; I have suggested that with reference to a question as to whether any increase in administrative officers is necessary. This province is so large that neither I nor the Inspector-General or anybody can inspect it in one year. These two officers are always inspecting; and I think it would promote efficiency if they were to inspect the hospitals at those places as well as the jails and municipalities which they do go and inspect.

17146. Would that not cause any friction with the Civil Service?—I only suggest that they should inspect hospitals of Civil Surgeons who are their juniors, not those in charge of Civil Surgeons?—I do not think that that would be likely to excite resentment; after all, the Inspector-General of Jails and Sanitary Commissioner are Medical Officers.

17147. Would you be prepared to go a step further and make the Sanitary Commissioner a Deputy Inspector-General?—He used to be under the Inspector-General. Since 1905 he has been independent. He was previously nominally under the Inspector-General, but he was practically independent; that is, he retained all his powers of initiative. It was up to him to do this inspecting work, and given the rank of Deputy Inspector-General, so as to have more authority with Civil Surgeons.

17148. Would you be in favour of reverting to that system?—I think it is better than the one now in force.

17149. (Sir Stephen Eglesley.) You say you have a fixed share of the reserve of the Indian Medical Service. Do you get recruits when they first come out to the country?—No. Every Indian Medical Service officer is posted to military duty when he comes to the country, and he has to serve for two years in military employ before he can be appointed to civil duty.

17150. When do they generally come to the Civil Department in Bengal?—It varies very much; three or four or five years; some very much later.

17151. How is your proportion of the reserve arrived at?—We have a fixed reserve of four.

17152. Directly your cadre falls below strength, do you get another man to replace one who has gone?—Just so.

17153. Are any of these young officers under five years' service posted to the medical hospitals in Calcutta?—They are attached to regiments. They are nearly all with native regiments.

17154. Is that a useful training?—In several respects it is. I think it is an excellent thing that young officers coming out to the country should be taught discipline, and get into the way of knowing the natives; they come across an excellent class of native officers, and get familiar with their manners and customs.

17155. Would it not do them good to attach them to civil hospitals for a time?—We have in Calcutta here five junior resident surgeonships at the large hospitals, and we try to post every junior officer as much as we possibly can to one of these posts, so as to give him a training.

17156. Is that after he has come into civil employ, or before?—When a man is posted to Bengal civil employ, if we have a vacancy as resident surgeon at any of our large hospitals, we like to post a young man coming to us, so as to give him experience before he is posted to a district.

17157. Is your reserve ever more than is needed to fill vacancies?—Very rarely. We have now several men on plaque duty; in Bihar we have three or four officers now on plaque duty, but we hardly ever have them on general duty.

17158. Has the Director-General always made these appointments of professors at the Medical College?—The system is that when a professorship falls vacant we have the first nomination in the province. If we have what we consider a suitable man for the post, his name is sent up to the Government of India for their approval, and if they do not think they have got a better man in some other province, they approve our selection; and, even if they do not approve, we need not necessarily accept their man.

17159. They offer you another man whom you can take if you choose?—Yes, but if we think our own man is better, we can still push our claims.

17160. Have there any of these appointments always been subject to the approval of the Government of India?—No, since 20 years ago.

17161. Was it in any way due to the difficulty of getting good men for these appointments, owing to the amalgamation of the Service?—I think the principal reason was to give us a better field of selection. Obviously, we have now the whole of the Bengal Presidency to choose from; formerly we only had the Bengal province.

17162. The Madras and Bombay Colleges have not the same advantages?—No.

17163. What does the Civil Surgeon, the Head of the sanitary work in the districts?—Yes; he is the backbone of the whole sanitary system.
ROYAL COMMISSION UPON DECENTRALIZATION.

17164. Does that interfere much with his medical duty?—No doubt it must.

17165. Is that to the disadvantage of his medical work?—There is no doubt we are very much under-worked. Every Civil Surgeon in the province, owing to the large distances, has far more work than he can satisfactorily do. Ten or eleven years ago this province sent up a scheme to the Government of India to appoint Assistant Civil Surgeons in districts, to relieve the Civil Surgeon of some of his work, to perform Health Officer's duties, inspection of vaccination, and various matters of that kind. It was not intended that they should be members of the Indian Medical Service; they were intended to be of the class of Assistant Surgeons.

17166. Has that been sanctioned?—It was approved; but the reply the Government got at the time was that there were no funds available. It has not yet been carried out.

17167. Are the Assistant Surgeons perfectly competent to be left in charge of the big hospitals while the Civil Surgeon is on tour?—Many of the Assistant Surgeons are excellent officers and very well qualified. As a class, they are generally very able men.

17168. You do not consider the practice of the Civil Surgeon leaving headquarters is to the prejudice of the hospitals at headquarters?—Not for the short periods that the Civil Surgeon is absent.

17169. Do you have many cases of the payment of fees to Medical Officers by Indian Rajas and so on?—Have you had much difficulty about that?—Not so far; it is an interference that is very much resented by all the officers.

17170. Until recently, who was the final authority in matters of that kind?—The Director-General is the final authority, but I think he has to take the opinion of the Local Government. I do not think the Local Government had much say in the matter.

17171. When these officers attend Indian gentlemen in those matters?—The Director-General is the final authority, but I think he has to take the opinion of the Local Government.

17172. How long has that been in force?—Only a few months. Before that the rule was only applicable to Native States; it was made applicable a few months ago to all gentlemen of high rank and high position all over India.

17173. Who dealt with the question of fees before the recent order?—So far as I recall, the practice then was that the Political Agent of the State sent the matter up to Government. I do not think the Local Government had much say in the matter.

17174. (Sir Frederic Lely.) Suppose a doctor in charge of a large hospital wants an article of a special make, can he get it direct from the maker or his agent, or is he obliged to get it from the Stores Department of the India Office?—The rule is to get things from the India Office at home, and we do not find it at all a good rule.

17175. I have heard of a case where a man wanted to get a special make of stove; for a whole year he tried to get it from London through the Stores Department, and he was finally told it was not to be got, while all the time he might have got it from a shop across the way; do you think that is possible?—I think it is very possible; there was a similar case the other day. We get a very large number of instruments for our various large hospitals here and we are obliged under the rules to ask the India Office to send them out to us; we ask for certain articles by certain makers, as we know that these are good and that they suit us best, but very often we do not get them at all; they send us inferior articles by different makers. Some instruments were shown to me the other day at the General Hospital which had arrived from the India Office; several of them were unfit for use.

17176. Apart from the purely business point of view, does it not stimulate professional zeal for a man to be able to get promptly some article which he knows to be of modern make and special use?—Certainly.

17177. If he has to wait a year for it, he may, when it eventually arrives, have left the place, and his successor may get the benefit of it?—Exactly.

17178. You say medical subordinates in the mufti are appointed entirely by the District Board?—The local native doctors are. They very often ask me to give them a Government medical subordinate. I then select a man from my list and send him.

17179. If the District Board become dissatisfied with him, can they send him back to you?—They cannot send him back without my permission.

17180. If they have a complaint against him do you enquire into it, and, if satisfied that there is something in the complaint, do you take your man back?—Yes.

17181. If you are not satisfied do you insist on his remaining, in defiance of the District Board?—No; I should not think that is ever likely to happen. (The witness withdrew.)

Adjourned.

TWENTY-FIFTH DAY.

CALCUTTA, Friday, 3rd January, 1908.

PRESENT:

C. E. H. Horsnose, Esq., M.P., Under-Secretary of State for India, Chairman.

Mr. W. S. Meyer, Esq., C.I.E., I.C.S.

Mr. W. L. Hichens, Esq.

Mr. F. F. Lyall was called and examined.

17182. (Chairman.) You are Collector of Bhagalpur?—Yes.

17183. What is the size of the Bhagalpur district?—It is 4,526 square miles. I have been there twenty months.

There is a marked tendency at present to give extended powers to the lowest officers in the chain of Government, and there are many points in which the functions of the Board and of the Commissioner overlap, but the items on which extended powers might be given to

Collector are few and unimportant. I do not think any delegation to Sub-Divisional Officers in this respect is advisable.

I would give District Officers a considerable sum, say, Rs. 5,000 per annum, to spend on any requirements of the district, subject to post-audit and not to pre-audit. Commissioners are similarly given sums to allot to various districts in their divisions. The distribution of these entails an enormous amount of correspondence, as the Commissioner has to examine and scrutinize each item on returns submitted by District

Mr. F. F. Lyall.
I am entirely opposed to a system of Advisory or Administrative Boards. I am a strong believer in the consulting of local opinion; but this ought to be done unofficially and on no occasion should be obtruded if District Officers were all given a small sum, even if it were only Rs. 300 a year, to enable them to appoint temporary clerks to meet any sudden increase of work. The system of submitting triplicated proposition statements in support of changes of staff is also nothing short of absurd. To ask for an increase of Rs. 1 in the pay of an orderly police has got filed as a statement with 14 columns and 37 lines in triplicate.

It is easy to criticise from a distance; but until one is in a position to have intimate first-hand knowledge of the vernacular

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17185. Is it the sort of room in which you can see your visitors with comfort? —Yes; I can give them a chair, there is not much luxury in it.

17186. There is at present some tendency to give extended powers to the lowest officers in the chain of Government. Might that tendency be widened?—I think it might, but they are working as hard as they can on those lines.

17187. Might any further delegation be reasonably left to the Local Government?—I think so; there is such a mass of detail.

17188. Have you ever sent suggestions to the Local Government with regard to the delegation of powers and work?—Yes, and as a rule they have been very favourably received. I have nothing in that particular direction to complain of.

17189. Why does the sum which is allotted to Commissioners for expenditure in such ways as they may think proper entail an enormous amount of unnecessary correspondence?—The entire sum given is very small, and a Commissioner who has four or five districts under his charge has to write to each Collector for returns as to what he wants. Of course, each one wants more than the Commissioner can give, so that the practice is to deal with them in order of merit, but after all the amount to be disposed of is so small that it is hardly worth while troubling about.

17190. Do you prepare a detailed statement each year? —No; we have to find out what is wanted in a hurry as we go to each place, and until we see what is wanted we cannot put anything down.

17191. Who actually sends the money—does the Commissioner remit to you and do you forward it, or does the Commissioner remit it direct?—It is in the treasury; there is a balance, and we are allowed to use so much of the money.

17192. Then it is distributed in your name and not that of the Commissioners?—Yes.

17193. With regard to the sum of Rs. 5,000 which you say you would like to have put at your disposal, would you distribute that direct or at the suggestion of your Assistants?—I would do it direct, as far as I could.

17194. To what extent, or in what direction would you curtail the right of appeals which at present exists?—Peons and clerks on salaries of less than Rs. 100 might safely be dealt with by the District Officer who appoints in all such cases.

17195. Would it not be advisable to have some interval between the original authority who pronounces the sentence and the appellate authority? —In theory it is a good thing, but in the case of a peon or the collector himself, it becomes more difficult to say whether it would be sound to make the order of a District Officer final. For instance, I had a clerk at one time who was drawing Rs. 30 a month, who was absolutely useless; he did not know English and to pay him was wasting money unnecessarily.

17196. How came you to employ him if he did not know English?—He was a relic of the old times.

17197. Is it necessary that all clerks should know English?—Absolutely.

17198. Are all cases heard in English, and is all business done in English?—Yes.

17199. Is that a satisfactory state of things?—It is very difficult to say whether it is satisfactory or not, but we have got the people so highly educated now that it is obviously the best way for a Collector to do his work.

17200. Does the Collector adopt that way of doing his work?—I cannot say he does not know the vernacular?—Yes, probably. That is a very strong reason, and Deputy Magistrates, too, who are mostly Bengalis, do not know Hindi.

17201. So that English has practically come to be a common medium of communication?—Yes.

17202. Is the lack of knowledge of the vernacular one of the causes of the want of sympathy between the District Officer and the people?—I have never found it to be so in my case, and I have always been able to converse with everybody; a District Officer seldom gets a chance of hearing what his brother officers do in that way, but I should think that it was a cause; at all events it is not so far as I am concerned.

17203. Are there other reasons in Bengal to account for this want of intercourse?—Yes. We have really nothing to do with any settlements of revenue. The permanent settlement has taken a great deal of revenue work out of the hands of officers.

17204. Is the amount of office work so great that officers have not time to tour?—I would not say that they cannot tour, but the difficulty is that they do not get in touch with the people on the points on which they do in other provinces. For instance, in the United Provinces they have constant settlements, and the Settlement Officers are touring round and coming into contact with the people every day.

17205. Are officers so taken up with business while they are touring that they have no chance of intercourse?—No, I think not; it is because we have not the kind of work which brings one into contact with the people.

17206. Is your district too large for one officer?—Yes, very much too large. My remedy would be to have smaller districts, and a large increase of the cadre, both in the Imperial and the Provincial Services.

17207. Is it a good thing to promote the establishment of Joint-Magistrates in your district?—I think so; there is not much luxury in it.

17208. Would you distribute that direct or at the suggestion of your Assistants?—I would do it direct, as far as I could.

17209. You are Chairman of the District Board in your official capacity?—Do you think if a non-official Chairman was put in your place you would retain an effective control over the proceedings of the Board?—No.

17210. Might the duties of District Boards be usefully enlarged?—If you could divide your work, what proportion of time in a week would it be necessary to devote to the duties of Chairman of the District Board?—Would it take a man, say, three hours every day to do adequately the work attaching to the office of Chairman?—No. I do not think so, because we have most competent and helpful Vice-Chairmen who do a great deal of the office work.

17211. If you could divide your work, what proportion of time in a week would it be necessary to devote to the duties of Chairman of the District Board?—Would it take a man, say, three hours every day to do adequately the work attaching to the office of Chairman?—No, I do not think so, because we have most competent and helpful Vice-Chairmen who do a great deal of the office work.

17212. If you could divide your work, what proportion of time in a week would it be necessary to devote to the duties of Chairman of the District Board?—Would it take a man, say, three hours every day to do adequately the work attaching to the office of Chairman?—No, I do not think so, because we have most competent and helpful Vice-Chairmen who do a great deal of the office work.
Mr. F. F. Lyall.

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17216. Nor of municipalities?—No; they have a great deal of power now.

17217. What do you think with regard to village communities?—There are parts of Bengal where they have village communities, but I do not think they would be very useful in Bihar. I do not think we have sufficiently advanced, or sufficiently educated members of the villages.

17218. If any proposal was made to give increased powers to village communities, would considerable differentiation have to be made between various parts of the provinces?—Yes, and also between various parts of the same district.

17219. (Sir Frederic Lely.) You mention two districts in which you have served, one of which is infinitely better governed than the other; what is the difference between the administration in these districts which accounts for that?—Palamau, to which I referred, is a Non-Regulation district, and the District Officer there has a large amount of say in civil matters. There are no sub-divisions, and whatever work is done in the district is done directly by the Collector. It is a very large district in area although there is only a small population numbering about 600,000 people.

17220. What is the nature of the assistance you get?—There are Deputy Magistrates at headquarters to whom cases are distributed.

17221. Is that system a good one?—I think it an excellent one; but, of course, there are the disadvantages of the long distances.

17222. Is that not a very distinct disadvantage?—No, the system has its advantages as well as its disadvantages.

17223. Did you not find that it is more difficult to gain local knowledge and communication with the people?—I have never had such a local knowledge of a district as I had of Palamau.

17224. Would it not be a good thing to distribute Assistants throughout a district rather than to keep them all at headquarters?—No, I do not think it would be any good.

17225. Would it be a good idea to give to each Assistant the responsibility for a certain territorial portion of the district, in which he would deal with both criminal and revenue work?—No, I do not see how any distribution of revenue work would be any good in our districts in Bengal; the revenue work which has to be done is the payment of the Government revenue and the payment of cesses, which is comparatively unimportant.

17226. In regard to all other work, would it not be better to distribute it according to territorial areas amongst your Assistants and make each responsible for his own portion of the district?—If you mean that you would have Deputy Collectors or Sub Collectors in the different centres, in the two districts, I am not very much in favour of that, because it would entail subordinate officers also being touring officers. You have the instance of the sub-divisions of Bengal as they are now. They are a buffer between the people and the Collector—what you want, if you wish to strengthen the administration, is to get the Collector more in touch with the people. The Collector is not in touch now, because there are these buffers between him and them; they are doing all the work, and the Collector is simply the supervising officer.

17227. Is the Sub-Divisional Officer usually or necessarily a Non-Covenanted Officer? As a matter of fact, are not most of them Deputy Collectors?—Yes.

17228. What is your opinion of them as a class?—As a body they are most excellent officers.

17229. As a class would you say that they are not men fit to be trusted with independent responsibility, under your orders of course, in charge of sub-divisions?—I think to a certain extent they are, with regard to magisterial work. There is a supervision of the District Officer over them.

17230. As regards the personal contact of the Collector with his district, would you prefer, what I may call, the headquarters system?—Yes.

17231. As Collector, have you any hour or any particular time when people can interview you as a matter of course?—I have never refused an interview with anybody in my life; but I have no fixed hour for seeing people; they can come and see me at any time.

17232. Does not that interrupt your work very much?—The system has its advantages as well as its disadvantages. There are no fixed hours; and there I find the difference between the Bhagalpur district and Palamau, where they used to come to see me in hundreds from 11 o'clock onwards, and I receive anyone at my own house at any time they like to come.

17233. When you visit villages do the people come to you to see you?—Yes, I take it that it is because the District Officer does so little work himself amongst the people. He is the whole day long doing office work as apart from going about and dealing with matters on the spot.

17235. May not the reason be that in Regulation districts the effect of our legal system and the partial deprivation of a Collector of some of his powers has diminished the importance of his office in the eyes of the people?—I think it has enormously. I think that is the reason.

17236. Do you send for the people to come and see you if they do not come themselves?—No, I do not.

17237. Do you come in contact with them during your stay in the villages?—Yes. If there is nothing else to do I walk about and may happen to meet them; but, as a matter of fact, there is nothing for which they should come to me as Collector. I have very little power in my hands now, and therefore they do not come to me. They know very little of me, and it is an extraordinary thing; but in Palamau, before I had been there for four months, every man in the district knew me as "Lall Sahib." Now I am only known as the Magistrate.

17238. Do you attribute that to the greater powers you had in Palamau?—Yes.

17239. In most parts of India they have what is called the jamabandi, that is, the annual revenue settlement of the year, which ought to be an annual proceeding. You propose that the Collector should try civil suits?—Yes.

17240. Would the formation of Advisory Councils in a Non-Regulation district, where one has such a Collector, have the same effect?—I think it would not have the same effect.

17241. Do you send for the people to come and see you?—Yes.

17242. But were not the conditions very different there?—I think they were. The complexity is due to the size of the districts, and, moreover, there is another very salient point, and that is that a large proportion of the cases brought into the Civil Courts now are absolutely false and no notice of that is taken at all. Cases are brought purely for the purposes of blackmail and oppression. I feel sure that if District Officers were given a say in civil administration, false cases would decrease, and thus a large saving of work would be effected.

17243. With reference to Advisory Councils, if they were instituted, would they have any good effect upon the intercourse of the Collector with the people?—I do not think so. I think that they would be absolutely ineffective. As it is now, I consult everybody whom I would nominate on an Advisory Council, and a Council would not help me at all.

17244. Would the formation of Advisory Councils rather tend to formalize matters, and so lessen the importance of the Collectors in their intercourse with the people?—I think it might possibly have that effect.

17245. Are your relations with the police satisfactory?—No; I think that is due to the size of the districts and nothing else.

17246. As far as the system goes, has you secured sufficient power over the conduct of the police?—I think so; I do not see any difference between a Non-Regulation district and a Regulation district in that respect.
17257. Is it not necessary to invest the Divisional Commissioner with larger powers?—No, he has been given larger powers in matters of detail as to Court of Wards work, and that is an excellent thing: but if you mean that you would have a Commissioner in each division, as a sort of member of the Board of Revenue for that Division, I do not think that would be desirable.

17272. Who prepares the District Board budget?—The District Engineer for the civil works, and it is submitted to me for approval. The educational part is done by the deputy inspector of schools, and the medical part by the Civil Surgeon.

17275. Does that Committee comprise non official members?—Yes. They examine and check the budget before it is submitted to me.

17276. Does the Committee comprise non official members?—Yes.

17277. With regard to your relations with the Police, as a District Magistrate do you receive reports on cases when they are under investigation by the police?—No, I do not in Bhagalpur.

17281. What is the population of the district?—Palamau has a population of 500,000; Bhagalpur of over two millions.

17282. What do you suggest that sub-divisions in your district might be abolished?—Not unless you increase the staff largely.

17283. Do you suggest that Civil Courts should be abolished?—No, not at all, but I should like the District Officer to have more connection with the civil work of the Lower Courts, with the powers of a Subordinate Judge. It is necessary to have powers of inspection and control, and the District Officer is the only person who can go into a district and ascertain the result of the Civil Courts work.

17285. Have you any other sub-committee of the Board?—Yes. There is an Education Committee.

17286. Do you suggest that sub-committees of the Board should be abolished?—None, except in connection with the grant-in-aid, which is either paid, or withheld, by me on his advice.

17287. Who prepares the District Board budget?—Yes, they have; they are also on the Local Boards, which are under the District Boards, and they tour and inspect schools.

17288. What means are there of enforcing your views?—To the lower class of people, very much so.

17289. How is the appointment of officers made?—That is done chiefly through the Education Department; it is rather, by-the-way, a vicious chain, because you have the Inspector of Public Instruction, then the inspector of schools, then the assistant inspector, and then the deputy inspector, who is the man who inspects District Boards of Schools, helped by sub-inspectors also appointed by the Education Department. These last two are the officers who inspect primary education, which, however, is paid for by the District Board.

17290. Do you suggest that sub-divisions in your district might be abolished?—Not unless you increase the staff largely.

17291. Do you suggest that Civil Courts should be abolished?—No, not at all, but I should like the District Officer to have more connection with the civil work of the Lower Courts, with the powers of a Subordinate Judge. It is necessary to have powers of inspection and control, and the District Officer is the only person who can go into a district and ascertain the result of the Civil Courts work.

17292. Who prepares the District Board budget?—The District Engineer for the civil works, and it is submitted to me for approval. The educational part is done by the deputy inspector of schools, and the medical part by the Civil Surgeon.

17294. Is there a Finance Committee?—Yes. They examine and check the budget before it is submitted to me.

17295. Does that Committee comprise non official members?—Yes.

17296. Have you any other sub-committee of the Board?—Yes, there is an Education Committee. They look into all the returns with regard to the inspections of schools, the payment of gurans, finance, and that sort of thing.

17297. With regard to your relations with the Police, as a District Magistrate do you receive reports on cases when they are under investigation by the police?—No, I do not in Bhagalpur.

17298. Would you receive reports, for instance, with reference to cases of dacoity?—Yes, they would be reported to me.

17298. And on receiving such reports do you issue instructions with regard to the investigation of those cases?—I can do so, but as a rule it is too late then, because the enquiry is very often finished, and one would get into great difficulty now if one took any active part in the investigation of a case and gave the police direct orders.
17280. Have you any power to direct that a case should be sent up in a certain form if the police have not sent it up in that particular form?—Yes, that power is in the hands of the Deputy Magistrate who bears police reports; I have appellate powers over him.

17281. With regard to the promotion of police officers, have you any control or voice in the matter?—I am always consulted.

17282. Is your formal sanction necessary before they can be promoted?—No.

17283. On the whole are you satisfied with the degree of control which you have over the police work in your district?—I am satisfied with its kind, but not with its closeness; I should like smaller districts so that one could see more of the work each officer is doing. As it is I have too many officers, and it is difficult to control them all.

17284. (Mr. Hicks.) What class of work occupies most of your time?—I have a very large amount of correspondence to get through; I have various departments of revenue work to attend to—for instance, we have certificate work which takes up a certain amount of time, and you are never in touch with the people doing it.

17285. Might one call all that more or less routine work?—Yes, a great deal of it is, but still it has to be done under one's control. It is collection of revenue, and a lot of injustice is possible if the thing is not closely watched.

17286. Do you delegate any of your work to subordinates?—My subordinates are each in charge of their departments.

17287. And do you feel you cannot leave the responsibility with them?—They have always to come to me with their returns, and drafts to the Commissioner and the Board of Revenue have to come to me.

17288. Have you made any detailed recommendations with regard to the delegation of any of these powers to subordinate officers?—Not in that line: I look at it as more or less a thing that should not be allowed, because, as Collector, you are responsible.

17289. With regard to the principle of delegation would you lay down the general rule that it was desirable to give each officer a maximum of responsibility with a minimum of supervision, or would you say the converse was true, and that what was wanted is a maximum of supervision and a minimum of responsibility?—I think supervision is the main thing in India. I freely give responsibility to those subordinates whom I find worthy of it.

17290. If you have subordinate Deputy Collectors, is it not worth while to give them definite functions and to leave them to carry them out; if they do them badly you can get rid of them?—How are you going to get rid of them?

17291. Cannot you get rid of them if they are totally inefficient?—No, I think it is impossible; only lately I recommended that a totally inefficient man, a Sub-Deputy Collector, with only a year and a half's service, should be got rid of, but it was not accepted.

17292. What probationary period had he to serve?—Six months.

17293. Would it not be practicable to have a longer probationary period than six months?—In the case I allude to it had been extended. I have had the period extended on two occasions, but that does not take you any further.

17294. Is it not the case that you can get rid of a man absolutely during such probationary period, if he does not suit?—Nominally, it is so. Practically, it is very seldom done.

17295. Might it not be laid down that, whatever views people may hold with regard to appeals, a probationary period mean a probationary period?—It would be a most excellent thing.

17296. And if a man was found to be inefficient might he not be dismissed?—A Deputy Collector is appointed by Government, and I have no power, absolutely none; I can only report.

17297. Would you recommend that you or the Commissioner should have the power?—It would never do in the Provincial Service.

17298. Should the probationary period be lengthened to say, a year?—Yes, I think it would be a good thing. During the first six months of a man's work it is very difficult for him to be a real success.

17299. Supposing you had a really efficient set of Deputy Collectors, could you give them more responsibility?—That is a very difficult question, because Government has to enforce its responsibility and it does so with the unit of the administration whoever it may be. I am in charge of a district; they come to me, and the question is whether you are going down lower.

17300. But your view is rather what one might call a centralizing view?—Very much so, but you must centralize somewhere.

17301. What you want is a district which is small enough for one man to deal with absolutely without any appreciable delegation of powers to others within the area?—Of course, one's subordinates would exercise very large powers; the only thing is that one should have a knowledge of the district. I am administering a large charge now of which I have not sufficient knowledge, and that is my complaint.

17302. Would you agree that as civilization advances the work of administration becomes very much more complicated?—Yes.

17303. The number of laws, for instance, to-day, is very much larger than it was 10 or 15 years ago, and one cannot in fifty years time it will be very much larger still?—Yes.

17304. Does that not shew that it is impossible to centralize everything in the hands of one man, but that it must be distributed amongst a number of individuals?—That is exactly what you do when you distribute it among District Officers; the question is, how low are you to go.

17305. Is it practicable for one man in a district to administer all the different laws and Regulations and be responsible for all the work of a Regulation district?—I think it is just now, but I cannot answer for 50 years hence. I think it is more the case now that we make things needlessly complicated by our laws and the way the Courts are run.

17306. Would the number of returns that would come to you as District Officer, in a small district, be about the same as in a big one?—Yes.

17307. So that you would not get any relief there?—We should have very much fewer figures to collate if districts were smaller.

17308. But they are collated by clerks?—Yes, but you have the inspection of the department, and it is a different thing inspecting an office with 10 or 15 clerks in it from inspecting one with four or five, and it is a different thing having to run a district of two or three thousand square miles, and a population of 4,000,000, than having to deal with 600,000.

17309. How long do you think a Collector ought to remain in the same district?—I think five years is a good time.

17310. You would not say that he should remain there as long as possible—10 or 15 years, or even more?—If you were to change the whole system that would be an excellent thing, but, as a matter of fact, I came to the conclusion at Palamau that I had too much knowledge for the district. Every case that came up I knew something about and the character of the men concerned, and I almost knew whether they were guilty or not guilty beforehand.

17311. If you agree that a Collector in his district ought to be fully acquainted with everything there, and know his district thoroughly, is it not a pity he should be removed as soon as he gets that knowledge?—Yes.

17312. Would it take him one, two, or three years to acquire it?—Yes, fully.

17313. Would you not, therefore, utilize that knowledge for more than two years?—I am quite willing to extend it to 10 years, but it would be very unworkable now-a-days.

17314. Admitting that one of the most important things is to secure greater continuity in the tenure of office by Collectors, how are you going to achieve that?—I think the difficulty just now is the smallness of the staff, which I would increase, but I consider that
now-a-days the action taken by the High Court renders it almost nugatory keeping an officer until the time he has got full knowledge. I have a case just now where I see a man allegorically to the spot, and I do not see than persecute a man. I had nothing to do with it myself, but if he goes to the High Court and says "I want a transfer because the District Magistrate is prejudiced against me," he gets it. I am not prejudiced against him at all, and the reason he gets the transfer is because he has filed an affidavit in the High Court alleging that I had written several letters to the Sub-divisional Officer, which is an absolute falsehood. That again goes to the High Court every time, and I can do nothing, and my knowledge is absolutely thrown away.

17315. Would you suggest that the Government should give more support to their District Officers?—Yes, very much more, and the system of anonymous attacks in the newspapers takes a great deal of time in investigation and answer. All such attacks should be ignored, and it should be made compulsory for a man to come forward and give his name.

17316. If you had very much smaller districts with no European reserve, would that not have the effect of increasing transfers very much?—Not with the number which obtains at present, because that is what we do now. There is no man in reserve with me; I am alone in my district.

17317. Would not people in reserve be one of the best ways of preventing continual changes? In other words, that there should be a Joint Magistrate, who, if you went away, could take over your work?—Yes, that would do, to a certain extent. I have not considered the matter sufficiently to say whether I would recommend it.

17318. With regard to Local Boards, could their powers be advantageously increased at the expense of District Boards?—No; for the reason that we give them a large number of things to deal with, with respect to the roads and a certain amount of work with regard to ferries and education. For all the big road-making, you must have a really competent advisory engineer as the District Engineer. If you are able to afford money enough to give to each Local Board such an officer, no doubt it would be a good thing, but until you can do so it is better to keep the power as it is in the hands of the District Board.

17319. Does that mean that you would keep the big roads under the jurisdiction of the District Board, but the smaller roads might be handed over to the Local Boards?—Yes.

17320. What would you say with regard to education?—Education also goes through the Local Board, and is supposed to be a training to the Local Board in self-government.

17321. Is the area of a district so large that very few of the members of the Board are acquainted with the whole of it?—That is so.

17322. Therefore one would have thought, a priori, that the real life would be in the Local Boards and not in the District Boards?—Yes, but at the expense of the community. They have only a certain amount of money to spend in the whole district, and that money must be distributed as much as possible. You might get life in one corner if you had an intelligent representative in that part of the district, but you will not get it generally throughout the whole district.

17323. Are the members of Local Boards keen on their work?—Yes, some of the Sub-Divisional Officers are.

17324. Would it be possible to start small village organisations, with some small powers to settle civil and criminal cases?—I think they could be started in some of the larger villages. The powers to be given them is a matter which has never been worked out. I should recommend small powers of taxation to remedy sanitary evils, but I would not give them magisterial powers.

17325. We have been told in Madras that there are some village affairs somewhat of that nature and that they were extremely unpopular, for the reason that they imposed taxation, and that only way of grafting that upon the life of the people was to let them be started, at any rate, free from taxation. What would you say to that as applied to Bengal?—It is difficult to argue against accepted facts, but I should say not, because what they are dealing with is a small evil, and when you consider the size of the Government, you see why other money should be used except money coming from the spot.

17326. Is it not the case that to-day the villagers contribute a great deal to the District Boards and get very little relief?—I think very possibly that is so.

17327. Then why should not a District Board give them something?—Because the matters are generally so unimportant, and they do not affect the village as a whole.

17328. (Mr. Meyer.) Do you say that a district of 4,500 square miles is quite unmanageable for one single Collector?—I do not want to lay down one standard only of judging, because I had Palamau, which was quite manageable, and that was 4,500 square miles.

17329. Do you want a large increase in your salary?—Yes. We have now 33 Collectors. Speaking generally, I should like between 60 and 90.

17330. At the same time you want to keep the work of the Collectors more under the Board of Revenue, the Commissioners passing on their requirements and not interfering too much?—I am quite willing to have all ordinary matters go through the Commissioner to be criticised by him, but in the matter of returns, which have to be dealt with in the Board's office ultimately, it seems unnecessary to go through the Commissioner.

17331. Can the central authority, whether it be the Board of Revenue or the Government, possibly deal directly in any way with from 60 to 90 Collectors?—I think it might. You would have to increase the staff of Commissioners also.

17332. Are you aware that there are districts in Madras of 8,000 square miles?—I have heard that there are.

17333. Do you know that the system there is that a whole district is divided into sub-divisions, each Sub-Divisional Officer exercising practically all the powers of a Collector, the Collector remaining the controlling and supervising officer and touring through the district?—Then it is exactly the system which I advocate.

17334. Except that you want the Sub-Divisional Officers to draw Collectors' pay?—Yes.

17335. Would you require the man in direct touch with the people to be a Collector or would a Sub-Collector, or an Assistant Collector, be as good, and a cheaper alternative, so long as he had a Collector above him responsible for the district as a whole?—I do not think that a man from the Indian Civil Service I would not quarrel over the matter of pay.

17336. In Madras some of the sub-divisions are under Indian Civilians, others under Deputy Collectors?—I do not think that a good system.

17337. Then roughly you want 75 Collectors in Bengal, and about 15 Commissioners, or at least a good many more than there are at present?—Yes.

17338. Would not the cost of that be prohibitive?—That would be for the Imperial Government to determine; I have simply been asked what I think would bring the people more into touch.

17339. Is this an ideal counsel of perfection, or is it what you think can be actually done?—I think it could be done; I do not know what the cost would come to.

17340. With these smaller districts I suppose you do not want any Covenanted Assistants to Collectors?—No, except for training; let them be posted to head-quarters, but as a matter of necessity in administration they are not essential.

17341. Under your system of 75 Collectors, how long is a man to be training before he becomes a Collector?—I should say from five to seven years. In the meantime, he can be an Assistant Magistrate at headquarters.

17342. Would you have any outrlying sub-divisions?—I would like as few as possible—possibly one subdivision for each district.

17343. Would you still keep up your Deputy Collectors for excise and certificate work, and that...
sort of thing?—You would require help, but I do not think you would want a man as at present not. I think you might distribute your present staff more.

You have four or five in a district now; if you had two headquarters, you could put two in one and two in another.

17344. You would scarcely increase the Civilian staff so greatly, and yet keep the Deputy Collectors’ staff much as it is now?—It would have to be worked out to see what would be necessary.

17345. Must any increase in the superior administrative staff (and you propose a vast increase) necessarily be in the ranks of the Indian Civil Service?—Yes. We have had no increase of late at all, and there have been large increases in other branches.

17346. You have spoken of special grants to be made to Commissioners and Collectors for the requirements of their districts; how would you propose that that work should be spent?—I should spend it in dispensaries, on improvements in schools, on small culverts and bridges, and so on.

17347. Are these not all matters for which there is already budget provision in the regular course, under the District Board or the provincial budget?—The District Board budgets are very tight ones.

17348. Then do you want special grants-in-aid or some means of administrative expenditure?—Yes, but the District Officer at present has very little in his hands.

17349. With regard to the special grants which already exist in the hands of Commissioners, you say they are rather small and entail a large amount of correspondence? Would you go further and give the Commissioner a real budget of his own, which would break up a large part of the Provincial Public Works budget, for expenditure at his discretion on roads, buildings, and so forth?—Of course there would be a difficulty there in weighing the wants of the various districts, and the amount of supervision required for each Commissioner, but it might be a very good thing.

17350. Assuming that difficulty to be overcome, would you be in favour of it?—Yes.

17351. Then possibly you might take a step further and give a Collector a certain amount in the same way, the Commissioner keeping his part of the budget in his hands, and assigning part of it to the Collectors with instructions to sanction minor works?—Yes, there are a certain number of minor works which a Collector might usefully do with regard to out-houses in sub-divisions and things of that kind, which one has now to write about.

17352. A suggestion has been made that when an appeal is lodged the petition should be sent up by the Collector to the Commissioner and a certificate given by the Commissioner as to the grounds of appeal. Would you go further and give the Commissioner a real budget of his own, which would break up a large part of the Provincial Public Works budget, for expenditure at his discretion on roads, buildings, and so forth?—Of course there would be a difficulty there in weighing the wants of the various districts, and the amount of supervision required for each Commissioner, but it might be a very good thing.

17353. It is the minimum a man ought to stay. It is difficult to say how long a man ought to stay, but it is not very much in favour of shortening the five years.

17358. Although the greater part of the province is permanently settled, have you not a certain amount of settlement work to do?—That was one of my great advantages in Palamau where I had a large Government estate of 450 square miles. There are a number of such Government estates in Bhojpur but the revenues from them are small. They are only two or three acres in extent and barely worth going to see.

17359. Do the large zamindars in this province live, as a rule, on their own land or are they absentee?—It varies a great deal according to districts. Near Calcutta they are almost entirely absentees. But in Palamau there is scarcely a single absentee, while in Bhojpur, I should think, it is about half and half.

17360. When a man is an absentee what happens to his tenants?—For instance, we have been told a great deal as regards the wants of the raiyat to European officers of Government; but have the raiyats better opportunities of access to their zamindars?—No; very far from it. What very often happens with an absentee landlord is that they never improve their estates at all, even resident landlords do not.

17361. Have you found any difficulty with regard to seeing the zamindars in your district?—I regard that as a point on which the zamindar ought to come and see the Collector; I do not think it should be allowed for the Collector to drag him out and say “Come and see me.”

17362. Do the zamindars come and see you frequently?—That is again a matter of districts. In Palamau every man came to see me without exception, but in Bhojpur they do not.

17363. I have been told by an officer who is now a senior in Bengal that whenever he asked a zamindar to come and see him in his district he generally made excuses.

17364. You spoke of the undue prevalence of Civil Court rent suits in this province. Would rent suits best be disposed of by Revenue Courts?—Yes.

17365. What exactly is certificate work?—The certificate work is concerned with the realisation of public demands. The Collector certifies that such and such amounts should be paid, and then, process issues. First of all a notice is issued, then comes the warrant of attachment, then the warrant of arrest, and upon that the man usually pays.

17366. On account of what demands are distrains issued?—Road and Public Works Cesses, certain forms of Government revenue, Court of Wards’ rents, and under a recent amendment of the Bengal Tenancy Act zamindars can apply for the application of this procedure to their properties. The work is largely concentrated in the hands of the Collector, assisted by a Deputy Collector.

17367. In Madras these sorts of things are done by tahsildars on Rs. 150 to Rs. 250—corresponding largely to your Sub-Deputy Collectors. Is there any objection to a similar delegation being made in Bengal?—A part of it certainly, but they want supervision, because there is such a lot of rogery going on. In the absence of supervision, proceedings in the case of joint demands are frequently taken against one person habitually. A large proprietor is never proceeded against because he may bribe the officer.

17368. Have not zamindars large powers practically, in settling disputes between their tenants?—Would it be desirable to legalize that procedure by making the zamindars Honorary Munsifs and Sub-Magistrates?—We have a large number of them on Criminal Benches, sitting singly.

17369. Why should not a zamindar be an Honorary Munsif and thus relieve officers of ordinary cases?—I do not think it would be desirable to legalize that procedure. The only reason for which he would undertake the work would be for the sake of the influence over his tenants; therefore you would have to have a new munsif for each zamindar, and there are a very large number of zamindars in our district.

17370. You need not give powers to every zamindar, and if you take the number of zamindars in the Honorary Munsifs, you would not be adding to the
cost?—It would add to the injustice which the people have to go through. The Stipendiary Magistrate does the work, from office to office, as quickly and usually twice as well as the Honorary Magistrates.

17371. Do you hold that the ordinary Government Civil Court does no injustice?—No, far from it, but I think the samarid would do a great deal more injustice.

17372. Have the Local Boards anything to do with education?—Yes; they have all the payments to make for their sub-divisions, and they submit reports to the District Board of the appointments made. As a matter of fact, there is almost entire delegation of primary educational work to them.

17373. Would you be prepared to allow them to select schools for grants-in-aid?—I think they have a right of veto now. Where you have a constantly changing Sub-Divisional Officer, I doubt if the Local Boards would have sufficient knowledge. I think, therefore, it is better to keep them as governing bodies and allow the main work to be done by the paid officers of the Education Department.

17374. If you want a special officer, should he not be an officer of the District Board?—The deputy inspector until lately used to be an officer of the District Board. It is only in the last few years that he has been in the Education Department. It has its advantages and its disadvantages.

17375. As regards education, does a municipality stand much in the same position, in that it has to make grants practically at the direction of the educational authorities without taking any direct initiation?—Yes. A certain percentage of the income is given over to the deputy inspectors of schools, and he advises as to the schools which the municipality is to pay and we pay. Of course, a Municipal Commissioner may inspect also, and if he has any complaint to make with regard to any school, the grant-in-aid is stopped.

17376. Can Government say that every municipality in the province must pay a certain percentage of its income for education?—Yes; for primary education.

17377. You could not pay less, but if you liked you could pay more?—Yes.

17378. Do municipalities have anything to do with secondary education?—No.

17379. Are the municipalities told that they have to spend so much on sanitation, so much on roads, or anything of that sort?—No; the Sanitary Commissioner is constantly inspecting the works of the municipality and working out how much they spend, saying either "this is too much" or "this is too little."

17380. What happens in that case?—If you agree with the view, you would have to spend more; if not, you fight out the point.

17381. Does the Sanitary Commissioner's report go to Government or to you?—It goes to the Chairman of the municipality.

17382. If you thought you were spending quite as much as you could afford, and said so, what happens then?—Unless the state of affairs was scandalous or very bad, nothing would happen. If the Sanitary Commissioner thinks the thing worth fighting about, he goes to Government, and Government can control your budget and insist on your spending more. But it is very seldom done.

17383. Would such a matter be referred to the Commissioner's arbitration or would it go to Government?—It would go to the Commissioner first.

17384. If the Commissioner agreed with the Sanitary Commissioner, would you have to put the extra money into your budget?—You are not absolutely compelled to do so, but the advice of the Commissioner would be accepted, if thought right.

17385. There might be a considerable amount of pressure put upon you?—Yes.

17386. Suppose the Commissioner agreed with you and not with the Sanitary Commissioner, but the Sanitary Commissioner was still dissatisfied, could he go up to Government?—I think he could, but I do not think he would do so.

17387. Is the work of your District Board hampered by want of funds?—No; we have been given very generous grants in the last two or three years to help us in our Public Works.

17388. Is not the position this, that you have half-an-anna in the rupee in the shape of Road Cess which is entirely your own; the similar rate levied for Public Works Cess does not come to you; but you have special grants distributed by the provincial Governments. Do you think that income sufficient?—It is as much as we can spend and supervise now with the agencies at our disposal.

17389. Does the Local Government distribute the grant to you in a fixed proportion for different districts, or does it give a grant in its own discretion, sometimes for one district and sometimes for another?—It has power to do that. My experience is that I have always got what I have asked for.

17390. Supposing the provincial Government found they were able to do without the Public Works Cess, then you would be certain of one anna in the rupee, whereas now you get half one anna plus a certain amount in the way of charity. Would you prefer the certainty of having one anna?—Very much; we have a large number of unmetalled roads which we should like to have metalled, and there are a large number of bridges we should like to make. We are progressing very slowly, and we should like to progress a good deal more.

17391. Is not a Deputy Collectorship, speaking generally, about the highest point outside the Indian Civil Service which a native of this country can reach in the Executive Line?—Yes.

17392. Would it excite very much discontent, if an officer of this description were liable to dismissal at the discretion of the Collector?—I think so. I think that should rest with the Local Government.

17393. However stringent you might be as to rejecting persons during the probationary period, there would always be the risk of their going to pieces afterwards?—Always.

17394. You would be prepared to get rid of a good honest man, doing his work in the best way he could, but still doing it quite inefficiently; but with no slur on his character—supposing that he is unequal to the task?—I would like to see it done in a fair way. I would give him some sort of a pension. I think they ought to be judged by their own fellows.

17395. Speaking of Lieutenant-Governors generally, however excellent and able a man may be, he might have his prejudices?—Yes.

17396. Would it be unsafe to give such power to an individual person however highly placed he may be?—Yes.

17397. How would you avoid the danger of a single Lieutenant-Governor possibly passing a bad judgment?—You might do it by having a small committee of officers who have had the men working with them constantly. I think you could trust to that method.

17398. Would this committee say in the first place whether the man was incompetent or not; and without the assent both of the committee and of the Lieutenant-Governor the man would not be removed?—Yes, I think a very great deal of harm is done by officers of the Provincial Civil Service.

17399. (Sir Steyning Edgerley.) What should the probationary period of an officer actually be?—I think the present period too short. Possibly a year might give you longer and sufficient time to judge him in.

17400. Is not the work different for a Revenue Officer at each season of the year?—Not very much now. We had four kists in the year and the work comes round regularly once in three months.

17401. When a man has had a first appeal by the first Appellate Court do you think it would be dangerous to require certificate affirming that there is no principle involved in the case before allowing further appeal?—I think an appeal ought to be allowed from the decision of a wrongly officiated officer.

17402. The question of some principle being involved is quite a different thing from a man's opinion on that principle?—But supposing a man gives a wrong opinion.
in saying there was no question of principle involved, and the facts were clear, and he was wrong?

Mr. McIntosh. I am assuming that it should be the first Appellate Court which would give the certificate and not the original officer?—I thought you were alluding to the original officer giving the certificate.

Mr. McIntosh. If the first appeal has been upheld, should the officer give a certificate, e.g., to the effect "My view is so and so, but there is or is not a question of principle involved"?—I think there is nothing against that.

Mr. H. J. McIntosh was called and examined.

Mr. H. J. McIntosh. You are now the Commissioner of the Chota Nagpur Division?—Yes. I was at one time Under-Secretary in the Finance Department and Deputy Secretary in the Home Department and then again in the Finance Department.

Larger financial powers should be given to the Local Government; borrowing powers should rest with the Supreme Government.

Once the Government of India has laid down the general lines of policy to be followed in any matter, it should be left as far as possible to the Local Government to carry out, in its own way, the general policy indicated, having due regard to local conditions. The influence of the Departments of the Government of India is more in the direction of excessive rigidity or uniformity than is the case with the provincial Secretariat. The remedy lies in the restriction of the tenure of office in the Government of India Secretariat.

The greater number of officers from all provinces who pass through the Secretariat of the Government of India, the greater is the advantage to the Government whose services the officers are drawn. I do not think so and so, but there is or is not a question of principle involved, it can be said with justice that the Government of India too much from their own particular point of view, and with too little knowledge of, and compassion for, the needs and requirements of local conditions of the province which the proposal affects or from which it may emanate.

The provincial Governments can fairly claim to have played a very important part in the initiation of the important administrative reforms which have been carried out in this country. In India, as elsewhere, reform must come from within; and it is the provincial Government that knows where reform is required. If the provincial Government is handicapped by reason of the fact that the administrative reforms it wants cannot as a rule be effected until the Government of India has laid down the requisite funds provided. Within certain limits the provincial Governments should be allowed to develop their administration on their own lines, adopting at their discretion suggestions of reform brought to their notice from other provinces. It does not necessarily follow that what is good in one province is good in another.

It is possible and desirable to allow Commissioners and Superintendents of the Indian Civil Service to have power of revision should in all matters remain unfettered.

On the whole, the influence of the Commissioner in matters appertaining to departments other than the Finance and Revenue Department is very great. The present tendency is for the administration to be conducted by departments controlled by officers (Heads of Departments) at headquarters. Executive Officers serving in the districts have not sufficient opportunities for personal contact with the people. They are tied down to their offices by reports, correspondence, registers, case-work and returns. There is every day a certain amount of office business that must be got through, and then but little time is left for other matters. Any failure to get through the day's work only reacts on the District Officer, and adds to the pressure by the constant and urgent calls which are at once made on him. Even when he does go into camp, the District Officer cannot get free himself from office work and mix as much with the people as he should. The office work follows him to camp. The old leisurely method of camping has disappeared, and touring now-a-days means only too often hurried rushes to important centres where the already overburdened District Officer is still further burdened by inspections and other office duties which it is found more convenient to do on the spot rather than at headquarters. Naturally Executive Officers are not always possessed of a knowledge of the vernacular. The remedy is to reduce the routine office work and to arrange that what cannot be done away with be made over to a separate class of officials known as the Joint-Magistrate. Nothing has tended more to the loss of efficiency in this province than the disappearance of the trusted and experienced Joint-Magistrate.

An increase in the staff of the Indian Civil Service and of the Service of Deputy Magistrates is required. The Public Works Department is also greatly undermanned. Some districts are too large and in other districts, especially in Chota Nagpur, more sub-divisions are required.

Proved capacity should be the sole qualification for official advancement. Those members of the Service whose unfitness for further promotion has been adequately established might be compelled to leave on the expiration of their term of pension as would reconcile them to retirement at an earlier period than that prescribed by the ordinary rules.

Transfers are undoubtedly too frequent and to the greatest possible detriment to the administration. The evil is nearly as great in the Service of Deputy Magistrates as in the Civil Service. One cause is the numerical weakness of the existing staff which of course is capable of being remedied. Government should do as if such right is abused to a very great extent, and the Local Government can never dissociate itself from the final responsibility in all matters connected with the administration. It would not be of much use to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. If the Local Government exercised freely its power to dismiss or reject appeals summarily we would get all that is required without calling for a certificate of the kind contemplated. In personal appeals the guiding principle should be a maximum of two appeals and no more. That means, of course, two appeals as of right. The Local Government's power of revision should in all matters remain unfettered.

If the first appeal has been upheld, should the officer give a certificate, e.g., to the effect "My view is so and so, but there is or is not a question of principle involved"?—I think there is nothing against that.
India were able to give longer notice when they require the services of an officer serving under a Local Government, so that he can be in a position to give or not to give any portion of his tenure under the Government of India is generally one who has attained to a position of some mark in his province, and considered indispensable enough to be in suddenly transferred from the province. But the best and most effectual remedy lies in the direction of further localization and direct relationship between the members of the various Services. With the administration of the province further localized under the Heads of the various Services, there is a considerable dislocation occurs when he is suddenly transferred to a position of some mark in his province, and considered indispensable enough to be in suddenly transferred from the province. But the best and most effectual remedy lies in the direction of further localization and direct relationship between the members of the various Services.

As regards District Boards, Local Boards and village unions, the Local Government has recently submitted proposals for the reconstitution of these bodies and for the better representation on them of the various classes of the community. A Bill to amend the Local Self-Government Act is also before the Lieutenant-Governor's Council. If these proposals are accepted, in time we will gradually be able to make greater use of District and Local Boards and village unions and delegate further powers to them. There are signs that we will go on developing along these lines, but the great thing at present is the question of re-constitution. Everything will depend on this. In regard to municipalities, I am not disposed to make any recommendation on the subject.

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I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The establishment of formal Councils like the Advisory Council or Administrative Councils, and in some districts union committees, and I would not super-impose on these another formal consultative or administrative body. I think the light personal relationship between the higher officials and the leading residents is what is required. This cannot satisfactorily be obtained unless the officers have a longer tenure of their appointments than has recently been the case, and unless they are given more leisure by being relieved of the mass of routine work with which they are now weighed down.

It would not be expedient, at all events at present, to invest District Boards with powers of supervision and control over municipalities within their respective districts. Such a course might not facilitate the dispatch of public business. I am, however, deeply impressed with the need of Commissioners and District Officers keeping in closer touch with both the provincial and with public opinion and with persons of position within their jurisdiction. We already have District Boards, Local Boards, Provincial Councils, and in some districts union committees, and I would not super-impose on these another formal consultative or administrative body. I think the light personal relationship between the higher officials and the leading residents is what is required. This cannot satisfactorily be obtained unless the officers have a longer tenure of their appointments than has recently been the case, and unless they are given more leisure by being relieved of the mass of routine work with which they are now weighed down.

Efforts are being made to make greater use of village panchayats in the administration of the chartered police system. Proposals for giving extensive powers to union committees in regard to sanitation have recently been submitted by the Local Government to the Government of India. These proposals are ambitious and decidedly advanced. If they are approved every effort will be made to make them successful and effective, but it will be a long slow business. In a matter like this we must move very slowly, and I do not recommend any far-reaching scheme of general devolution.

I sketch in outline for the consideration of the Commission a scheme for decentralization in the province of Bengal. The province as at present constituted consists of four sub-provinces which are distinct in character, in language, and in almost all interests. These are—Bengal proper, Bihar, Chota Nagpur and Orissa. It would be quite feasible to have a system whereby, under the Lieutenant-Governor of Bengal, there would be a Head or Sub-Head of each of these sub-provinces who would exercise within the sub-province many or most of the powers of the Lieutenant-Governor. Each sub-province would have in all departments a full staff of its own working directly under the Head of the sub-province. The same officers would be holding offices in the sub-province. The same gentlemen would be handling the same classes of business for a larger number of persons. It would be desirable to have a number of such sub-heads to be elected or appointed for each of the sub-provinces, with a head of the sub-province, and the whole administration there would be centralized in one authority. The Lieutenant-Governor would continue to be as at present the supreme Head of dignity and honor, but it might be advisable to bring these Heads of sub-provinces into closer relationship with him by constituting them members of an Advisory or Administrative Council. In any case the Heads of the sub-provinces would have seats on the Legislative Council, and an effective voice in the framing of budget proposals. The Heads of Departments of Government would continue as at present to work directly under the orders of the Lieutenant-Governor himself, and they would advise and assist the Heads of the sub-provinces and inspect on their behalf. Under such a scheme the Lieutenant-Governor, assisted or not as it may be by an Advisory Council, would be responsible for laying down the policy to be followed and for controlling and directing the administration of the whole province. It would, however, be left to the Heads of the sub-provinces to carry out the instructions given by the Lieutenant-Governor or the policy indicated by him. In this work they would be assisted though not controlled by the Heads of Departments. The Heads of Departments would not be allowed to dictate to the Heads of the sub-provinces the action to be taken by them. They would, under the Lieutenant-Governor's orders, be at the disposal of the Heads of the sub-provinces to assist them in carrying out the policy and directions of the Lieutenant-Governor, the Lieutenant-Governor himself having consulted them before he framed his policy or issued his directions. By some such scheme we will be able to correct the marked tendency of recent years towards "departmentalism." Doubtless there are many matters of a more or less technical nature in which the supervision of a Departmental Head with special experience is required. We cannot do without these special departments. But the result has been to dissociate the work of these special departments from the control of the local officers, and to establish separate staffs in each district who do not always recognize a common Head or the relationship they bear to one another. There results a want of cohesion which is much to be regretted, and there is too great a tendency to look to Calcutta for orders or favours and to disregard or ignore the authority or even the wishes of the District Officer or the Commissioner. Then again the Head of the Department in Calcutta inclines to be swayed too much by the views of his departmental subordinate in the District, and he too forgets or overlooks the District Officer or the Commissioner. Then again the Head of the Department in Calcutta inclines to be swayed too much by the views of his departmental subordinate in the District, and he too forgets or overlooks the District Officer or the Commissioner. Then again the Head of the Department in Calcutta inclines to be swayed too much by the views of his departmental subordinate in the District, and he too forgets or overlooks the District Officer or the Commissioner.

17408. When you were transferred from the Home to the Finance Department of the Government of India, did you find the work quite different from what you had anticipated—what were the questions involved quite different?—I would not say so, because I dealt very frequently with exactly the same questions—questions that were first dealt with in the Home Department and then went on to the Finance Department. There was a certain class of work entirely new in the Finance Department, but in a great many things the work was common to both.

17409. Did you find yourself placed at any disadvantage in being transferred from one branch in the Secretariat to another?—No; I think it was a great advantage that I was able in the Finance Department to look at things possibly from a different point of view than I might otherwise have done, having had experience of the Home Department beforehand.

17410. Do you think there was any loss occasioned to the Home Department by an officer going out at the end of eight months just as he had begun to get in touch with the work?—I think not. I knew when I entered the Home Department that I was to get the appointment in the Finance Department, and there was a temporary arrangement being sent to the Home Department.

17411. Then you do say, so far as the State is concerned, that there is no loss of efficiency by an officer being almost immediately transferred from one department to another?—I would not quite say that;
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Mr. H. J. McIntosh.

17412. Do you think that officers are retained too long in the Imperial Secretariat?—My view is that the more officers pass through the Imperial Secretariat, the better for the Local Governments, because they will have a number of experienced officers who will have seen things which are dealt with in the Imperial Secretariat, and on the whole it is good for the Government of India to have a fairly large number of men passing through it and getting new ideas. It prevents them getting into a groove.

17413. During your three different appointments in the Imperial Secretariat, did you have opportunities of seeing whether officers were kept there for a long time?

—Yes. I do not think there were any kept for an excessively long time, while I was there. There is a three years' tenure now, but it is a comparatively new rule.

17414. Has the alteration of the rule been to the benefit not only of the Imperial but of the provincial Governments?

—I should think so, so far as it has been applied. I believe more officers pass through the Imperial Secretariat nowadays than was the case eight or ten or twelve years ago.

17415. Is the rule which has been laid down observed or not?

—Yes.

17416. Did you yourself come in under the three years' rule?

—Yes.

17417. Does it apply to Under-Secretaries?—Deputy Secretaries and Under-Secretaries are appointed under the three years' rule, but I do not think there used to be any rule with regard to Secretaries.

17418. Would you like to give Inspectors-General higher powers than they enjoy at present?

—It would be a very good thing if they were in closer touch with the Local Government.

17419. You have been Financial Secretary to the Government of Bengal. Speaking as an officer of the provincial Government, would you like to see more of the Inspectors-General?

—Yes.

17420. From your experience in the Imperial Secretariat do you think Inspectors-General interfere in any way with the administrative machinery of the provincial Governments?

—I think not. It would be advantageous, if the Local Governments had more opportunities of discussing their proposals directly with the Inspectors-General before they address the Government of India.

17421. As a matter of fact, do the Local Governments see the criticisms on proposal made, before the orders are issued?

—I think as a rule they do not.

17422. Would it be advantageous if they did so, or at any rate if they saw the pith of them?

—Yes, that would be sound.

17423. Does the existence of Inspectors-General tend to make the provincial officers look to them for promotion, distinction or reward of some sort or other rather than to their own Local Government?

—I think not.

17424. It has been suggested that Commissioners might have greater control over their expenditure; would you give a Commissioner a separate budget?

—It would be a good thing to do.

17425. Do you want to see him in every respect the financial Head of the division?

—I am not quite sure about every respect, but I should like him to have power to spend money on his own authority. He has the authority not only as to a very trifling amount.

17426. Have you not ten thousand rupees to spend in your division?

—I do not know what the amount is, but the division is 26,000 square miles in area, and therefore that amount is very small. As a matter of fact, when I took over charge of the division, I was told that it had been all spent.

17427. It has been stated that Commissioners are given this sum of money every year to spend as they liked. Do they spend it through the Collectors?

—Through the Collectors mostly. When they go round and give their inspection, they bring to their notice some little improvement that he would like, perhaps in a hospital or some other institution, and the Commissioner gives him authority to make it.

17428. Then practically the Collectors have been spending this money under the authority of the Commissioner, that the disposal of each Collector depends on the discretion of the Commissioner?

—Yes. I think that is putting it fairly.

17429. Might it not save a good deal of time and trouble if the money was split up between the Collectors instead of its going direct to the Commissioner?

—Yes. I do not think there were any kept for an excessive long time, while I was there.

17430. And pro tanto it diminishes the allotment of the Commissioner?

—I am not quite sure about pro tanto; I am not sure I would not give the Commissioner a larger allotment.

17431. What, as a matter of fact, does he distribute now in his own unaided discretion?

—I have distributed none myself, so I cannot answer that question.

17432. As regards the right of appeal, you do not wish to see anything altered in that particular?

—No. I suggest that there might be a maximum of two appeals as regards Government servants.

17433. Would you draw no distinction between grades of Government servants? To what officers would you restrict the two appeals?

—Certainly to all ministerial officers and menial officers. I propose that a member of the Civil Service would always have an appeal up to the Secretary of State. But with regard to the Provincial and Subordinate Services two appeals would be sufficient.

17434. You say there is a constant growth of departmentalism due to the influence of the Heads of Departments; how does that interfere with the power of the Commissioner?

—I think some of the Commissioners do that. It makes so much work; there is so much correspondence always going on with these departments by the Commissioners and Collectors and by their subordinates.

17435. Has the Head of the Department the ear of the Government to the disadvantage of the Commissioner?

—I think a great deal of the matter comes up, at the instance of these departments, which might possibly be disposed of by the Commissioner or by the Collectors themselves.

17436. Did the evils of this system strike you when you were a Secretary to Government?

—I have always thought there was more work in the departments than was necessary.

17437. Did you ever make any representation to the Local Government on this head?

—No formal representation. In my own humble capacity I have always endeavoured to shorten the work as much as possible.

17438. You have held quite recently an important post in the Secretariat where you corresponded with the Heads of Departments whom you now condemn, or whose actual influence you condemn?—I regard the Heads of Departments as absolutely necessary; I do not condemn the system.

17439. Then is the way you put it that their influence is detrimental to the good working of the Commissioner system?

—No, not exactly that.

17440. Then what do you mean?—I mean that more might be left to be done locally by the Commissioner without the intervention of the Heads of Departments.

17441. You say that things are regarded too much from a departmental standpoint; then I ask you whether that is detrimental to the influence of the Commissioner, and you tell us it is not; I want to know your views exactly?

—I consider that the reason of there being these departments, there is a tendency for too much work to go up to them or to be at the Commissioner, and you tell us it is not; I want to know your views exactly?

17442. You say that the influence of these Heads of Departments is too great, and I want to know if you think it affects the powers of the Commissioner?

—I think it involves a great deal of unnecessary correspondence.

17443. Is one of your remedies for reducing the routine work the appointment of Joint-Magistrates?

—Yes.
17444. The last witness said that he thought it was not much good to do that, but that the real remedy was to reduce the size of the districts; which of those two things do you think the right one?—I would not pronounce positively for either; no doubt both could be applied. No doubt some districts are too large, but it is a good thing to have a second man—a right-hand man as it were—to the Collector, no matter how small the district.

17445. Then you would prefer the addition of an officer, the addition of officers rather than the subdivision of districts?—I think so, speaking generally.

17446. Would you like to see an increase in staff, not only in the Covenanted Service but in the Provincial Service lately, but I cannot say whether it is sufficient or not.

17447. Are you in favour of Advisory Councils for either the Divisional or District Officer?—I think not. I think there are already enough Boards in existence.

17448. Do District Officers consult enough and go to see the leading men of the district frequently enough?—I think there are already enough Boards in existence as much as possible to come to contact with public opinion in their districts, and, so far as opportunities allow, I think they are very glad to do so.

17449. Is what the obstacle to obtaining information now from prominent people in a district?—The officers are very much overworked, and they have not the opportunity of seeing them as much as is desirable.

17450. Is there any distinction on the part of the officer or the people to such interviews?—I think when an officer has been in a district for some time and is well known, the people are always very pleased to come to him. I have never found, myself, that the officer or the people to such interviews?—I think so.

17451. You think that the only real gulf that there is between them is the amount of office work?—I think so, speaking generally.

17452. It is not lack of knowledge of the language?—It might be so in any given case, but, speaking generally, I think not. There is a tendency on the part of officers not to acquire a knowledge of the vernacular as they used to do in old days.

17453. Is that because of the constant transfers from district to district?—If an officer is being constantly transferred he probably does not pick up a knowledge of one language very thoroughly.

17454. You say you would like to see the province of Bengal decentralised into four sub-provinces and the Commissioner of each sub-province given very extensive powers? Supposing that system were adopted, would you keep your Covenanted Colonists in each of those sub-provinces perpetually?—I do not think it would be possible to keep them in the sub-provinces perpetually, but I should localise them as much as possible; at times it would be necessary to have transfers. For instance, Bengal would not have such a good climate as compared with Chota Nagpur or Bihar, and perhaps it would be advisable, if a man had been some time in Bengal, to transfer him to one of the other provinces.

17455. If you moved a man from Bengal to Orissa at the end of ten years, what opportunity would he have of knowing the language of Orissa; would he pick up the language easily after 10 years' service elsewhere?—No, not as easily as he would at the beginning of his transfers.

17456. Would that not be a difficulty—that you would practically have to localise your officer permanently?—I do not think so, because at present we are not localised, and are liable to be transferred all over the province.

17457. Is not transference of officers from district to district with widely divergent languages and characters of the people a serious obstacle to the good government of the country?—It is desirable to minimise transfers as much as possible, in the interests of good government.

17458. Has there been any reduction of transfers in this province lately?—Speaking generally, I should think not, but that is a question which could only be answered absolutely by statistics.

17459. Are you relations as a Commissioner with the Board of Revenue satisfactory or are you obliged to make too many references to the Board?—I think not, but I have not studied them carefully.

17460. Can you state the subjects of any of those reports which have been asked for during your 24 months' tenure of office?—I have noticed a number of letters asking for an opinion as to the modification of registers and rules and so forth, some of which possibly might have been decided by the Board without sending to every division and every district; the Board, however, is responsible for regulating that class of work.

17461. Could that class of work be regulated by the Commissioner without detriment to the service?—Rigid uniformity is not required throughout the province, and a good deal of it should be left to the Commissioner. I am not sure that it is necessary to have every register exactly the same throughout the whole province.

17462. With regard to the Court of Wards, could your work be lightened; have you not to refer any expenditure on an estate over the sum of Rs. 500 to the Board of Revenue?—There is a money figure, but I cannot say what it is at the present moment.

17463. With regard to the Loans Act, are you satisfied with your powers under that Act?—I think so if we get an allotment.

17464. When loans are made do they reach the tenderer?—Great pains are taken to see that they do. I think they do.

17465. As a Commissioner, are you too much of a post office, and too little of an actual Executive Officer?—My experience as a Commissioner is very brief, but on the whole he is perhaps too much of a post office, and there is much more passing through his hands than is really necessary.

17466. Have you seen the suggestions made by the Government of Bengal for the delegation of authority?—I have, but I have not studied them carefully.

17467. Would they result in altering your position from that of a post office to that which it really ought to be?—I think so. I would not use the term "post office" myself, but they would give the Commissioner a wider hold and sensibly reduce unnecessary work.

17468. Have not your District Officers to report to you annually on a number of subjects? Would it considerably lighten your work if all those reports were condensed into one administrative report?—I think it would be a good idea, and lighten the work.

17469. Do you yourself have to submit an annual report to the Government of Bengal?—I report on all subjects, revenue reports, Court of Wards reports, etc.

17470. To what length do those reports run?—Some of them are pretty long.

17471. Would it be advantageous, both to the Commissioner and to the authorities with whom he corresponds, if all those reports were boiled down into one annual administrative report by the Commissioner?—I should like to have one by which the division and then sent up by the Commissioner for the division.

17472. Would that be sufficient?—Speaking generally; there might be some particular subject on which a special report might be required, but ordinarily one report would cover what is required.

17473. And that would relieve not only the writer but the reader of those reports?—I think so.

17474. (Sir Stephen Edgerley.) What led you to make the suggestion that you would like to see the advice of Inspectors-General before the Government of India disposed of a subject on which they had been advised?—I think it would probably lead to a reduction of correspondence. The Local Government sends up a proposal on which a great deal of correspondence ensues, and in some cases a conference between a department of the Government of India and the Local Government would enable a settlement to be arrived at, more suitable and more satisfactory.

17475. Is the reference back from the Government of India perhaps suggested by the advice of the Inspectors-General on matters which might have been avoided?—I should think so sometimes.

17459. Mr. H. J. McIntosh.
17476. Have you seen any of these suggested re-organisation schemes coming through lately?—Yes.

17477. In those matters did you consider the Government of India were going far too much into detail?—Yes, I should prefer to do so. I think so, with regard to a village or a number of villages, you cannot dissociate the Local Government from the Central Government. I have had no re-organisation scheme of my own, but they must be the final authority. They must be the last court of appeal.

17478. Do you attribute that to the influence of the Inspector-General?—It is scarcely for me to say. Possibly those things would have been cleared up more quickly had it not been for the Inspector-General. Possibly the Board might disappear.

17479. Supposing the first Appellate Authority, when he heard an appeal, considered that the facts were quite clear, and that there was no question of principle involved, or that the facts were clear, but that there was a question of principle involved, do you think a certificate of that sort by the first Appellate Authority ought to regulate the admisibility of further appeals?—I do not object to that. My feeling is that you cannot dissociate the Local Government from the Central Government. They would be simply drawn and paid. If a man were appointed as Secretary at a young age, he is not interested in the details of the bill, but in the diary which accompanies it. I read the diary, the bill is checked, and I merely sign it. Therefore the labour is very much less. Of course. The fixed monthly system saves all the bills, and it would save work in the Accountant-General's Office, where they are checked again.

17480. Would they not be less likely to take cases up if they found the first Appellate Authority had issued a certificate of that sort?—Possibly.

17481. Performed any limit upon the Provincial Secretary in the way of appeal?—I should think not on the whole. I would let them to the Government of India.

17482. What would you say with regard to the Subordinate Executive Service?—I should think an appeal to the Lieutenant-Governor would be sufficient. It probably would be dealt with by the head of the Department or, say, the Board of Revenue, and then there would be one appeal to the Local Government.

17483. Have you any experience of touring under the conditions of permanent travelling allowance?—As a Commissioner I have a permanent travelling allowance now.

17484. Have the officers subordinate to you a daily allowance?—They get their mileage or halting allowance.

17485. Does a permanent allowance allow more easily of long-distance prolonged travelling than a daily allowance?—I do not think that to an officer of the rank of a District Office it makes any difference at all; I believe in this province people are generally satisfied with the travelling allowance rules.

17486. Do the daily allowance rules give much more trouble than the permanent allowance rules?—I think not. A Collector sends up his travelling allowance bill, the Commissioner has to countersign it; he is not interested in the details of the bill, but in the diary which accompanies it. I read the diary, the bill is checked, and I merely sign it.

17487. Is there much more trouble in the Collector's office in preparing or checking a daily bill as compared with checking a monthly bill?—There would be no trouble if there was a monthly allowance; the money would be simply drawn and paid.

17488. Therefore the labour is very much less?—Of course. The fixed monthly system saves all the bills, and it would save work in the Accountant-General's Office, where they are checked again.

17489. Then if we are told that it would not save work, would you say that that is inaccurate?—I should think it was inaccurate.

17490. Are the experiments which have been made as to the system of chaukidari panchayats likely to turn out well?—Yes; I have no personal knowledge, but I gather that they are doing well.

17491. Is it the right place on which to concentrate attention as regards local self-government at present?—I am speaking of the chaukidari panchayats. We have submitted proposals to the Government of India to improve the village union committees system, but that is different from the chaukidari panchayats system.

17492. The village union committee system is connected with the District Boards?—Yes.

17493. And that is where you would begin?—I think so. I believe in this province people are generally satisfied with the travelling allowance rules. A Collector sends up his travelling allowance bill, the Commissioner has to countersign it; he is not interested in the details of the bill, but in the diary which accompanies it. I read the diary, the bill is checked, and I merely sign it.

17494. Would you rather begin there than with Advisory Council's in the way of educating the people?—Yes, I should prefer to do so.

17495. Under your scheme of large Commissioner- ships, could you administer the whole province with four Commissioners?—That is a thing that would require a great deal of thinking out; but possibly the Board might disappear.

17496. Do you only refer to the question of language with regard to divisions, and might you have two Commissioners in one linguistic division?—Yes.

17497. Also to Nagar?—Yes. Have you had any experience of touring under the conditions of permanent travelling allowance?—I should think not on the whole. I would let them to the Government of India.

17498. You held the position of Deputy Secretary in the Finance Department for three years?—Yes.

17499. Roughly, what were your duties in that position?—I had charge of the Expenditure and Excise Branches. When a proposal for new expenditure was made it had to be sent up by the head of the Department or, say, the Board of Revenue, and then there would be one appeal to the Local Government.

17500. If you had this system of large Commissioner­ships with great powers, would there still be room for the Board of Revenue?—That is a point which would have to be worked out; possibly there might not; possibly the Board might be done away with, but then we should have to make some arrangement for the Customs and the Imperial Departments, which would require a great deal of thinking out; but possibly the Board might disappear.

17501. Under your scheme of large Commissioner- ships, could you administer the whole province with four Commissioners?—Yes; some Native States have been transferred from Bengal to the Central Provinces.

17502. Would you rather begin there than with Advisory Council's in the way of educating the people?—Yes, I should prefer to do so.

17503. Was your work, apart from excise, principally concerned with financial criticism of administrative schemes coming from other departments?—Yes.

17504. That being so, would it not be rather an advantage to have as Deputy Secretary a man who had considerable administrative experience himself?—Certainly.

17505. Therefore there is no special disadvantage in his having served, say, in the Home Department, or in his own Local Government, or having otherwise got some experience outside mere finance?—Yes, I think so.

17506. Say you it is desirable that there should be a greater flow of officers passing through the Secretariat, might it not be a disadvantage to the Government of India?—I was thinking of a greater flow of officers passing through the Secretariat, to which the Secretary is not accustomed, until he has been at least some months in his Secretariat appointment.—I think so.

17507. An officer appointed, say, as an Under-Secretary or Deputy Secretary to the Government of India, and whose training has been in a particular province, is at first not altogether familiar with his work?—Yes. His full usefulness to the Government of India is not attained, until he has been at least three years should be the time.

17508. Therefore whatever advantage it may be to the provinces to have a rapid flow of officers passing through the Secretariat, might it not be a disadvantage to the Government of India?—I was thinking of a three years' tenure; I did not mean a few months.

17509. You say it is better to have those officers passed through the Secretariat, might it not be a disadvantage to the Government of India?—That was not my meaning; I should think three years should be the time.

17510. Do you think it is better to have a three years rule in the Bengal Secretariat as to the period of Secretariat appointments?—I think not.

17511. Would it be advisable to have a time rule there?—It is probably hardly necessary, because an officer is promoted from the Secretariat to a Commissionership. There is a time rule, I believe, for Under-Secretaries. It is either two or three years.

17512. If a man were appointed as Secretary at a quite junior stage of his career, he might still put in a great many years as Secretary before his turn came for a Commissionership?—Yes.
17513. Do you see any disadvantage in that, and would you apply a rule with regard to Secretaries in Bombay?—I think so, say, three or four years.

17514. You are satisfied, generally speaking, with the existing financial relations between the provincial Government and the Government of India, but you think the Local Governments might have considerably more powers in detail?—That is my opinion.

17515. As Financial Secretary to the Local Government, you deal with the accounts of the Local Governments?—Yes.

17516. You have to send it up to the Government of India?—Yes.

17517. Did the Government of India alter it very much?—No, not very much.

17518. When did they alter it, for what reason was it altered?—So far as I can recollect they cut it down simply because they thought we would not be able to spend as much as we were asking for: it was simply in the interest of accurate estimating.

17519. Did you get a formal assurance in such cases that if there were anticipated savings and it was found that you could spend the money and had it available, you would be permitted to do so?—Yes.

17520. As far as your experience goes were such alterations as the Government of India made justified by actual facts?—I can hardly answer that question, because I only sent in one budget and left in September.

17521. Had you studied any of your predeces- sors' budgets?—I have, and I think, on the whole, the Government of India was correct, and that the Local Government would not have been able to spend up to the amount represented.

17522. It has been represented to us in Madras, that though the Government of India might be quite content with taking a cut in the budget, it gave a great deal of trouble to the provincial Government in distributing the reduction to be made over the various subjects, and you have found that to be so?—No, I have not experienced any trouble, and it could be done relatively easily.

17523. It has been suggested from various sources that the Government of India might be able to relax their control over provincial expenditure more, if all the divided heads were made entirely provincial; do you see any advantage in that?—I cannot see any reason for it; I do not see what advantage would be gained.

17524. One advantage claimed for it was this: at present if you take a divided head the Government of India is concerned with half the expenditure; therefore, in the interests of accurate estimating, with regard to the imperial surplus, it must, if necessary, cut the provincial figures: the advocates of the other plan urge that as the whole of the expenditure is provincial, the Indian Government should not concern themselves about the accuracy of the figures, and need not therefore interfere with them?—I believe the Government of India try to concern themselves with the accuracy of all Government figures.

17525. May I take it in your opinion the imperial and provincial budgets should be exhibited together so that the provincial figures shall form an integral part of the imperial budget?—I think so.

17526. In matters of education and forests, or anything else, you must show the expenditure under each head, otherwise the public would not get an idea of the financial expenditure under the various heads of administration?—Yes.

17527. It has been suggested that the provincial Government might take the whole of its land revenue, say, and hand over the other heads of divided revenue to the Imperial Government—do you see any advantage in that?—I can see no advantage in it at all.

17528. Might there not be some disadvantage in it?—I should think so: I think the Local Government has a great interest in having revenues divided.

17529. Would you take the revenue from excise as an example?—I do not think that is a good example to take, because it is so important a subject from the administrative (apart from the revenue) point of view that the Local Government could never afford to neglect it. Take, for example, customs, which is imperial—I do not think the Local Government takes much interest in customs.

17530. Outside the heads of revenue which are wholly provincial, such as registration, is a system of partnership really best for both sides?—I think so, decidedly.

17531. Would it be an improvement, or would it be necessary in the interests of administrative efficiency, to give Local Governments a share in the customs?—No, because customs is peculiarly a department which can well be administered by the Imperial Government direct. Foreign countries are so largely concerned, that it is very desirable to have a uniform system of treatment, and the customs should be treated at Bombay in the same way as they are treated at Calcutta and other places.

17532. Are you in entire agreement with the Local Government as regards the grant to them generally of larger powers as to salaries, appointments, pensions, travelling and local allowance rules, and so forth?—I have not studied the proposals very closely, but, on the whole, I agree.

17533. Do you think, generally speaking, that the control proposed by the Civil Service Regulations in such matters as travelling allowance is too rigid, and that the Local Governments should have larger powers?—I think so, certainly. For instance, with regard to travelling allowance, that is a small matter which a Local Government ought to be able to administer for itself.

17534. Would you admit the desirability of some general rules or instructions being issued by the Government of India?—Yes, leaving matters of detail to the Local Government.

17535. At present the Accountant-General is entirely independent of the Local Government, and it is his duty to challenge any case in which the Local Government has, as he thinks, exceeded its financial powers?—Yes.

17536. In that case, if the Local Government cannot satisfy him, does the matter go to the Government of India?—Yes.

17537. The same position applies, as between the Government of India itself and the Secretary of State?—Yes.

17538. It has been suggested that in cases of dispute as to the application of some rule under the Civil Service Regulations or some other Financial Code, the Local Government might have power to over-rule the Accountant-General; would that be safe?—Not in a matter of interpretation.

17539. If a Local Government said "We think under this rule we have power to do this," and the Accountant-General said "I do not think you have—you must go to the Government of India," do you think that ought to be preserved?—Yes, but I should, of course, look to the Accountant-General not to strain anything too much.

17540. Do you further regard it as a necessity that the financial powers given to Local Governments and to the Government of India should not be overstepped?—I think so.

17541. Are the present regulations quite satisfactory as between the Local Government and the Audit Department?—They are satisfactory, but the Accountant-General sends up too much. I should like to see him invested with larger discretionary power than he has at present. It is of no value to the Bengal Government to have a memorandum to the effect that Rs. 3 lakhs was wrongly expended four years ago, and asking for an explanation.

17542. You are now speaking, not as between the Local Government and the Audit Department, but as between the Local Government and its own authorities?—No, the Accountant-General sends it up.

17543. But if it is a matter affecting the financial powers of the Local Government, is there any question as to the Local Government overstraining its powers?—No, what I say is that the Accountant-General need not send it up.

17544. In regard to the financial relations between the Local Government and the Government of India in cases where the Accountant-General occasion
obliges you to send up a matter for the sanction of the Government of India, are you satisfied that the Head of the Department does not regard it as a matter which requires the sanction of Government?—I think the less detailed interference the better.

17555. The position at any rate would be materially different as compared with re-appropriation between sub-heads of the same budget.—Yes, materially different.

17556. From your experience in the Government of India Secretariat should you say that the allegation that the Government of India interferes unduly in matters of detail when dealing with provincial schemes of expenditure, is well founded?—I think it detail is touched upon a good deal. 

17557. I am speaking rather of a scheme which has come forward under a financial rule because it involves the creation of an appointment of Rs. 300, for example. That scheme contains a number of other administrative details which, if they stood by themselves, the provincial Government might sanction, but which, if you now have to go up to the Government of India for sanction. Do you think the Government of India interferes unduly in those matters?—I think there is a good deal of truth, to a certain extent, in what the Commissioner said; as to matters which did not require the sanction of the Government of India.

17558. Would you say the Finance Department were special sinners in that respect, or that the other departments were also guilty?—That I can hardly answer; but there is always a greater tendency on the part of the Finance Department, from motives of economy, to go into closer details.

17559. Until quite lately settlements with the provinces were only temporary,—quinquennial—and the basis of the quinquennial settlement was the normal expenditure of the provinces as then existing?—Yes.

17560. Consequently, if a province got a scheme sanctioned during the quinquennial settlement, it might be for this reason alone, that the cost of enquiry, from the point of view of the Government of India, might be just as great as it would be if the scheme was considered a year later, and the next quinquennial settlement came, they might say "This is part of our normal scale of expenditure and therefore you must give us a better settlement?"—So they ought to.

17561. Therefore for that reason might it not be necessary for the Finance Department to look into these details somewhat carefully from the Government of India side of the case?—I think the less detailed interference the better.

17562. Did you in the Expenditure Branch think any local Governments were unduly extravagant in matters of expenditure?—Occasionally schemes came up which were possibly rather extravagant, but I am not convinced now under consideration, and no doubt that is a point which will be considered.

17563. Was there, possibly, any tendency to relax financial rules and Civil Service Regulations, or otherwise, for the benefit of members of the Indian Civil Service or other officials?—Not for the benefit of any particular class of people. But there is a tendency in Local Governments to get for its officers what the officers ought, in their opinion, to get, and I think that is a very proper spirit to exhibit.

17564. Is there any tendency to consider the interests of the officer as against the interests of the taxpayer?—No, I would not put it in that way.

17565. You had a good deal to do with opium work as Deputy Secretary? Was there not a good deal of trouble caused by a provision in the Opium Act, which requires that all Opium Rules should receive the previous sanction of the Governor-General in Council?—Yes.

17566. Do you agree with the opinion expressed by one or two Local Governments that in sections 8 and 13 of the Opium Act the words "subject to the control of the Governor-General in Council" should be substituted for "subject to the previous sanction of the Governor-General in Council," so as to avoid reference to the Government of India on all matters of detail with regard to the Opium Regulations?—Yes, I think the less detailed interference the better.

17567. It has been alleged that the existence of a permanent settlement in Bengal gave the Revenue Officer very little detailed revenue work to do, but one witness contended that assertion, and said, on the contrary, that he had a great deal to do? What is your idea?—Our revenue work now involves a great deal of settlement and land-record work.

17568. Have you settlements in respect to estates under Government management?—Yes.

17569. The last witness stated that there is a certain amount of work with regard to certificates; is a certificate practically the process by which arrears of revenue are collected?—Not arrears of land revenue; these are collected under the Sale Law. Arrears of ceses are realized by the certificate procedure.

17570. That is all rather routine work?—Yes.

17571. Does your chief revenue work simply lie in the direction of settlements, when there is a settlement of a Government estate, and in work connected with land-records?—Yes, and land registration.

17572. You have to deal with a certain amount of work in connection with the partition of estates. Does all that go up to the Board?—Yes.

17573. Is that necessary?—Probably not.

17574. Some of your permanent estates are quite of small size. As to small estates, might not the Collector himself pass orders?—That is a very proper spirit to exhibit.

17575. What is your object in your Expenditure Branch in regard to the Opium Regulations?—Our object is simply to relieve municipal expenditure, and in doing so, I think the less detailed interference the better.

17576. Is there a tendency to relax financial rules and Civil Service Regulations, or otherwise, for the benefit of members of the Indian Civil Service or other officials?—I think the less detailed interference the better.
to be confirmed by the Board of Revenue; I am not sure that that confirmation is necessary, and that it might not be done perhaps by the Commissioner. Unfortunately, I am not prepared to say whether I should prefer that.

17576. Would you prefer a system by which the Collector should make the partition, getting it confirmed by the Commissioner?—I am not prepared to say whether I should prefer that. Without doubt, it should be inclined to leave Government to post Collectors.

17577. Is the headquarter sub-division in direct charge of the Collector, with two or perhaps three sub-divisions in an ordinary district?—Yes.

17578. The Sub-Divisional Officer, who may be a Civilian, is sent there principally for magisterial work?—Yes, I should say chiefly. He does a certain amount of revenue work, which varies in different districts. He also presides over the Local Board.

17579. On the other hand, the largest sub-division of the district is administered by the Collector, who has Deputy Collectors for excise, income-tax, and stamps, and other branches of administration?—Yes.

17580. As you are probably aware, the whole district in Madras is divided into sub-divisions, and there is a Sub-Divisional Officer for each one, the Collector controlling them as the inspecting authority; is there something to be said for that plan?—Yes, I am afraid the Collector has to do so?—Yes, of course he would require more staff.

17581. If you had that system, would it be necessary to have Deputy Collectors concentrated at headquarters? would it not be better to allow each Sub-Divisional Officer to act as a Collector for his sub-division and perform all the branches of administrative work which the Collector has to do?—Yes, but of course he would require more staff.

17582. With regard to income-tax in Bengal, I understand that all the work is centred in the hands of a single Income-tax Deputy Collector. In Madras, on the other hand, the local officer makes his income-tax assessments, subject to the control of the Collector. Would it not be better to have such matters attended to by such an officer who has knowledge of the local area, instead of concentrating it at headquarters?—I should object to that being done.

17583. You speak of the Joint-Magistrate as having disappeared; have you not a certain number of Joint-Magistrates on the cadres?—We have not got them serving in the districts in the way we had in the old days. There was then a Joint-Magistrate who knew the district, but that class of officer has disappeared. In the cold weather now, we get a young officer officiating as Joint-Magistrate for two or three months; then he goes in the hot weather, with the result that he never gets a thorough hold of the district.

17584. Is that not due to the fact that promotion of Collectorships is rather rapid?—The Local Government has expressed its views on the subject; it is rather a detailed question which I am not prepared to answer.

17585. Would you like to see the Commissioner occupying a position rather like that of a Sub-Governor?—In a kind of way, yes.

17586. Apart from language and geographic considerations, if a province was homogeneous, you would still give Commissioners large powers and make them a species of Sub-Governor?—I think I had better confine my remarks to the province I know best—Bengal; I am not sure whether it would be appropriate to other provinces or not.

17587. Apart from that, would you be prepared to give larger powers to Commissioners? would you divide the present budget and give each Commissioner a piece of it to deal with?—I think there is scope for action in that direction.

17588. In the matter of Public Works, for instance, would you give the Commissioner powers of administrative sanction? That would be a useful thing, if he also got allotment of funds.

17589. Would you give him the power of appointing Sub-Deputy Collectors?—I think he might be given such powers.

17590. Would you give him the power of posting members of the Civil and Provincial Services in his own division?—I certainly would give him power as to the Provincial Service, and also as to the Indian Civil Service. In Madras, it seemed reasonable to have fair continuity of service, so either might be entrusted with those powers.

17591. Would you like him to have power to post a Collector, or would you confine him to posting to grades below the Collector?—I think so.

17592. Might the Commissioner have powers, subject to rules laid down by the Local Government, of transferring officers with magisterial powers?—I think so.

17593. And such other special powers as, in the opinion of the Local Government, may be required under the Criminal Procedure Code, of committing to the Sessions, ordering securities for good behaviour, and things of that sort?—Yes, all those are matters which a Commissioner ought to be competent to deal with.

17594. It has been suggested that instead of a number of administration ports on different subjects, such as municipalities, excise, and so on, there should be one comprehensive administration report for a province in which there should be paragraphs dealing with each subject; would that enable the Local Government and the Government of India to get sufficient knowledge of what was passing in regard to particular matters connected with administration?—I should be inclined to think not.

17595. Is not one reason for these administration reports that, apart from the necessity of furnishing information to the higher authorities, it enables an officer's successor to see what has been going on?—Yes.

17596. (Mr. Hibbert.) What, briefly, were the general principles of the provincial financial settlement?—The main change was that a quasi-permanent settlement was effected instead of a five years settlement as before.

17597. Was the object of that?—One object was to give the Local Government a keener interest in administering the details of its departments economically and efficiently.

17598. Would the general idea of the relations between the Government of India and provincial Governments be that the Government of India has to deal with principles and Local Governments have to deal with detail?—Yes, I think so.

17599. You said that with regard to financial matters it was somewhat difficult to carry that idea out because the interpretation of the Financial Codes was a matter which could not be left to Local Government. The application ought to be left; if a question of interpretation arises, then it must go to the Government of India for settlement.

17600. Are you prepared to say that the Civil Service Regulations, for example, lay down certain principles to which, admittedly, from time to time, it is desirable to make exceptions, but that those exceptions should be made, not by the Government of India, but by the Local Government?—I would certainly ask for very free powers for the Local Government to make exceptions.

17601. From your knowledge of the Civil Account Code and the Civil Service Regulations, would you go so far as to say that the power of making exceptions, wherever any such power is granted, should be given to the Local Government and not to the Government of India, that is to say, wherever in the Codes the words occur, "subject to the exceptions to be approved by the Government of India," you would substitute the words, "subject to the exceptions to be made by the Local Government"?—I would not commit myself so absolutely, but as a general principle I should think so.

17602. In the matter of interpretation again, do you get a good deal of detail?—Yes, any important point of principle ought to go to the Supreme Government, but, personally, I would leave as much detail as possible to the Local Government.

17603. Are the estimates of the Bengal Government compiled in the Finance Department?—Yes, upon information sent up by the Accountant-General who constructs it in the first instance, and sends his figures on to the Local Government. The Local Government frames its budget upon that.
17604. Suppose in the course of the year there happen to be a falling off in the revenue, is the Finance Department responsible for bringing that to the notice of the Lieutenant-Governor?—The Financial Secretary certainly would bring it to the notice of the Lieutenant-Governor. He receives monthly statements from the Accountant-General showing how the revenues are coming in and the expenditure going out, and if there was anything abnormal, the Financial Secretary ought to bring it to the notice of the Lieutenant-Governor.

17605. It would be his business to point out to the Lieutenant-Governor, for example, that the revenue was falling so short that there must be curtailment in the expenditure?—Undoubtedly.

17606. Would it be his business to make recommendations as to where a curtailment should be made?—He would have information showing how the expenditure was progressing up to date in the different departments, and he might be in a position to suggest that as a given department, say, receiving an allotment of 20 lakhs, had only spent 5 lakhs in the first seven or eight months of the year, a saving might be effected there. He could point out where he thought a curtailment might be possible, but he could not order it.

17607. Would you, as Secretary in the Finance Department, make recommendations to the Lieutenant-Governor, or would you decide the matter after consulting the various departments?—Such a thing has not actually occurred in my time, but if it had I would have consulted the Heads of Departments and ascertained from them how far a curtailment could have been effected; then I should have put all their views together, and laid the case as completely as I could before the Lieutenant-Governor, and left it to him to decide where any curtailment should be made.

17608. Would Local Government have more power in matters of appointment, travelling allowances, pensions and such things?—Yes, certainly.

17609. But not on larger matters?—I am quite content with the existing principles which govern the relations between the Imperial Government and the Local Government, which I think are good and sound.

17610. Are you quite satisfied that the budget should be passed by the Government of India?—Yes, quite.

17611. Have you been a Commissioner long enough to form an opinion with regard to the character of the work which goes up to the Board of Revenue?—No, I think not. I would rather not express an opinion.

17612. When you were Secretary to the Finance Department did you deal also with municipal affairs? Do you think it advisable to give wider powers to municipalities?—I am not disposed to make any recommendation for giving wider powers to municipalities at present.

17613. Would you allow them more freedom in exercising the powers that municipalities already possess?—Yes.

17614. Would you allow them to exercise their powers without so much Government intervention?—No; I think municipalities require a good deal of control and supervision. I do not think their offices are very well run; there is no good supervision over them. You may have an energetic Chairman, who is good at out-door work, but, speaking generally, the offices are not well supervised, and there is a want of control over their conduct which reflects to a considerable extent on the administration outside.

17615. Would you not be prepared to go so far as to allow them to make up their own budgets without submission to the Government, and without the sanction of the Government?—I would not send them beyond the Commissioner of the division. I think, at present, they do not go beyond the Commissioner.

17616. As Commissioner would you examine the budget very closely?—It is the District Magistrate who examines it closely; I do not think the Commissioner would do so.

17617. Supposing you disagreed with a budget, would you send it back, and would you make them practically agree to what you wanted?—Only in an extreme case; I do not think one would interfere in small matters unnecessarily.

17618. Then the existing power of control is not very wide?—I have never known any municipality object to its budget being examined and criticised; on the whole, they rather like its being so.

17619. Do they like it for the reason that, in the event of anything going wrong, or if there is grumbling at the weight of taxation, they can shift the responsibility?—Yes, I think they would, as it is a very complicated question; at present I think the Local Board is not serving a very useful purpose, and it is a question whether we should take away from the District Board and give to the Local Board, or whether we should do without Local Boards altogether and simply have District Boards and union committees. Some re-distribution is required, but it is not quite settled yet in what direction it should go.

17620. Is it possible to delegate further powers from the District Boards to Local Boards?—That is a very complicated question; at present I think the Local Board is not serving a very useful purpose, and it is a question whether we should take away from the District Board and give to the Local Board, or whether we should do without Local Boards altogether and simply have District Boards and union committees. Some re-distribution is required, but it is not quite settled yet in what direction it should go.

17621. Broadly speaking, is it important that the method of election should be amended?—Yes.

17622. And when that is done, would you be prepared to give Local Boards further powers?—Yes, I think so—that is the intention of the Local Government, and I agree with it.

17623. District Boards have a pretty wide area to deal with, and no member probably knows much about the affairs of it?—I think they are not intimately acquainted with the whole of it.

17624. Are they more likely to be interested in the area of their own Local Board?—Yes; we hope they will be, but at present they are not. There is more life in a District Board.

17625. Is it because Local Boards have no money of their own to deal with?—Yes; they have very little to do with the things that happened at the time when they were not set up.

17626. Would you recommend that they should have a definite portion of the cess to dispose of themselves for educational purposes?—I think you have to deal with conditions that are to be altered; you have to give them the freedom to deal with education—?I would have to commit myself to that; I would like to give them as much freedom as possible, but it is a very difficult question to argue.

17627. You are not prepared to say, then, broadly, that you think they ought to have a definite income of some kind?—No, not unless they were prepared to raise more income by light local taxation.

17628. Supposing the Public Works Cess was handed over to District Boards, would you then be prepared to say they might have a portion of that?—Theoretically I would, but the difficulty then arises who is to spend that money, and what the agency will be. At present you have one District Engineer for a whole district, and if you are going to divide the Road Cess money, or the Public Works Cess money into four separate shares, are you going to have four separate District Engineers?

17629. That objection would not apply to education?—Perhaps not; they might be able to run their own primary education to a large extent, and I should like to see them as free as possible in respect to that.

17630. With regard to authorities subordinate to a Local Board I understand that there are two kinds of organisations; there is a chankidari panchayat and there is also a union committee?—There are two such bodies in existence.

17631. Does the chankidari panchayat merely deal with police matters?—Yes. A union committee is a different thing under the Local Self-Government Act.

17632. Have union committees not been quite successful?—They have not much life as yet, and the Local Government have sent proposals to the Government of India to expand their sphere of usefulness.

17633. If there ought to be expanded?—If there ought to be expanded?—If there ought to be expanded?—If there ought to be expanded, you would do it on the lines of unions of villages or would you make each village an unit by itself?—On the whole a union of villages would be better. You might possibly get one village too small to be a municipality, and quite big enough to be a union of itself.

17634. Would the villagers in one village be interested in the affairs of another village?—On the whole, one would suppose not.

17635. A priori it does not seem likely that a body with more life would be created if it was confined to
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17652. Would you have separate Heads of Departments in those sub-provinces?—No, I think they would not be required.

17653. For instance, there is a Director of Public Instruction for the whole of Bengal; would you allow that Director to control the educational operations in Bihar, or would you allow him only to be an adviser?—Yes, the inspector at present and the inspector would work under the Commissioner's control. The final policy would be laid down by the Lieutenant-Governor after consulting the departmental adviser, and the departmental adviser would tell the Commissioner what to do.

17654. So in the Medical Department and other departments would you have special officers as Heads in the sub-provinces?—Not in the Medical Department, you would not require any one at all there, because you would have your Civil Surgeons for each district.

17655. But who would control the Civil Surgeons?—There is the professional control of the Inspector-General.

17656. Who would pass orders as to transferring them from place to place?—My idea is that if you had a staff allocated to a sub-province, it would be the Commissioner himself. Civil Surgeons are not transferred every day, or at least they ought not to be. With five districts in a division there would be only five Civil Surgeons and a certain number of assistants; the Civil Surgeon would report that he was an assistant and the Commissioner would try to find him one from another district.

17657. You say Heads of Departments should not be allowed to dictate to the Heads of sub-provinces the action to be taken by them, but are there certain matters in which their instructions would have to be carried out by the Heads of sub-provinces?—Yes, they would advise. We should have to see how it worked— it is difficult to say exactly.

17658. If you were to delegate many of the powers now possessed by the Board of Revenue to the Commissioners of divisions, might not the Board of Revenue be curtailed?—That is a question which would have to be examined. "

17659. Is the event of that being the case, would the members of the Board of Revenue be more valuable if they were general colleagues of the Lieutenant-Governor, in revenue as well as in other matters—in fact if they were members of a Council for Bengal?—That is not the scheme I put forward myself; my scheme scarcely fits in with what you suggest. Yours is not a scheme which I could recommend.

17660. With regard to your views as to the duties of Commissioners, might not the object be served if you created Advisory Boards for Commissioners and Delta Officers?—No, I do not think so. I do not quite understand what you mean by an "Advisory Board," or what its functions would be. I say we were discussing Boards and Local Bodies at present, and I do not want to see another Local Body super-impose upon them.

17661. District Boards have certain definite duties to perform under the Act, and if there are other matters in which the Collector wants co-operation, can he go to the District Board under the Act?—The Act does not say that he cannot go to them; he can consult them at a District Board meeting after he has performed, or before he has performed, the business which is on the list. Very often Government sends down and asks the opinion of the District Board which records a formal opinion which is sent to the Government.

17662. When the Government or a Collector wishes for an opinion, is an informal discussion with the members of the Board enough?—I think informal discussion is quite enough, and it is very useful, and it is generally sought by a District Officer or Commissioner.

17663. Are not the sub-inspectors of schools, who used to be servants of the District Boards, now Government servants?—Yes, the change was made about two years ago.

17664. Would you approve of the idea of primary education being managed by the Boards through their own servants as it used to be?—On the whole, I would like to see primary education managed by the Boards of certain authorities as much as possible; that is my general opinion without committing myself to details.

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single villages as far as possible?—It is rather dangerous to theorise, and you must deal with facts as you find them. I hardly think so, although if there were a primary school in the union it is just possible they might have a certain amount to do with it.

17638. (Mr. Dutt.) When is the Bengal budget sent up to the Government of India?—There are three editions of the budget and the final submission is in the beginning of the month of March.

17639. When is the sanction generally received?—It is announced at the end of March, although we know un-officially, or possibly even officially, if any serious change is made.

17640. That budget is discussed in the Bengal Council?—Yes. In April or a fortnight afterwards.

17641. Could the Bengal Government, before sending the budget to the Government of India for sanction, take the opinion of the Bengal Council?—Could the Bengal Government do anything in the way of modifying the budget after getting the sanction of the Government of India?—I cannot answer that question off hand.

17642. Would you prefer such a thing with view to ensuring an opportunity to make modifications of the budget to the Government of India for sanction, to take the opinion of the Bengal Council?—Yes. In April or a fortnight afterwards.

17643. With regard to nominated members sitting on District Boards, is it your opinion that as soon as they are nominated they lose the confidence of their countrymen?—No, that is not my opinion—not absolutely as you state it. I do not see why they should lose the confidence either of their countrymen or the villagers.

17644. How long were you a Collector?—For about four or five years.

17645. Did you find that some of the members of the District Board were doing useful work?—Yes, there were always some members who did good work, and some who were not so much interested.

17646. You would not agree in the opinion that the main object in being elected as members of District Boards was to advertise themselves?—No, speaking generally. No doubt there were cases of the kind, but there were always some members who did good work, and some who were not so much interested.

17647. It is your idea that Sub-Governors or Heads of District Boards was to advertise themselves?—No, that is not my opinion—not absolutely as you state it. I do not see why they should lose the confidence either of their countrymen or the villagers.

17648. Suppose they did not, and that they wished to send a man from another class to represent their interests more effectually, would you prevent them doing so?—Yes, I think they had better send one of their own class.

17649. Suppose they wished to send a man, more able and intelligent, to represent their interests?—I should like to see the contingency really arise before expressing an opinion upon that matter.

17650. As regards your proposal that the whole of the province of Bengal might be divided into four great divisions, is the province practically so divided now, except that there are six divisions instead of four?—I should not say that, because I develop my proposals.

17651. It is your idea that Sub-Governors or Heads of divisions should have Secretaries of their own?—My only reason is a very rough idea, but I should think not. At present the Commissioner has a personal assistant, and he might be able to send one particular assistant, but that is a matter which would require to be thought out. I do not contemplate a regular Secretariat. R
16765. With regard to village panchayats would you like to entrust them with the power of disposing of petty civil and criminal cases?—Mr. A. Ahmad:—Yes. I have 26 years' service. Long experience has shown that the Heads of Departments must be members of the Indian Civil Service. The heads of the Budget Department have decided that this established rule will break up the administration into so many branches without the efficiency of control which is now felt and would elide on all hands. It may be urged that a special Department requires expert opinion and expert knowledge in a particular sphere of opinion. At the same time the control of the department is assumed to be more appropriately left to the villages than to the gur schools. Would not the management of those schools be more appropriately left to the villages than to the gur schools?—Mr. A. Ahmad:—Yes, and in some places they might work in better hands. The number of members elected should be supplemented by local officers of different departments. There are now discussed and settled by the Advisory Council. The actual work in a district will be done by the Executive as now, and if there was a famine or serious scarcity, he would be responsible for looking after that. But if willing villagers could be found they would not be more appropriate agents?—Theoretically; but in practice it is not possible.

(The witness withdrew.)
B. ROYAL COMMISSION UPON DECENTRALIZATION.

Mr. F. W. DUKE was called and examined.

17696. (Chairman.) What is your present position?—I am Officiating Commissioner of Orissa and Superintendent of the Tributary Mahals. During the last three years I have acted as Commissioner in three divisions and also as Additional Commissioner of Patna.

The Orissa Division differs from others in the circumstance that the three districts of Cuttack, Puri and Balsore are for the most part temporarily settled, that the small jungle district of Angul is governed under a Regulation of its own, while Sambalpur added to the division in 1905, is still administered under the Central Provinces and Chota Nagpur in 1905, is still administered under the Central Provinces and Chota Nagpur in 1905, and the new chaukidiari tax, drainage and sanitary taxes and water and school taxes, and they should administer the funds under the control and subject to the approval of the District Advisory Council. No cash will be kept or handled by them, but all sums so recovered will be sent to the treasury which will bank with them. They will form Credit Societies, and that money will be entirely at their disposal with the necessary control. It may also be supplemented from time to time by the funds at the disposal of the District Council. Local Governments. It was that three-fourths of the funds got from the villages to spend in the villages; you would also have three courts civil and criminal powers—Yes. 17691. (Sir Steyning Edgerley.) Your scheme really is to do away with all municipalities and District Boards, and to make them all into one District Council with only the village council below and with the Collector as Chairman? What would be the size of the Council?—I should fix it according to the size of the district; for instance, I have now 200 unions in my district; out of these I should select, say, half for the District Council.

17692. You mean that you would have a hundred members?—Yes. They would meet once a month and do the executive work of the district as the District Board is doing now, only with enlarged powers.

17693. Have you ever seen any body of that size working in India?—No, but I think it is possible; it could be worked. The number is large, but it could be left to Government to be determined according to the requirement of each District and the choice of the people.

17694. (Chairman.) Have you yourself a good knowledge of the vernacular?—Of my own mother tongue, Hindustani, certainly. I can also speak Bengali.

17695. Therefore an Indian, as well as a European, Commissioner or Collector might easily have difficulties with regard to the vernacular?—I have never seen yet any District Officer, whether a European or a native of India, have any difficulty. (The witness withdraws.)

Mr. F. W. DUKE was called and examined.

Mr. A. Ahmad.

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be on a very different footing, and the omission to consider it separately implies a rigidity and want of degree in the relative positions of the Govern­ments. As an instance of the prejudicial effects of the want of independent financial power on the part of the Local Governments I may instance the way in which works of many different classes, particularly agricultural works and those for which local authori­ties are specially charged, and record and other grants administered by the Board of Revenue, are hampered by the Government of India budget system. A work of great importance, let it be mentioned, is not to be suspended on the 31st March, that is to say, exactly at the middle of the season when most important works of construction are in progress. Not many years ago it was very rare to get a new allotment until August, that is, when more than half the working season of the year had expired. The Board of Revenue and the Local Government have in recent years exerted themselves to give provisional grants, and these are now received a good deal earlier. But financial cumbrence results in the provisional grants sometimes being very inadequate, and work is still frequently strangled by this system.

I think that the Government of India has occasion­ally imposed policies on the Government of Bengal in a manner which argues unconsciousness of local conditions coupled with unconsciousness of that ignorance, and disinclination to allow fair weight to the knowledge and experience of local administrators. The corre­spondence between the Governments on the subject of suspensions and remissions of land revenue afforded strong instances of this temper in the Government of India. Bengal officers may, in respect of Government estates and of temporarily-settled tracts, have been under a reluctance to adopt a system of suspension or remission proportionate to the loss of crops, and the authority of the Government of India may have been proceeding on the principle of requiring them to apply a system which had been found beneficial in other provinces. The same can hardly be said of the manner in which the Local Administration was coerced in respect of permanently-settled tracts. The whole weight of opinion in Bengal was against the application of the system to such tracts, and the attitude of the Govern­ment of India might have been thought to indicate an indifference to that opinion, coupled with a consider­able ignorance of permanent settlement conditions in Bengal.

I attribute those administrative reforms of recent years in which I take most interest to the initiative of the provincial Government, and their initiation was largely dependent on financial questions. Many matters, indeed, might, such as better accommo­dation for public offices, the housing of officers, im­provements in local communications, improvements in salaries, the provision of permanent staff, might be mentioned, but the introduction of those and many others, has had to be increased every year. Almost more important, however, than increasing the funds at the disposal of the Government was the provision of a system for remission proportionate to the loss of crops, and the Local Government have in recent years exerted themselves to give provisional grants, and these are now received a good deal earlier. But financial cumbrence results in the provisional grants sometimes being very inadequate, and work is still frequently strangled by this system.

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I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The materials for such Councils do not exist, but there are certain persons whose advice the District Officer ought always to take on matters affecting the people, even when he anticipates its purport and has no intention of following it.

I should not consider it expedient to invest District Boards with powers of supervision and control over small municipalities. There is hardly any community of interest. What is most expedient is to recognize a lower class of municipality with more elementary functions than at present exists, and to withdraw its area entirely from the control of the District Board and to make it self-supporting. In many parts of the country, but particularly in Bihar, there are large villages with populations of 2,000 to 4,000 for which the District Boards can practically do nothing beyond perhaps providing one road through them and a well alongside it. Such villages require a system of municipal government, but a much simpler system than at present exists under the Municipal Act.

I should like from the panchayati system, which at present is only employed for the payment of the chaukiddars and to a small extent for their control, to evolve an organization for the management of sanitation, communications and the settlement of petty cases.

17697. What is the size of the Oriya Division?—Including Native States, it is nearly 42,000 square miles. The Presidency Division (where I have officiated as Commissioner) would be about 10,000 or 12,000 square miles; the population of the Presidency Division is much greater than that of Oriya.

17698. How long would it take you to get to know any one of these divisions with reasonable thoroughness?—I do not think a Commissioner could get to know his division—if he did not already know the districts of it—within less than three or four years.

17699. Therefore to a great extent, through no fault of your own, you were acting as the chief authority in divisions which it was impossible for you to know thoroughly?—Except so far as I had previously been Division Officer.

17700. Is that a good system?—No, I do not think it is a very good system, but divisions are generally to some extent homogeneous, and an officer who has a good knowledge of a typical district, who has been in one district of a division and has a thorough knowledge of it, is not at so great a disadvantage with regard to the other districts.

17701. Is the personal influence of the Commissioner a considerable factor in the government of the division?—I think it is.

17702. If a Divisional Officer cannot tour through his districts, how can he have any personal influence with the inhabitants of those parts of the division which he does not visit?—Of course he visits each of his districts, how can he have any personal influence with the inhabitants of those parts of the division which he does not visit?—Of course he visits each district which you had to administer, which is the important thing?—Yes, but in the present one, where I have been about two years. I makes a point of seeking the acquaintance of the leading people of the division within the second year.

17703. Did you find in each of these divisions which you held for a year, that you did know the principal people of the division at the end of a year?—I have never been a whole year in a division, except in my present one, where I have been about two years. I think, certainly, that I met all the principal men in the division within the second year.

17704. But in the case of your other divisions it was quite impossible for you to do that?—Yes, but in those places I was merely a stop-gap.

17705. But what about the point of view of the division which you had to administer, which is the important thing?—It was no doubt unsatisfactory. The personal influence of the Commissioner is not at so great a disadvantage with regard to the other districts.

17706. As regards acting promotion, I should extend the three months' rule to all vacancies of one season. For all appointments of the local roads in their hands, the roads in which officers whom it was most convenient to take should be granted at present to municipalities and small municipalities. There is hardly any community of interest. There is a great demand for place, perhaps containing a population of 8,000, and the functions of these panchayats should be extended to

other matters, such as, care of village interior roads and pathways, sanitation and the settlement of petty disputes.

In this province at least three principal vernaculars principal training, is now mostly performed in English. As regards promotion, I should extend the three months' rule to all vacancies of one season. For all appointments of the local roads in their hands, the roads in which officers whom it was most convenient to take should be granted at present to municipalities and small municipalities. There is hardly any community of interest. There is a great demand for place, perhaps containing a population of 8,000, and the functions of these panchayats should be extended to

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can get a fresh allotment of funds. Does that difficulty occur now, or is it a difficulty of past days?—It is not entirely removed. Government is at this moment attempting to remove it. I have no experience yet of a sufficient provincial allotment having been given to (though I have to give) works which ought to be carried on, to continue. I had occasion in July last to give local instructions as to how far the difficulty might be met, by getting out what classes of expenditure should be carried on with a provisional allotment, as everything could not go on.

17707. You find that the present system does hamper you considerably?—Up to date we are still hampered. I do not say that it causes loss of money; it causes loss of annual profit, when the works are profitable works, and they are deferred.

17708. To construct a new work have you to bring a great deal of labour to the spot?—I was not thinking of works in which you have much trouble in obtaining labour; I was thinking of local improvements.

17709. There has been already some delegation of powers to Commissioners in Bengal?—A very considerable delegation.

17710. Have you, as a Commissioner, power to delegate to your District Officers?—There are some matters in which by rule I have power to delegate, but as a rule it is not optional to the Commissioner to delegate duties.

17711. In those cases in which you have power, do you exercise that power?—It is difficult for me to give instances; I have done so in some matters in respect to Road Cens.

17712. You have not at all events exercised your full powers of delegation?—I have never refused to exercise any power of delegation that I can think of.

17713. Have you ever on your own initiative exercised any power of delegation? The Commissioner cannot delegate his own powers. He can sanction the delegation of various powers by Collectors to Deputy Collectors, and that is frequently done.

17714. With regard to the Courts of Wards, we had it in evidence yesterday that there was an attempt on the part of the Board of Revenue to take possession unduly frequently of estates, the proprietors or trustees of which would rather have remained outside the operations of the Court of Wards; have you noticed any such tendency in the divisions with which you have been connected?—My opinion is entirely the other way, that there is a reluctance on the part of the Board of Revenue to take possession of estates; but it is quite possible that few estates are taken over without some one opposing it; as a rule, if there are any cases of the kind, it is the proprietors or trustees who are usually advised to oppose it, or they oppose it of their own motion.

17715. Is there an undue desire on the part of the Board of Revenue to take possession of estates?—There is certainly not an undue desire, and I am inclined to think that there is rather an undue reluctance sometimes to take up estates, because they are not considered sufficiently important.

17716. You are not in favour of curtailing the right of appeal?—No, it would be a very unpopular thing to do; I do not think it is necessary.

17717. You think that the appellate authorities are perhaps not very careful to go into the full facts of the cases which come to them on appeal?—My objection is that the complaint of the abuse of appeal is often caused by appeals being taken up unnecessarily, by reason of the fact of examining the appeal and deciding whether there is a primâ facie case not discharged with sufficient care, so that appeals are brought up for a full hearing which might properly have been thrown out on the face of them or after some preliminary examination, instead of compelling both parties to come up and be heard at full length and at a great expense.

17718. You think that a little preliminary care in this respect might reduce the bulk of the work? It might reduce the bulk of the work and it would be better for the parties.

17719. Is the size of the districts generally too large in Bengal?—I do not think so, generally.

17720. If there is an over-press of work would it be best relieved by the increased appointment of Joint-Magistrates?—Except to some of the Sadar sub-divisions.

17721. If far larger powers—certainly all such powers as you give to Collectors and Sub-Divisional Officer could properly exercise—were given, would there still be any necessity of increasing the staff?—If much of their work of the kind that they at present have to do, it would be increased. The staff which I require to be increased is the staff at the bottom, the sub-divisional staff; officers for the Sadar sub-divisions of the districts are very badly required, and that cannot be met by reduction of the staff elsewhere.

17722. If the number of cases which the Divisional Officer and the District Officer could dispose of themselves were increased, would that not greatly reduce the correspondence?—It would reduce ministerial work, both upwards and downwards.

17723. Would not by itself afford the relief which you seek?—It would not relieve the superior staff to any great extent; there would be far more work for disposal by the most numerous portion of the superior staff, that is to say, the Magistrates and Assistant Magistrates, and their work and responsibility would be increased; the actual clerical work of the staff might be reduced.

17724. You might increase a man's responsibility without increasing his work?—Not unless you took away work from him to somewhere else.

17725. You do not suggest any increased power to municipalities or District Boards?—No. Their powers are large enough if they were fully utilized—particularly in the case of municipalities; not so much in the case of District Boards. The municipalities can rarely exercise their powers without increased taxation which they have to impose upon themselves; they are slow to adopt improvements which will lead to a re-assessment of the existing taxes or to the imposition of new taxes, such as a water or lighting rate; they would rather go on as they are than accept fresh burdens.

17726. The municipalities would not, as a matter of fact, use any extended powers which they might have?—That is to some extent the case, or at least there would be reluctance.

17727. With regard to villages, do you suggest that they would probably be incapable of utilizing further powers?—I do not suggest that at all. Although the existing union committees in Bengal have not succeeded very well, some of them have succeeded fairly—still there is always the difficulty about taxation; it is impossible to provide them with any adequate funds without fresh taxation, and if the powers are not discharged with sufficient care, they do not think they would wish to tax themselves; but the village union system might be nursed up and developed, and it is the only chance of establishing real local self-government.

17728. In any movement which was made in that direction, you would desire to begin at the bottom and not with the District Board?—That is my view, that we ought to build up.

17729. (Mr. Meher.) With regard to the Tenancy Act, are not the Regulations in force for Orissa different from those in the rest of the province?—Yes, in many respects.

17730. Is there too great a tendency to apply one law to the whole province?—I do not profess to be specially an expert in the Tenancy Act, because my experience in Bihar was comparatively limited; but I think that the Tenancy Act principles have been applied rather too strenuously and somewhat unfairly to Orissa. I think the Tenancy Act was originally drafted and passed in view of certain conditions existing in Bihar.

17731. Do you refer to the Tenancy Act of 1885?—Yes; some of the principles regulating the relations of landlords and tenants may have been perfectly suitable in Bihar, but were somewhat too stringent for the easier classes that are protected in Orissa.

17732. Speaking generally, your present province is made up of three or four areas which in many respects differ from one another—in language and ethnographically and otherwise?—That is so.
17735. Might it not be better, in passing an Act, not to bring it into force throughout the province at once, but to allow the Lieutenant-Governor to extend it to different portions of the province as he thought fit?—I quite agree. But the Tenancy Act is not applied wholesale to Orissa; it is applied to it piecemeal.

17734. When you introduce any new system of administration, might it not be better, instead of trying to impose a uniform system over the whole province, to give the Lieutenant-Governor power to apply it district by district as he thinks fit?—Most certainly so in this province.

17735. You speak also of certain financial relations between the Imperial and the Local Governments. Are you acquainted with the character of the present financial settlement between the two Governments?—I have very little knowledge of it; but I understand the present settlement, and that it is to some extent permanent.

17736. You say that the Local Government under the old system would not offer to spend money unless it was going to return about 14 per cent. Should the Local Government in laying out money in the public interests always be expecting to get a percentage of profit on the money?—No, I do not say so absolutely, but I think that the Government, with due regard to thrift, should look to a return approximating to the rate at which it can borrow, unless there are very exceptional reasons for foregoing it. Of course, the Government can wait longer for its profits than private individuals.

17737. That would apply to money spent out of borrowings, but in this case the money is spent out of revenue. When you spend money out of revenue, do you propose to apply the same conditions of profit and loss as when you are borrowing from outside?—I do not see that they are essentially different.

17738. You would admit that you have to spend money on police and matters of that sort?—That is part of the necessary business of administration; but if you have to spend money on matters that do bring in a profit, then I think the rate of profit has to be considered.

17739. As regards a variety of matters under the present settlement the whole expenditure is on the Local Government, as to police, education, and so forth; there are also certain heads that are divided, such as forests, excise, and income tax; it has been suggested that it might simplify matters if the Local Government, which administers these Services for the province, took over the whole expenditure upon them; what would be your opinion on such a plan?—It seems to me very difficult to give an opinion without going into the particular case. I think it would hardly be reasonable that the Local Government should take the whole of an expenditure which might be expanding, and only half of the revenue; that is to say, it is a purely temporary feature of the position of expenditure to receipts; if the expansion of half the revenue is not somewhat greater, certain to continue to be greater, than the expansion of expenditure, it is a bad bargain for the Local Government.

17740. Then you would prefer the plan by which the Local and Imperial Governments share the expenditure as also the receipts?—So far as I know anything of the subject, yes.

17741. You are in favour generally of some larger separation of imperial and provincial finance?—On the whole, but I may say that I think the lines of the present settlement, if permanent can be guaranteed, are very reasonable.

17742. You have not thought out any method of improving things?—No. The subjects in which the Local Government ought to be most interested, like excise, forests, and so on, are already sufficiently in its hands.

17743. As regards lapes, you are not quite satisfied with the present system?—What is your idea of remedying it?—I should like to see lapsed budget heads carried on; if any system could be invented by which an unexpended grant could be carried on, so that the work might be continued, it would be extremely valuable.

17744. Is it not possible for the Local Government to do that at this moment?—Suppose they anticipate two or three lakhs of lapes under education, can they not provide for spending it in the next year?—I am not aware of it.

17745. You quote as an instance of undesirable centralization on the part of the Government of India, their interference in the matter of remission in permanently settled estates?—Yes, I thought the orders of the Government of India did not sufficiently take into consideration local experience. I understand the Government of Bengal was required to prepare regular rules for remission in permanently settled estates.

17746. Are permanently settled estates entitled to any remission at all?—No.

17747. Was not one of the main conditions of the Permanent Settlement that the settlement was to be permanent?—I understand that that is so.

17748. And I understand that the Government of India said, "Nevertheless we are willing to allow remission as a matter of grace in certain cases provided the zamindar does not pocket the money himself but hands it to his tenants." What do you object to in that?—What I object to is not that, but that it should have been confined to remissions in cases of necessity. The local Government in Bengal, it was extremely unlikely that such cases would arise, and when one did arise it might very well have been dealt with as it stood.

17750. You are in favour of larger powers to the Commissioner and Collector in regard to suspensions and remissions of revenue?—I merely mentioned what seemed to be a defect in some of the new rules. I referred to temporarily settled estates.

17751. Are not those restrictions imposed by the Local Government itself?—The rules must have been drawn up by the Local Government and approved by the Government of India.

17752. Was there anything to prevent the Local Government giving a free hand to subordinate authorities if it chose?—Nothing, so far as I know.

17753. As regards remissions, you cannot give any without reference to the Board of Revenue?—That is so.

17754. Is that not rather undue centralization?—It does not seem to me a matter of very great importance, because there is time to consider the matter of remission once the money has been granted and afforded immediate relief, and there is time to consider the matter of course. Of course it would be a decent measure of decentralization to allow remissions to be granted to a certain extent by the local authority.

17755. We have it that some of these estates are extremely small?—They are of all sizes.

17756. You might conceive the case of a remission of Rs. 5; is it necessary to carry that up to the Board of Revenue?—I think not, but I take it the Board of Revenue would sanction the submission for remission in one list; they might have a remission of Rs. 10.

17757. Might not the Commissioner, at any rate, have some discretion in such matters in temporarily settled estates?—Certainly.

17758. You consider that as regards the initiation of reforms the credit is generally due to the Local Government?—Take for instance the four matters of excise, education, police, and agriculture; with regard to those there has been a considerable reform of late years on the initiative of the Government of India?—Yes.

17759. You speak of that portion of the Public Works Cess which was allotted by the Imperial Government to the Local Government. Surely the Public Works Cess is a local cess of which the Local Government has always had the entire control, at any rate for

17763. Mr. F. W. 

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many years past?—I may be wrong, but I understood
that the authority of the Government of India was
desired in some ways, but the patronage of the Local
authorities has a very strong claim on Government.

Mr. F however gets a cess of one anna in the rupee on the rental
of land; here in Bengal it only gets half an anna, the provincial Government taking the other half.

Would be in favour of a system of giving the District Board the whole anna?—If the provincial charges for Public Works could be met out of other revenue.

Would you give the Commissioner power to appoint Sub-Deputy Collectors?—It would be very desirable in some ways, but the patronage of the Local Government has also to be considered.

You think the Commissioner might be likely to abuse his patronage?—I will not put it in that way, but I will put it that there is patronage which ought to be exercised by the Local Government, and there might be a system which would not easily come under the cognizance of Divisional Officers. I will mention a case I have in view. For instance, the sons of old officers in the Subordinate Service, the Provincial Service and other Subordinate Services; these men are shifted about from one division or district to another and lose local influence. They are strange nobody at home, although they have rendered very good service, they have no special claim on any one division, but they have a very strong claim on Government.

You think Government should keep some appointments in its own hands at any rate?—Yes.

Another witness told us that he was in favour of giving the Commissioner the power of posting Deputy Collectors and Municiplains over any Division; are you in favour of that?—Yes.

And that the Commissioner should similarly have power to invest with magisterial powers and other special powers given under the Code?—Yes. Who might be appointed Sub-Deputy Collectors?—I should describe them as specialists. Apart from this, there is the whole question of giving the Commissioner power to appoint Sub-Deputy Collectors.

And with regard to the creation of small permanent appointments, would you go so far as that?—That might permanently affect the budget. Perhaps it might be done under very restricted financial limits.

As regards the district system, you are strongly in favour of a special officer for the headquarters sub-division?—Would you further and employ some of these Deputy Collectors who are now concentrated at district headquarters in territorial charges, instead of having Special Deputy Collectors for income-tax, stamps and so forth?—That is to say making them Sub-divisional or Territorial Officers; I am afraid their functions are different; I should not be in favour of that with regard to certain departments, particularly with regard to excise; excise I think requires a specialist.

As regards excise, is it not intended to replace the Excise Deputy Collector by a special Excise Officer?—The proposal has been made; I do not know how it stands at present; at all events, that is the withdrawal of one officer for that purpose.

At any rate you admit that excise is so much a special department that it ought to have a special assessment officer or a Deputy Collector or not?—Just so; I should think, too, that land acquisition is on that footing.

Might the local officer take up local work?—It is a very technical matter in towns; in petty areas they do it sometimes.

Against unnecessary transfers. While it may be desirable that a man should spend a good time in his own district, is it not possible that he might spend too much time in his district?—No doubt; occasions arise when it is desirable for local reason to transfer him over the 25 per cent., which has been allocated for expenditure by district authorities.

Would you be in favour of making the whole of the Public Works Cess over to the District Boards?—The Public Works Cess was imposed for Public Works, and I assume that means must be taken to provide for those Public Works which can only be managed by the Local Government.

In other provinces the District Board generally gets a cess of one anna in the rupee on the rental of the land; here in Bengal it only gets half an anna, the provincial Government taking the other half. Would you be in favour of a system of giving the District Board the whole anna?—If the provincial charges for Public Works could be met out of other revenue.

17776. You suggest that officers should have a discretion in the grant given them from which they could spend too much time in his district?—No doubt; occasions arise when it is desirable for local reason to transfer him over the 25 per cent., which has been allocated for expenditure by district authorities.

17777. Is it not possible that an officer may spend so long a time in a district as to get his personal likes and dislikes, and that clerks and others can find out his special weaknesses?—I have known such cases.

17776. Has not the chaukidari system been recently improved, the police having been dissociated with it?—As far as one can tell; it is still experimental.

17777. In Orissa you have true villages?—You mean the learned gentleman's villages instead of villages scattered all over the country; that is so; the villages are fairly concentrated.

17778. Your chaukidari union is rather an artificial group?—It is.

17779. In Orissa might one work on a natural village?—I am inclined to think that in the great majority of cases in Orissa the villages would be too small, and would not provide sufficient qualified men for a panchayat, so that it is necessary to group several villages in order to get men of decent standing and weight; it depends on the actual size of the village; but the Orissa villages are generally too small.

17780. Are some of your small municipalities real villages?—There are some very small.

17781. You are against putting the municipalities under the District Board as a rule? Would that apply to these semi-rural municipalities?—I think it would; I do not think that the machinery of the District Board is calculated to take that kind of detailed local interest which is required in villages.

17782. We have had it put to us by several non-official witnesses that it would be desirable to dissociate the Collector from the Chairmanship of the District Board; would that be advisable?—My impression is that the Collector really in many cases, if not in all, does most of the executive work of the District Board. In some districts there are excellent Vice-Chairmen who take the great burden off the Chairman of doing all the routine and some of the important work. I am not prepared to lay down a rule.

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17783. You are generally prepared to say that it would be an advantage or otherwise to keep the Collector outside altogether and say, "You are not to attend the meetings; you are to have nothing to do with the District Boards except possibly as an instrument of outside control"?—I think there would be a definite advantage in definitely laying down that the Collector ought not to be associated with the District Board; it is quite possible that experiments might be made and Boards might be found in which a non-official Chairman might succeed in running the Board and doing it as well as, or better than, a Collector does it; but I do not think it can be said that is the general rule.

17784. (Sir Seavig Edgerley.) As a matter of general policy, you would keep the Collector in touch with the District Board?—As a matter of general policy.

17785. As regards your budget, how early in the year do you know what money you will have to spend; do you know by the end of May?—It varies with different allotments. I think in most cases we do.

17786. We may take it that you know it about the 1st June?—Yes; we do not always get actual orders for allotment from the Board; we know that the Board has so much for disposal, but we have again to wait for the Board's allotments; some of them are later than May.

17787. Is it not a matter of practical administrative importance to have that information as early in the year as possible? If, therefore, the Local Government has so much for disposal, we have again to wait for the Board's allotments; some of them are later than May.

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17789. You suggest that officers should have a discretionary grant given them from which they could...
spend upon any particular pressing matters which they considered it desirable to undertake. Do you think it would be safe to put money under their control in that way without post-audit?—Not large sums.

17791. You suggest localising promotion and taking whoever may be nearest on the spot within certain areas. Do you think the general policy would be necessary to do anything to compensate seniors?—Yes; it is practically a nine months' vacancy—March to December.

17792. That would occasionally deprive the next man in the district of his promotion and put him out of pocket for nine months?—For that year certainly. That might be neglected.

17793. Do you think anything of the suggestion that in such a case the provisions of a seniority claim which, for the purposes of public convenience, it is undesirable to fully act on?—I would rather avoid the recognition of a claim of seniority in officiating appointments.

17795. You say that you would like something simpler sometimes than anything you have got under your present Municipal Act. Have you the Act which allows sanitary committees to be formed?—I think that is a proposal in the amendment of the District Boards Act. We had a lower class of municipality under the old Municipal Act before the Act of 1885.

17796. (Sir Frederic Leloy.) Has that the connection of Orissa and Bengal been injurious to Orissa?—I do not think it has been injurious to Orissa; it may have been a rather neglected part of the province, but I cannot conceive any arrangement under which it would not be more neglected. It is most negligently united to Bengal, and more easily administered from Bengal than from Madras or the Central Provinces.

17797. Has it been anything more than neglected; has the administration of Orissa been unsuitable in consequence of its connection with Bengal?—I would not commit myself to any such general statement. I think that sufficient attention has not been paid to Orissa questions, because so few people are familiar with them. I have already said that I think perhaps some of the Bengal Tenancy Act provisions which were not entirely suitable to Orissa have been imposed upon it when it would have been more desirable that they should have been modified.

17798. What do you say about the law on partitions as being unsuitable to the conditions of Orissa?—I cannot say that I see the unsuitability. I have passed a large number of partitions, and on the whole they go through more easily and with less contention than in Bihar. When there is trouble it is usually due to the very inferior quality of the Orissa officers; the latter are inferior to Bengal officers, and more inclined to make meddles in their work, but I do not see any inherent unsuitability in the Partition Act.

17799. Generally speaking, Bengal is a zamindari province, and Orissa has altogether a different system of land tenure?—The great difference is in the temporary settlement in Orissa.

17800. Has there not been a tendency to form Orissa into the mould of Bengal?—That is too indefinite a question for me to reply to. Officers who have no experience of Orissa are at a great disadvantage when they first go there; it takes some time to learn the conditions.

17801. Have most men who serve in Orissa passed their novitiate in Bengal?—Nearly all who are there at present have been backwards and forwards; those who have not are at the border.

17802. Is it a popular province amongst Government officers?—It is fairly popular; the Government regard the district, and they have always sent the best officers; there are some exceptions.

17803. It has often been proposed that the Commissioner should be made into some sort of Sub-Governor. Would it not be too much money under their control in that way without post-audit?—Not large sums. Would it not be safe to put much money under their control which money could be included in the budget?—Yes; in the matter of appeals, if his precedents are properly kept, I think they are followed. For instance, in Bihar, the precedents were well kept, and it was perfectly well known what the Commissioner's action would be with regard to particular questions which had already been dealt with. If that were the general policy would it be undesirable to fully act on?—I would rather avoid the recognition of a claim of seniority in officiating appointments.

17805. Even in those matters in which he gives orders he does not deal with such high matters?—In the matter of appeals, if his precedents are properly kept, I think they are followed. For instance, in Bihar, the precedents were well kept, and it was perfectly well known what the Commissioner's action would be with regard to particular questions which had already been dealt with. If that were the general policy would it be undesirable to fully act on?—I would rather avoid the recognition of a claim of seniority in officiating appointments.

17806. If the Commissioner is endowed with powers more approaching to those of a Sub-Governor, he might have the power to delegate by an executive order any of its statutory powers to Commissioners or Collectors?—Yes; that was partly my meaning.

17807. Possible a man from the Civil Service?—Yes. I should not like to undertake very much greater powers without a strengthening of the personal staff.

17808. To take the place, more or less, of the permanent Secretariat of Government?—More or less.

17809. (Mr. Dutt.) You have told us that you think that a general Act of delegation would be useful. Is it your opinion that by a general Act the Government of Bengal, for instance, would, after the passing of such an Act, have the power to delegate by an executive order any of its statutory powers to Commissioners or Collectors?—Yes; that was partly my meaning.

17810. Supposing the power of sanctioning taxation is vested by a particular Act in the Bengal Government, would that be a popular measure?—I do not think that anything that would make taxation more heavy could possibly be popular.

17811. But with regard to the transfer of that power by executive order—would the people approve of that?—I can hardly answer the question. I think the people would object to taxation wherever it came from.

17812. Supposing it was intended to transfer the power from the hands of Government to the hands of the Commissioner or of the Collector, would it be a better plan of doing so by an amending Act after full debate in Council?—You mean amending the particular measure; it would be the more popular plan.

17813. Has the Commissioner now sufficient control over police matters and the general working of the police?—There have been some changes in reference to departmental appeals; they are recent, and I have not been able to form a final opinion upon them. I am inclined to think that they are not entirely satisfactory—that the Commissioner has been dissociated from appeals. In the same way, as the result of discussion that took place a little more than a year ago, the reporting of special crime, heinous crime, was altered. Reports of certain cases do not come to the Commissioner now; in other cases reports are only given if they are specially asked for. I was not much in favour of that change when it was made, but I am not able to say that I have seen any deleterious results from it.

17814. Generally speaking, ought the Commissioner to be in fairly close touch with police work, so as to be able to control that work?—Certainly.

17815. What is your opinion about the Commissioner's powers with regard to Public Works executed in his own division?—At present, he is consulted as to the order of priority, but I do not know exactly what weight is given to his decisions. It takes so long to carry out works after they are recommended...
that one does not see; but the Commissioner's voice ought to have great weight as to the order in which work is taken up, with certain classes of work as to whether they are taken up at all. It should not be altogether left to departmental decision.

1751. With regard to delegation, would you delegate some powers from the District Officer to the Sub-Divisional Officer?—Yes, I should be inclined to delegate a good many powers that are now exercised solely by the District Officer to the Sub-Divisional Officer, and I should like that the delegation of certain powers might be more distinctly recognised than it is. I mean that you might set up a Deputy Public or, I do not think that they often do.

1751. What sort of increase would you suggest?—The present limit of work is Rs. 2,500; that might be doubled or trebled; that would cover most minor institutions; it is one which are of too high a grade to deal with such matters.

1781. Following upon that, would you like to have a smaller number?—Yes. I think that Madras, Bengal districts are top-heavy—that there is not a sufficient number of lower officers at the bottom; do you agree with that view?—I think we do not provide sufficient authorities sufficiently close to the people for the decision of petty matters. They have to take petty matters, which are very difficult to delegate, of which are not in the province of a good many of the District Officers. I do not quite regard the Sub-Deputy Commissioner as the class of public servants of the District Board before?—Yes.

1782. Are Deputy Commissioners generally efficient and able officers?—As large a proportion as could be expected.

1783. How are they now appointed?—To the service of the Government first, and then to the service of the District Board.

1784. Is that an improvement on the old system?—I think it is.

1785. How are they now appointed?—To the service of the Government first, and then to the service of the District Board. Usually they may be transferred to the Local Boards.

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1787. (Mr. Hicken.) I understand your view to be that in regard to technical subjects like Public Works and police, and so forth, the Commissioner should be fully consulted and have ample opportunity of expressing his opinion, but that he should not be given executive power.—In the case of a difference of opinion between the Commissioner and the departmental authority I think the Government should decide.
ROYAL COMMISSION UPON DECENTRALIZATION.

Dr. Andrew Campbell was called and examined.

17388. (Chairman.) You are a Missionary?—Yes. I live in the Chota Nagpur Division. I have been in India for thirty years. I know a great deal about the languages of the people. There are many languages spoken in the Chota Nagpur Division, in which I have resided for a period of 35 years.

Executive officers of the Chota Nagpur Division have very limited opportunities for becoming acquainted with the people. The three main reasons for this are: (1) the language barrier; (2) ignorance of the languages of the people; (3) too much routine office work.

The only province on the languages and dialects of which officers are expected to pass an examination is the Division to which they are appointed. The result was that, owing to the restricted area in which their work was confined, they knew the people better than is possible for Executive Officers of to-day. From among the Sub-Divisional Officers who have been in the Division for the last 30 years, the one man who is remembered to-day was the last of the Commission men. There is hardly a village in the sub-division with a population of 2,000 or more, to which officers might be sent. It is possible for Executive Officers of to-day to get a true picture of the Division, to be in quest of game, or to make a local investigation into some land dispute, or to mediate in a quarrel, and in such circumstances they can give to anyone is to say that he resembles Mackenzie Sahib. The Commissioner who has left his mark more permanently on the Division was the last of his Service to occupy that position. He ruled the division for more than a quarter of a century, and was intimately acquainted with the customs and languages of many tribes and castes.

Two of the cases of the Executive Officers was the case of the Executive Officer in Bihar who knows only the Hindi and Bengali languages is very poorly attended to by the Division. He is remembered to-day as to be utterly unintelligible to the speakers. A rule of the Executive Officer is performed. It is not now, as it once was, absolutely necessary for a Magistrate to be acquainted with the custom and languages of a part of the country in which he is located. Officers should be kept within certain language areas, and Government should do all that is possible to encourage its officers to acquire these village dialects.

As regards office work, I have been impressed by the fact that one and all are overworked. It is during the period he serves as an Assistant Magistrate or as a Sub-Divisional Officer that the Executive Officer is either made or marred. The work required from the Sub-Divisional Officer is ever increasing, and he is bound by stricter rules than he used to be. He has very little spare time that he can utilise in studying and becoming acquainted with the people. A District Magistrate of my acquaintance has informed me that even when out in camp he has no less than four hundred hard brain-work a day, and when at headquarters this will be at least doubled.

Officers are transferred far too frequently, and this fact is so notorious that it hardly calls for proof. If the Executive Officer were like a Bank clerk, or even a Bank manager, it would not matter how often he were transferred from one appointment to another, or from one province to another, but when his efficiency depends so much upon his local knowledge, frequent transfers injuriously affect the administration of the country.

Larger powers should be granted to Local Boards. The Local Board of which I have had experience is not allowed to exercise the initiative in any matter. The programme and estimates of the works of the Board are sent to it through the office of the District Board, and all that the Local Board has to do is to carry them out. A Local Board may be safely trusted with the same powers in its own sphere as a District Board, and there is no reason why it should not be permitted to take the initiative in all local matters.

Men ought to be retained as far as possible in one language area. No notice is taken of the village dialects by Government, and no steps are taken to ensure that its officers acquire a working knowledge of them. This in Bihar and in Bengal the recognized dialects are spoken, and an Executive Officer in Bihar who knows only the Hindi and Bengali languages is very poorly attended to by the Division. He is remembered to-day as to be utterly unintelligible to the speakers. A rule of the Executive Officer is performed. It is not now, as it once was, absolutely necessary for a Magistrate to be acquainted with the custom and languages of a part of the country in which he is located. Officers should be kept within certain language areas, and Government should do all that is possible to encourage its officers to acquire these village dialects.

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Men are averse to going from 10 to 20 miles merely to sanction a few contracts for a hundred rupees or so each. A Local Board should be entrusted with the framing of its annual programme of works, and with the ordinary village, no mutual understanding is possible. The teaching in English education has been pushed through, and Indian gentlemen are generally pushed through, and Indian gentlemen are not valued by Indian gentlemen. But it is the reverse with regard to education, and if Local Boards were made responsible for it, there would be no lack of well-qualified men ready to serve on them. The education of the sub-division should be controlled by the Local Board. The amount of money to which the sub-division might be entitled should be made over to it, and it should be untrammelled in its expenditure of it, so long as it did not deviate from the lines laid down by the District Board. Village sanitation might also, very advantageously, be committed to Local Boards, and more particularly the water-supply of the villages.

They might work through village panchayats and the village school-master, and introduce modern ideas with regard to sanitary surroundings.

I am not in favour of Advisory Councils to assist Divisional or District Officers, because the reason why all such Councils are not valued by Indian gentlemen. The ideas which control the administration of India to-day are much too advanced for the Indian country gentleman or zamindar. When any matter is considered ripe for official action, it is generally pushed through, and the Indian gentleman is not aware of this, and also that their objections will have little weight when once the Government has made...
The Government of India is radical, and it is too much to expect that men with any self-respect would agree to become members of a Council, simply to say ditto to the presiding Executive Officer, or to have their opinions passed unheeded.

Dr. Campbell, in my opinion, be productive of much good. Under present conditions the members should be appointed by the Local Government, and the Council should be made responsible for such matters as the Government is prepared to see managed on native lines. If the members of these Councils be such that, in some measure, controlled their policy, they would, in my opinion, rise to the occasion, and membership would be regarded as an honour to be eagerly sought after. Much that an Administrative Council might do would be regarded by Englishmen as retrograde, but it is quite probable that many that Banyans have done has failed to commend itself to the Indian mind, and it might be an improvement if suggestions and modifications put forward by Indians were given effect to.

It is both desirable and possible to give village communities greater power in the disposal of local affairs. This is the first thing to be done is to take steps to conserve the office of village headman. Not so many years ago every village had its headman, who was responsible for the first charge of rent, crowds, cesses, etc. and was charged with the general welfare of the village. The hereditary headman acts as judge, arbitrator and adviser in matters that arise, and, as a rule, his good offices are appreciated. In complicated cases or where one party to the dispute is an inhabitant of another village, two or more village headmen may be associated in effecting a settlement of the dispute. Petty criminal and civil cases could be very advantageously committed to village panchayats for trial and settlement. Petty civil disputes cost the villagers an enormous sum of money annually. Twenty years ago civil suits were conducted by mukhtears who only knew the vernacular, and then charges were reasonable, but now, in some rural courts at least, only High Court lawyers are allowed to plead. Their charges are much higher than those of the mukhtears, and, owing to adjournments, costs are run up to a high figure. Disputes regarding claims to land among the inhabitants of a village could be more satisfactorily settled by a village panchayat than by a Civil Court. Matrimonial cases, which are now finding their way into the Courts in much larger number than formerly, should all be within the jurisdiction of village panchayats. Petty criminal cases should also be within the power of village panchayats to try. In the average village there is comparatively little crime of a heinous nature. Police cases are not numerous. The most common criminal complaints refer to trespassing on another's land and cultivating it, ploughing up seedlings which another has sown, booting standing crops, assault and forcible rescue of cattle found trespassing. Such cases as these should be triable by a village panchayat. If money lenders are not made in the village, the circumstances of those who pay the tax is picked up as best it may, with the result that the tax is most unequal in its incidence, and in many instances presses too heavily on the poorer house-holders. A village panchayat was in possession of all the information necessary to levy the tax fairly and justly. The chankidar or village watchman should become, as he formerly was, the servant of the village. Of late the tendency has been to make him too much a policeman, and, in so far as this has been effected, his usefulness to the people as their watchman has been interfered with. He is now rather the master of the village than its servant.

Before the introduction of the Bengal Chaukidari Act into that part of Chota Nagpur with which I am best acquainted, chankidars were rewarded for their services in kind. As each different crop was harvested, the chankidar called for his due, and it was to his own interest not to neglect his duty, as should he do so, the gift made to him would be less liberal than it would otherwise have been. Now, however, he receives his monthly pay at the thana, and is independent of the opinion of the villagers who pay him his salary. The Act provides for a regular monthly pay to the thana. It is much higher than formerly, being paid to the village watchman. In sparsely populated tracts, this sum can only be raised by giving him a tead of three or four villages, or hamlets, often a mile or more distant from each other. It is quite impossible for him to do justice to all these villages, at least in the manner the villagers require him to do. He can meet the demands of the police duties by appearing periodically at the thana, and giving in his report of births, deaths, etc., but it is not possible for him to do what is expected from the villagewatchman. The requirements of the villagers, which are really the first call upon a village watchman, would be far more efficiently met, if the chankidar was the village servant, and reports required by Government need not be neglected. The village panchayat should be responsible for all reports required by Government, and the chankidar would be the medium of communication between the panchayat and the police.
ROYAL COMMISSION UPON DECENTRALIZATION.

17842. Is there any disinclination on the part of the District Officers to mingle with the people?—I do not think so.

17843. Is the converse accurate, that the people are unwilling to mix with the District Officer?—They are not unwilling, but the officer has a great deal to do and is not covering with the people; I have known cases in which they have had to do it through an interpreter; when that is the case it is always successful.

17844. In the very district where the language difficulty is most acute, are the people most unwilling to take advantage of the presence of the Executive Officer, because they are not so accustomed to intercourse with a European and they have some fear of him?—Yes, I think so. They have no fear of him.

17845. No fear at all?—I do not think so as a rule; that depends very much on how the District Officer approaches them. If he could speak to them in their own language there would be no difficulty whatever.

17846. The Government of India is in the habit of giving pecuniary rewards to officers who pass tests in languages which you speak of, mostly written?—Yes, most of them are.

17847. Have you ever been a member of a Local Board?—I have been a member of the Local Board since its institution; before I was a member of the Road Cess Committee in the Maibhum district.

17848. Could you, as a member of the Board, take any active part in the administration of the district?—Not very well. It was very difficult for me to attend all the meetings regularly.

17849. Were the other members of the Board anxious to take part in the administration of the district?—I think so, but there is always this difficulty; if you have an official at the head, the non-official members do not take much part in the work.

17850. Does not the district cover a wide area? Would it be possible to find a non-official who could give up the time to come a great distance from his home in order to preside at the meetings of the Board?—I hardly think so in the districts with which I am acquainted. I do not see how you could do otherwise than keep the present arrangement. The members live far apart, and we know very little of the details of their work; we are called together and we meet, and the estimates are laid out before us and we pass them, and pass the budget, but we really know nothing of how it is made up.

17851. Would the creation of sub-committees help to interest members in their work and increase their responsibility generally?—There are sub-committees; we have one for Public Works and another for Education.

17852. Is the Chairman of the District Board always Chairman of the sub-committee?—I think so.

17853. Would it be possible, while keeping the Collector as Chairman of the District Board, to have non-official Chairmen of these Committees?—I think it would. There would be this advantage, that because the Collector is the chief officer of a district, men, especially natives, do not readily express their opinion in his presence if it is adverse to what they think his is.

17854. Out of the communities which now exist in the villages, could you form something like a Council for the purpose of trying petty criminal and civil cases?—I have no doubt of it.

17855. And perhaps managing the village school?—They used to manage the village school some time ago, but that has been given up. I hear they are going to revive it again; each school has a committee who are responsible for the children attending the school, and responsible for the collection of the fees, but these committees have fallen into disuse, and the deputy-inspector informed me that he was thinking of recalling them into existence. I think it would be wise to do so. These men consider it an honour; it introduces a new word into the language, “member”; they were always telling you that they were “members.”

17856. As a matter of fact is there at present some sort of informal tribunal in all the villages?—In most of the villages. In the Santali villages you have the regular village organisation, beginning with the Chief and his assistant, and the priest and the messenger and then you have also a censor of the morals of the villagers; there is something of the same kind in all the other villages, but the tendency has been of late to give the ijuras generally held by the headman, to an outsider. The zamindar gives it to a European.

17857. If Government revived the panchayats system would that be any protection against this disintegration of which you speak?—Yes. I use the panchayats largely myself, and I find they do very good work. I am an Honorary Magistrate, and in cases which can be compromised, I advise the parties to lay the matter before a panchayat; the panchayat meets outside my office and they generally settle matters more satisfactorily than I could myself; I find these men generally are honest and fair in their decisions.

17858. Then there really is some sub-stratum upon which a satisfactory edifice of local self-government could be built, so long as the panchayat is not of too large and important a character? It might be the management of village schools, some trilling sanitary petitions and petty civil and criminal cases and things of that sort?—Yes. I would not go further than that; I would make some change probably with regard to the chakijadi administration; that is the tax which presses most hardly on the people.

17859. (Sir Dutt.) Would you entrust the Local Boards with the execution of all small roads within their areas?—The Local Board ought to have the allotment and have the power to apportion it as it thought fit. It has the services of the District Board Engineer.

17860. Would the Local Board pass the estimate, and then direct the District Board Engineer to look after the construction of the road?—Yes; at present there are certain roads which are under the control of the District Board, and certain roads which are under the control of the Local Board. As regards the roads under the Local Board, the money which is spent on them should be allotted by the Local Board.

17861. Should the Administrative Councils be under the supervision of the Collector of the district?—I think so; he should be Chairman. Whatever was done would be done by the majority—vote of the members. They could do some useful work in that way. My feeling is that unless men have some real power they will not go to such meetings; they simply go now and say “yes” or “no.”

17862. Would you recommend the creation of small village panchayats in all villages in the district?—I think so; it ought to be in circles of villages. There is only one influential man generally in a village, and with a group of villages you would get three or four or five of that class of man.

17863. Would you entrust civil and criminal powers to the headman or to these men collectively?—To these men collectively.

17864. In small cases would you have the decisions final or appealable?—I would not have them appealable.

17865. (Sir Steving Edgeley.) As regards the officer whom you examined in Santal, how long had he been in a Santali-speaking district?—I cannot say. I think about two or three years.

17866. Might he not have been at the end of a long period of service which enabled him to become familiar with the language, and have taken the reward, because, as a result of long residence, he was perfectly able to take it?—No; I do not think the man expected to be given up the time to come a great distance from his home in order to preside at the meetings of the Board.

17867. Would you entrust the Local Boards with the execution of all small roads within their areas?—The Local Board ought to have the allotment and have the power to apportion it as it thought fit. It has the services of the District Board Engineer.

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17869. In small cases would you have the decisions final or appealable?—I would not have them appealable.

17870. (Sir Frederic Lely.) Are these dialects, which you speak of, mostly written?—Yes, most of them are.

17871. Would you have an examination in Bengali, with an examination extending to these dialects?—Men should be allowed to study and pass a colloquial
17872. You say that if an official is at the head of the District Board, the people will not take an independent part in the business; does it not very much depend on the official?—I hardly think so. The Government generally have made up their minds to certain things; for instance, with regard to these District Boards, the Government generally make up their mind to a certain line of action, and they expect the Collector to carry it out.

17873. You speak of the chaukidars, who were formerly recompensed in kind and now receive a monthly pay; would you advocate returning to payment in kind?—Would not it be difficult?—It would not be difficult. I fancy the villagers would like it. Money is so very scarce, the tax is collected at long intervals, and it is very hard for a man at times to pay up so many annas; they prefer payment in kind. If the village chaukidar was given a piece of land as remuneration that would be best of all.

Adjourned.

TWENTY-SIXTH DAY.

CALCUTTA, Saturday, January 4th, 1908.

PRESENT:

C. E. H. HORNHOUSE, Esq., M.P., Under-Secretary of State for India, Chairman.

W. S. MEYER, Esq., C.I.E., I.C.S.

W. L. HECHEM, Esq.

The MaharajaBahadur of Darbhanga was called and examined.

17875. What position did you hold?—I am a zamindar in Behar. I have been a member of the Bengal Council. I have been a member of the Statutory Civil Service, and at present I am a member of the Indian Legislative Council. I have not been either a member or chairman of a municipality or District Board.

Executive Officers have quite enough work on their hands already without being entrusted with larger powers or heavier responsibilities.

As regards appeal, I would leave matters as they are. It would be very hard to insist upon a certificate from the Officer whose order is appealed against. Executive Officers are too hard worked in other directions for them to be able to afford the necessary time for personal contact with the people. Want of time and tact are the principal obstacles in the way of a better understanding. Freer intercourse is most desirable in the interest of the Rulers and the Ruled. District Officers should devote one hour a day at least of their time for personal interviews or similar means of meeting the people, and should not be sent to a district of the vernacular of which they are ignorant.

I would divide the Patna Division into two Commission-boards, but have no other suggestions to offer.

Transfers may be reduced if the Governments act in consultation with the Commissioners of divisions and District Officers.

Municipalities and District Boards may be allowed to elect their own Chairman whenever practicable.

I am strongly in favour of creating Councils in all divisions and districts and sub-divisions. They should be formed on the same principles, on a smaller scale, as the Advisory Councils of the Local Government. They may be consulted individually and collectively at the discretion of the Head of the local division. It should not be necessary to give opinions in writing. The members should be recruited from the aristocracy, the trading, manufacturing, industrial classes and the local boards of religion, sects, and other influential persons in the division or district. Their duties should be settled on the same lines as those of the Councils for the Local Government. The Administrative Councils may be recruited from the same sources with the addition of an official element. If it be intended to make these Councils popular, the official element should not form a majority. The jurisdictions of these Councils should extend over all matters which are at present within the scope of the District Boards and Municipalities. The Local Government may from time to time, after the utility of these councils has been demonstrated, give power to them to dispose of other questions.

Powers may be given to village communities with regard to local questions relating to revenue, police, sanitation, and education, but very sparingly with reference to civil and criminal cases. The experiment can be tried in a few localities and gradually extended, if successful, to others.

17876. In those days did the officers of the Civil Service find their work very heavy?—I served under Sir A. MacDonnell, who was one of the best Collectors in the Service, and his work was very heavy, as he always made it very heavy.

17877. Did he find much time for touring?—Yes. He saw a great deal of the residents of the districts. He was quite an exceptional man.

17878. Is there any difference on the part of Indian gentlemen in approaching the Commissioner or the Collector?—I think there is. It is due to want of sympathy on both sides, and want of time on the part of the officers generally.

17879. Could any means be adopted by which better feelings could be restored between the officials and the people?—If it is understood that accessibility and courtesy will be considered before transferring or sending a man to a district or a division, it would have some effect. There is an impression generally on the
part of the people that the official holds aloof, and, with the best intentions, misapprehension is created which gives rise to feelings of discontent.

17890. Would there be any means, such as instructing officers in the habits and etiquette of Indian social life, of removing that misapprehension?—I think so. There are officials who are very much liked in this province and in other provinces too. They know the language and they know the customs.

17891. Would it be possible in any way to formulate, for the help and assistance of young District Officers, the principal features of the etiquette and social life of Indian Society, so as to guide them when they first come out?—Yes, I should say general instructions are probably enough; there should be no special instructions required. When the Lieutenant-Governor goes on tour, if he is accessible himself, and tells people that they should be accessible to the Collector and the Collector to them, the whole thing would be much improved. There is a great deal of aloofness on both sides, due a great deal to misapprehension.

17892. We have been told that it was difficult for a Bazarri to get in touch with the people in Bengal, because of the existence of the permanent settlement; do you think that is an obstacle?—I think not; I do not think it has anything to do with it one way or the other.

17893. With regard to the right of appeal, do you wish to see the present practice in any way altered?—I would not curtail it in any respect.

17894. Would you, for instance, allow an officer who can appoint a man on Rs. 20 or Rs. 30, or even up to Rs. 100, to be the final authority in pronouncing a verdict upon his conduct?—I think it would be hard on the subordinate officers.

17895. Is the difficulty of officers coming in touch with the people caused in any way by the size of the districts?—I do not think so.

17896. Would the appointment of a Joint-Magistrate be a good thing in order to help in the disposal of the work of the Collector and the Office?—Yes, the Joint-Magistrate would be more liked and people would place more confidence in him if he had no judicial powers.

17897. Might there be an Advisory Council either for a Collector or a Commissioner?—I think an Advisory Council would be helpful to a Commissioner in some respects.

17898. Would you have an Advisory Council for a Collector formed from persons serving already on District Boards and municipalities?—You might extend the number for purposes of giving advice purely and simply, for administrative purposes, the District Boards are quite sufficient.

17899. Do Commissioners and Collectors at present seek the advice and counsel of native gentlemen?—Some do—it depends on the individual.

17900. Would you like to see a general instruction issued by the Government of Bengal that all officials should so seek advice?—I think so, and it would dispose of a lot of the present misunderstanding. I am sure that the present state of things is more due to misunderstanding on the part of the officers and the people than anything else.

17901. With regard to municipalities and District Boards, do you think that either one or the other could be entered with larger powers than they have?—Yes, with powers to control their own bodies with the sanction of the Local Government.

17902. Would you extend the experiment of local self-government to villages?—It might be done as an experiment, carefully.

17903. In an ordinary village could you find persons who would be qualified to represent the people, with petty civil and criminal cases?—In some villages there are such persons; in all these things it is very difficult to generalise. The circumstances of one village are not the same as the circumstances of another, but certain villages might be selected, and if the experiment was found to be successful, it might be adopted or modified otherwise, but it is very difficult to draw a hard and fast rule.

17904. (Mr. Dutt.) Would you utilise the existing District Boards as Advisory Councils? That is to say, should the Collector ask members of the District Board to give him advice on other matters than those connected with the District Board?—Yes. On the District Boards, there are many subjects which may not be represented—for instance, religious instruction—and they might be useful as advisory bodies in that way, and also in the case of any trouble between Hindus and Muhammadans. If a Collector wanted any information in a non-official way there ought to be nothing to stop him, and that information might be given in conversation or in writing, and the more intercourse the better.

17905. (Mr. Hichens.) Do you want a District Advisory Council and a Divisional Council or an Administrative Council?—Simply for extraordinary subjects.

17906. Would you advocate a Commissioner or a Commissioner seeking advice from other sources; for instance, if there were Agricultural Societies would you allow him to seek advice from them?—Yes. I do not want to restrict his power of seeking advice: on the contrary, I want it extended as much as possible.

17907. If you had a body called an Advisory Council, would you want a Commissioner to think that he need not seek advice elsewhere?—He would use his discretion. I do not think there is any such danger, or if there was, he might get instructions.

17908. With regard to the Administrative Council that you suggest, what is it to do?—That will be for the division; in the districts the District Boards and municipalities would do the whole work of the Administrative Council.

17909. Then do you not want to have an Administrative Council for the Collector as well as an Advisory Council?—No, I think not.

17910. Do you mean by an Administrative Council, the District Board?—Yes, practically the people who form the District Board should form the Council—I mean the leading people in the district. You can call them District Board or Administrative Council or whatever you like; it would mean practically the same men, and there is no need for two bodies.

17911. Do you think from your experience that the time is ripe for giving any further powers in the matter of local self-government?—Yes, further powers might be given them beyond preparing their own budgets.

17912. Are you prepared to take the risk of a larger number of mistakes being made?—Yes, I think so. The risk has to be taken; a man has first to be a child before he is a man.

17913. Would you be prepared to entrust some of the more junior officers of the Government with greater powers than they have to-day in order to give them a fuller sense of responsibility?—I think their powers are wide enough. I am not prepared to entrust them with further powers.

17914. (Mr. Meyer.) You have a very large estate, is there a great deal of work in connection with it? Suppose some of your ruatifs are dissatisfied with any orders, do appeals come right up to you?—Yes.

17915. Do you want a Commissioner to have an Administrative Council to be assembled from time to time in order to give him advice?—Yes.

17916. Are the members to over rule the Commissioner?—I do not think so. They should simply tender advice, and the Commissioner must have the responsibility.

17917. You do not mean that they should be given administrative powers—that one should look after income-tax and that another should look after Local Boards, and that kind of thing—but you mean merely a Council of Advisers which the Commissioner can over-rule if he is not in agreement with him?—Yes.

17918. Do you no longer want the Collector to be Chairman of the District Board?—In some places you probably could not get a good non-official Chairman but if you could, then I should like him to be Chairman. It would be a difficult thing to get a good non-official Chairman.

17919. Would it be a good thing to take the Collector away from immediate contact with the work connected with roads, education, sanitation, and other things which the District Board deals with?—I do not know the working of the District Board system.
Sir Charles G. H. Allen was called and examined.

17920. (Chairman.) You are Chairman of the Calcutta Corporation?—Yes. I am a member of the Indian Civil Service. I was for seven years engaged in settlement, and for another year as Director of Land Records.

Sir C. G. H. Allen.

Executive Officers have too much work to do to come into sufficient personal contact with the people. The main cause of this failure is that the administration generally is under-manned. There is not a sufficient number of officers to supply Joint-Magistrates, Assistant Magistrates and Deputy Magistrates where they are needed, and the result is that the District Officer is generally overburdened with work. Recruitment has stood still, partly with the increased requirements which are occasioned by the greater complexity of the work which has led to specialisation, and to the placing of a number of officers on special duty, and the necessity of making the Settlement Department more efficient. We have tried recruiting to keep pace with requirements for additional men for this purpose, the volume of work in the districts has undoubtedly increased, and we are now at the stage where men are overworked to breaking point. In many instances reforms, which are in themselves advisable, have been vetoed for the reason that they will impose additional labour upon already overworked District Officers. A District Officer of to-day spends far too much of his time in writing reports and routine work, while at the same time a higher standard of inspection is insisted upon, with the result that his opportunities for coming into personal contact with the people of his district are reduced. No business firm would attempt to carry on the administration with the small amount of European supervision which is apparently considered sufficient by the Government, and this is evident from the consideration of the number of Europeans employed in any large Calcutta business. A comparison of the number of Civilians employed in the districts 20 or 25 years ago, with the present establishment, will show that there were more Joint Magistrates and far more Civilian Sub-Divisional Officers than there are now, and the administration must consequently have deteriorated within this period. One of the prominent causes of this deterioration is that officers are now so rapidly promoted that they get insufficient experience and training during the early years of their service.

As regards districts, there are some which are too large, e.g., Midnapore, but the sub-divisional arrangement requires the removal of a few metropolitan districts and the Sonthal Parganas. Sub-divisions have never been scientifically mapped out, and the government and in almost all the districts the work requires revision. There are 100 sub-divisions in Bengal, the average population being 504,000 and the average area 1170 square miles. The number of sub-divisions should be nearly doubled, the unit aimed at being 600 square miles, and I looked upon this as the most important direction in which decentralisation can be usefully advanced. Unless a Sub-Division is of manageable size, so that a Sub-Divisional officer can thoroughly know it from end to end, the police and the tyrannical zamindar have much too much their own way. An officer should always be placed in charge of the Sadar sub-division, which, for want of a Sadar Sub-Divisional Officer, is too often neglected.

Selection should play a larger part in the making of appointments; sometimes three, sometimes less. The principle should be introduced at a much earlier stage of an officer's career. At present officers are promoted by seniority up to the first grade of Collector, and it is only when Commissioners are appointed that the principle of selection comes into operation. The third grade is the first time introduced. An officer who has received his promotion in regular course for 20 years or so is naturally chagrined if he is passed over for promotion to a Commissionership. Promotion by selection, within certain limits of seniority, should be introduced from the outset of an officer's career, and officers should be selected even for sub-divisions, and certainly to hold charge of districts.

Frequent transfers are a notorious evil, and they may be avoided to some extent in the higher posts, if the pay of these is graded as in the case of the Inspector-General of Police. The increase of the staff will also reduce the number of transfers. It should be an understood thing that a District Officer must remain in a district for at least three years, and in appointing an officer newly to a district, preference should be given to a man who has recently returned from leave, and is therefore likely to remain in the district. Officers should also be discouraged from taking leave so as to necessitate a transfer within this period. An officer should not also be paid to the caprices of individual officers who may wish for a transfer. Moreover, when an appointment has been made, the attention of the officer selected ought not to be transferred until he had held it for three years, merely in order that he may take up the more inclement years of their service.

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Selection should play a larger part in the making of appointments; sometimes three, sometimes less. The principle should be introduced at a much earlier stage of an officer's career. At present officers are promoted by seniority up to the first grade of Collector, and it is only when Commissioners are appointed that the principle of selection comes into operation. The third grade is the first time introduced. An officer who has received his promotion in regular course for 20 years or so is naturally chagrined if he is passed over for promotion to a Commissionership. Promotion by selection, within certain limits of seniority, should be introduced from the outset of an officer's career, and officers should be selected even for sub-divisions, and certainly to hold charge of districts.
are at present discharged by the Government. For example, they might safely be made responsible for primary and technical education throughout the city, a sufficient grant of improving items of revenue being made to the municipal funds by the Government, to enable them to meet the expenditure. Theatres and libraries might be made with, primary and technical education, and the licensing of theatres and places of amusement, and the desirability of bringing the Corporation into closer touch with the civic life of the city should be borne in mind.

17921. What was the nature of your relations with the Director of Agriculture?—He was the agricultural expert to whom I used to refer any points of difficulty. In Bengal, we had not then separated the departments as they have since been separated—Agriculture from Land Records. At that time there was only one department and our work was in a very embryo stage; we wanted help and guidance, and he came down twice and toured about with me; I put a good many questions to him and obtained his advice as far as possible with regard to the experiments we were making.

17922. Did you find as one result of his coming to your province that he wanted to interfere with your administrative management?—No, not in the slightest degree; I do not think he went into any question with regard to our administrative machinery; he was only interested in an agricultural expert pure and simple.

17923. Did you correspond with him officially through your Government?—No, I corresponded with him direct, officially and demi-officially.

17924. Did he advise the Local Government as apart from the Corporation?—Yes; he did so.

17925. Did all his advice come through you, and did all your questions go direct to him?—Yes, that was the practice. If the Government wished to get any information from him, they would have gone through me, or instructed me to obtain his opinion.

17926. Do you look upon an Inspector-General as an exceedingly useful institution?—Yes. I can only speak of the one with whom I came into contact—the Director of Agriculture.

17927. Were the satisfactory relations between you due to the personality of that Inspector-General, or are the advantages inherent in the traditions of his office?—His office was entirely a new one and I do not think it had any traditions; Mr. Mallison had been Assistant Director of Agriculture in Bombay, and I rather think he was the first appointment by the Government of India to his office.

17928. You say that Executive Officers are very much over-worked? What is your remedy?—More men, I think.

17929. That is really the bed-rock of the present trouble—want of sufficient staff?—I think so; the want of a sufficient high supervising staff.

17930. Not the want of a subordinate staff?—To some extent, yes, but the want is far more urgent with regard to supervising men.

17931. Would the strain which is now imposed on officers be relieved to a greater extent by an increase in the staff than by the subdivision of districts?—It is difficult to say without knowing the circumstances of each district, but there are some districts do not doubt which require subdivision, although what the districts generally require is more Joint-Magistrates and Assistant Magistrates who could relieve the Collectors of a great deal of work which now overburdens them.

17932. One witness stated that the real remedy was to break divisions up into small districts and put the entire management of one district on o one person; are you not in agreement with that view?—I do not think that a district of about 3,000 square miles is too much for an officer to supervise, although he has a sufficient interdepartmental staff under him, but if the whole work is thrown on him, as it is now, without sufficient assistance, it is almost impossible for him to do his work properly.

17933. Is there the trouble occasioned by the fact that there are incapable officers in charge of districts?—I have not had, as a matter of fact, any direct knowledge of the working of districts within the last four or five years, but I should say, before that time, that far too junior officers were put in charge of districts.

17934. Perhaps the want of either experience or capacity has caused the Government to issue rules, which have operated adversely to the service?—It might be that there is a want of capacity on the part of some District Officers, but the real trouble was due to want of experience. When an officer of two or three years' service is put in charge of a district where the work is new to him, he is very likely to make a large number of mistakes, which he would not make if he did not take charge of a district until he had 8 or 9 years' service.

17935. Does the mode of selection point to incapacity in particular officers, or does it rather point to the necessity of very much higher capacity for particular officers?—No doubt there are inefficient individuals, but I should not have said that the percentage of them was very large.

17936. How low down in the scale should the period of selection begin?—Certainly for districts. I would appoint Collectors by selection, but because a man had once passed over I would not pass him over indefinitely; I would give him a period of probation as Joint-Magistrate, and if he showed capacity I would promote him; I do not think a man ought to be finally passed over.

17937. Supposing an officer had been passed over two or three times who was clearly incompetent to take charge of a district, would you retain him in the service or retire him?—I should retire him.

17938. Are you appointed as Chairman of the Calcutta Corporation by Government?—Yes.

17939. Are the majority of the Commissioners appointed by Government?—We have 39. Of these 15 are elected, 15 are appointed by Government, and the remaining 9 are appointed by local bodies.

17940. Is the executive power vested in you as Chairman?—Yes, entirely.

17941. Would that account for some of the want of interest which the Commissioners exhibit?—That is very likely so.

17942. Speaking as a Chairman of the Corporation, would it be advantageous to the interests of the Corporation if some of your duties were delegated to the Commissioners as a body?—In Calcutta at present it is advisable that the executive authority should be concentrated in one man, because in that way the machine works better.

17943. Have the Commissioners as a body power to direct the policy of the Corporation?—No; I should say that entirely, in large matters. The budget is entirely in their own hands, and in that way they can control the policy.

17944. Is it your view that executive power should remain with you, but that questions of policy may be, and are, decided by the Corporation as a body?—Yes, but it is a little misleading to say that questions of policy only are decided by the Corporation. There are a very large number of questions which cannot be described as questions of policy which are settled by the Corporation; in fact, they make some appointments; they have a number of functions in connection with water supply and other matters which, although not executive, still give them a very large say in the administration of the Corporation. They do not merely decide abstract questions of policy, but they play a very large part in the administration.

17945. Is much of your work done by committees?—Very largely so indeed.

17946. Are you Chairman of all the committees?—Not all of them; there are a few committees appointed by the Corporation of which I am not Chairman, but under the law, if I am a member of a committee, I must be the Chairman of it.

17947. On the other hand, are there certain duties which are at present performed by the Government Commissioners, which might be transferred to the Corporation as a whole?—Yes, I think that might gradually be done.

17948. Would that not mean that at the present stage it would be practically a transfer not to the Commissioners, but to yourself?—No; in a matter like
education, for instance, I do not myself take any part at all. As far as we deal with the education grants of the Corporation they are entirely administered by the Commissioners in their own districts. The ward representatives make enquiries about the schools; they make recommendations as to what grants should be made to various schools, and the Corporation always accepts them.

17949. (Sir Stegingy Edgarley.) Have you ever thought about the question of having the Executive in one hands and the in the hands of the Chairman, as in the Corporation of Bombay?—I should say the essential difference between Calcutta and Bombay lies in the position of the general Committee. In Calcutta the European business element is extremely strong.

17950. Is your General Committee a standing Committee of the Corporation?—No; it is a partly independent authority. The reason for the difference between Calcutta and Bombay is that the General Committee in Calcutta was appointed in order to induce the European business element to take a larger share than they had hitherto done in the affairs of the Corporation. We have three co-ordinate authorities, the Corporation, the General Committee, and the Chairman, each of them with its own independent functions; but in certain matters the General Committee makes recommendations and the Chairman’s decisions also require the sanction of the Corporation, although in a large number of matters they are entirely independent of one another.

17951. (Mr. Meyer.) Is your General Committee entirely independent of the Corporation? Do you mean that a man might be a member of the General Committee and not a member of the Corporation at all?—He must be a member of the Corporation before he can be a member of the General Committee.

17952. And are there no matters in which the General Committee has to refer to the Corporation?—All expenditure over Rs. 10,000 requires the sanction of the Corporation, but there are many matters in which the General Committee make recommendations to the Corporation, and there are other matters in which they are independent.

17953. Is not the Corporation really a higher authority?—They are co-ordinate—I did not mean to say they are equal.

17954. Is the General Committee the agent of the Corporation?—No, it is a partly independent authority. The reason for the difference between Calcutta and Bombay is that the General Committee in Calcutta was appointed in order to induce the European business element to take a larger share than they had hitherto done in the affairs of the Corporation. We have three co-ordinate authorities, the Corporation, the General Committee, and the Chairman, each of them with its own independent functions; but in certain matters the General Committee makes recommendations and the Chairman’s decisions also require the sanction of the Corporation, although in a large number of matters they are entirely independent of one another.

17955. If it is a question of Rs. 10,000 or under, is it dealt with by the General Committee, and if it is a question of Rs. 15,000, does it go to the Corporation, which may upset the decision of the General Committee?—It very often does.

17956. Do you include the selection of officers in saying that the Chairman is supreme?—The Chairman appoints all officers receiving Rs. 300 and under; from Rs. 300 to Rs. 1,000 the General Committee appoint; and above Rs. 1,000 the Corporation.

17957. Therefore in some matters the Corporation and the General Committee do intermingle in purely executive matters?—Yes; I am afraid I was not very precise in the use of the word “executive.”

17958. When you punish an officer has he a right of appeal to the General Committee?—He has if he is paid over Rs. 100; if he is appointed by the General Committee he is dealt with by them.

17959. Therefore you can do nothing with an officer receiving Rs. 300 or under?—No.

17960. Is that an altogether satisfactory system?—It has its disadvantages, but I think it is necessary when an authority appoints, that that authority should alone be entrusted with the punishment and reward and so on.

17961. Do you think it affords less scope for friction, and is altogether better for the circumstances of Calcutta, than the Bombay system?—I am not acquainted with the Bombay system in detail, but the General Committee in Calcutta is a most useful body.

17962. Are you, generally speaking, satisfied with the present system?—Yes.

17963. As to the budget, is that finally passed by the Corporation?—Yes. It does not go to Government. We submit an administration report to the Government, which Government reviews. They advise us on certain matters, and in a way, their advice has to be accepted.

17964. Have they any power over you?—They have direct controlling authority under the Act.

17965. They could require you, for instance, if on your administration report they thought you were not devoting enough money to a certain purpose, say sanitation, to spend more?—Yes, they can. I have never known an instance of the controlling power being specifically exercised in that way; we have had advice from Government, which we have accepted.

17966. Is there any appeal to Government by any aggrieved person against the acts of the Corporation or Chairman?—There is no appeal: I presume the Government, in a revisal way, might exercise powers of control.

17967. Is education under your control?—No, we make a grant of about Rs. 15,000 a year towards education grants, but we do not control the expenditure.

17968. If you decide which schools are to receive grants and which are not, is that not a considerable amount of control?—I think not, because there is no management over the schools. They are private schools which we aid. We can give or withhold aid.

17969. Does Rs. 15,000 represent anything like the expenditure on primary education in this City?—I should think not. The bulk of the expenditure on primary education is met by private grants, fees and aid from Government.

17970. Government aids schools and you aid them—is there any line of demarcation between your functions?—No, and I think that is objectionable.

17971. Are there any limits to your powers to sanction specific works?—We can sanction up to Rs. 20,000. Large sums of above one lakh of rupees require Government sanction.

17972. Is that a sound restriction?—Yes, I think it is a very sound one.

17973. As regards the Director-General of Agriculture, when you were in communication with him, did he call for reports?—I do not think he did; he might have asked how certain experiments were getting on.

17974. You speak of your Civilian Officers as being overworked in districts; is that not largely because they do work which might be relegated to a subordinate, such as the trying of second and third class criminal cases?—A District Officer nowadays tries very few cases.

17975. I am speaking of Sub-divisional Officers or Assistant or Joint Magistrates. I have the Madras system in my mind: that below the Provincial Service you have a Subordinate Service, including Magistrates with second and third class powers; the Deputy Magistrates as a rule try the first class cases and appeals from the second and third class Magistrates—is that your system?—I think the system is that the junior officers of the Provincial Service, that is the junior Deputy Magistrates, try those cases, and Honorary Magistrates also very largely.

17976. Are men who have reached the post of First Class Magistrates largely employed in trying second and third class cases?—I should not have thought so. To a certain extent they would be, because they have summary powers and can try them much faster.

17977. Could not relief be largely afforded by an increase in the number of Sub-Deputy Collectors with magisterial functions?—We have Sub-Deputy Collectors already. It might be some assistance, but at the same time it would not meet the difficulty, for the men who are really over-burdened are the men at the top of the tree, the Chairman, not the men at the bottom. It is the District Officer himself, and as a matter of fact, he tries very few cases, so that he would not be relieved as regards magisterial work.
17978. Do you mean even as regards appeals.— When a man is a Joint Magistrate, he very often gets him empowered to try appeals.  
17979. Is it not best to relieve the District Magistrate by giving more powers to try criminal and civil cases, and perhaps to appoint them in turn by appointing Sub-Deputy Collectors, giving them more power—? I think the best way of relieving the District Magistrate would be to give him a Joint Magistrate.  
17980. Would you give him charge of the head-quarters sub-division?—I think so.  
17981. Do you approve of the system under which you have Deputy Collectors at headquarters doing branches of work, such as income tax work?—I should decentralise that as far as possible to the sub-divisions, but in Bengal all our land revenue work is concentrated at the headquarters of a district.  
17982. Would it not be better to have more Sub-Divisional Officers if necessary, and to give them land revenue powers subject to the general control of the Collector?—I do not think with regard to the revenue of permanently-settled estates, it could be done in that way. Certificate work is largely done in sub-divisions already, and I would certainly decentralise as much as possible in that way.  
17983. (Mr. Hicks.) Are the accounts of the Municipality audited by the Government?—They are audited by auditors appointed by the Government. Their report goes to the General Committee, and goes on with the Committee's report to the Corporation.  
17984. If the Government think their report is unsatisfactory, have they the power to take any steps?—They would, no doubt, exercise their statutory powers of control under the Act, 17985. And if there was a defect, and the auditor reported that no adequate means had been taken to meet it, in another year the Government might exercise the power to step in?—Yes, and tell us to raise the rates for instance. I do not remember any such case. In practice the control of the Government would not be exercised so much by a definite statutory order as by advice given indirectly.  
17986. Do they do that much?—Very little.  
17987. Have officers of the Government, such as the Sanitary Commissioner, power to inspect the work of the Municipality?—No, not unless they are specially so detailed by the Government; the Government can appoint an official to inspect any branch of our work.  
17988. Is that done?—Never, so far as I know.  
17989. What is the object of an appeal?—There are 12 members and the Chairman; four members are elected annually by the Ward Commissioners, four by the 'appointed' Commissioners, and four are appointed by the Local Government.  
17990. With regard to Government control, the Chairman is appointed by them; a certain number of Commissioners are appointed by them; and they have the power of control which they can exercise at any time? Then they would have the general report of the Municipality each year, which they go through and frame a Resolution upon?—Yes.  
17991. Is it desirable that those Checks should be in any way relaxed?—I do not think so.  
17992. Is there any rule prescribing the length of tenure of the Chairman?—None at all. It would be very desirable to have such a rule. Continuity is a most desirable thing in the appointment of the Chairman.  
17993. Could that principle be extended to all to other departments of the Government?—I think it could, and should, be; there should be a fixed rule with regard to other appointments, as far as possible, fixing the time for which they should be held; but of course, as a matter of fact, the particular circumstances will always modify the operation of any rule of that kind; in so far as a rule tends to prevent frequent transfers it is most desirable.  
17994. Would you carry that down to Collectors?—Yes. In their case I think that three years is probably a good term. After he has been there in three years in a district the man-leave him if he goes, another officer might be put in his place.  
17995. When he has been away on leave is it not advisable that he should go back to his old post?—I think not—he may have been away six months, and I think it would be better for the man who has been acting for him remain.  
17996. (Mr. Dutt.) You state that in your opinion the number of sub-divisions should be nearly doubled in Bengal. Do you think that the additional sub-divisions could be brought more in touch with the people if the sub-divisions were smaller?—I think so certainly. A Sub-Divisional Officer has a far more opportunities that any one of getting into touch with the people.  
17997. Could the same object be attained to some extent by following the Madras and Bombay systems of creating circles within the sub-divisions and placing an officer—a junior Deputy Magistrate or a Sub-Deputy Magistrate—in charge of each of those circles?—I think so, but you would have to be very careful to appoint an officer of good calibre in that capacity. If your sub-divisions are of reasonable size I rather doubt whether it would be necessary to sub-divide; if a sub-division is only 600 miles in area, it is not very far from one end to the other; but where they are very large, I would reduce their size; but you must have an officer of experience, and if you had small sub-divisions there would be a tendency to appoint men of insufficient capacity.  
17998. But if men of higher calibre were placed in charge of the circles, would not your object be attained?—To a certain extent it would be.  
17999. In that case, would you delegate to them some of the revenue work which is now done at sub-divisions, headquarters, or at district headquarters?—I should think so.  
18000. In the Calcutta Corporation, as the authority which appoints an officer is also the power which punishes him or dismisses him, you can dismiss a man receiving up to Rs. 300. Is there any appeal from such a punishment?—In the case of an officer punished by me if his pay is more than Rs. 100 a month, an appeal lies to the General Committee, which is final; there is no appeal against the order of the General Committee.  
18001. And there is no appeal against the order of the Corporation?—In the case of the Chief Engineer and the Health Officer, punishment is subject to the approval of the Local Government, who also sanction the appointment of those particular officers.  
18002. Would it give a greater sense of security to the officers if every man had a right of appeal against an order of dismissal?—I should think it would probably have that effect.  
18003. Are you likely to get better men on the whole if every man had a right of appeal?—I do not think so; I do not think that would work at all well.  
18004. Do you get as good men as you would if you extended the right of appeal?—Yes, I think we get quite as good men.  
18005. Are the Chief Engineer and the other officer you mentioned appointed by Government?—The Chief Commissioner and the Health Officer are appointed by the Corporation; but the appointments are subject to the approval of Government.  
18006. Are they generally Government officers whose services are lent to the Municipality?—No.  
18007. You have a Vice-Chairman?—Yes. He is appointed by the Corporation.  
18008. Have you also a Secretary?—Yes. The Corporation appoints him. The appointment does not require the sanction of the Government.  
18009. Can you briefly state the nature of the duties of the Vice-Chairman?—He performs such functions as the Chairman may delegate to him. At present he is the controller of the accounts and financial adviser to the Chairman; he also hears appeals from assessors in the northern part of the town. These are his main functions.  
18100. What are the general duties of the Secretary?—They are mainly connected with correspondence and with the business of meetings.  
18101. Are you perfectly satisfied with the distribution of work, with regard to these officers?—Yes; I do not think we have the power of altering it if I am not, still I have very often occasion to modify it in small matters.  
18102. Have you any suggestions to make as to delegating powers to subordinate officers with a view
to smoother working?—I do not think so, because I already have that power and have exercised it where I saw fit to do so.

18013. (Sir Frederic Le Ly) I notice that most of your transfers were made in consequence of Government having to fill special appointments. There is no remedy for that, is there, and it simply has to be faced?—I think an addition of more men would prevent the trouble that arises from taking men from an already overworked staff to fill special appointments; that is to say, if the Government made special provision in the cadre for these special appointments, as it should, then at least the staff available for ordinary administration would not be weakened below the proper standard; you would still have to take men, of course, and the personal question would not be altered.

18014. With reference to what you say as to the occupation for at least three years of a Collectorship, supposing a vacancy occurred and a man came out from England who was a year junior to the next man on the list, who was about to take leave in a few months, would you pass over the senior man and give the appointment to the man who had just come out, on the ground that he would not be likely to go home again soon?—Yes, I should certainly do so.

18015. Would that not create a good deal of feeling?—I do not think so; if it were the regular procedure individual officers would not feel themselves hardly treated, or if they did it would be a matter of small moment compared with the efficiency of the administration.

18016. In many cases it might happen that a man might have to sacrifice what he has hitherto considered his right for a year or more, but you would face that?—Yes, I should face that.

18017. Would you make the Collectorship practically a three years' appointment?—Yes, as far as possible. I would appoint no man as a Collector if he would not undertake—barring exceptional circumstances—to stay in the post for three years at least.

18018. With regard to the sub-divisions, who commits to the Sessions Court as a rule?—A First Class Magistrate. A Second Class Magistrate has no power to commit unless he is in charge of the sub-division, or is specially empowered in this behalf by the Local Government. Otherwise, if they have no jurisdiction to pass a sufficiently severe sentence, they remit the case to the District Magistrate under a special section, or they ask him to commit the case to the Sessions.

Adjourned.

THIRTY-FOURTH DAY.

CALCUTTA, Tuesday, 28th January, 1908.

PRESENT:

C. E. H. Hobhouse, Esq., M.P., Under-Secretary of State for India, Chairman.


Sir Steevyns Edgarley, K.C.V.O., C.I.E., I.C.S.

R. C. Dutt, Esq., C.I.E.

W. S. Meyer, Esq., C.I.E., I.C.S.

W. L. Hichens, Esq.

Sir Gooroo Das Bannerjee was called and examined.

18019. (Chairman.) What is your occupation?—I am a retired Judge of the Calcutta High Court.

18020. Would you have no curtailment at all of the right of appeal? It has been suggested by some witnesses, both Indian and British, that in the case of a person against whom a decision has been pronounced, justice would be met by their having one decision above that of the original decision—what would you say as to that?—I would rather allow the right to continue as it exists at present.

18021. In the matter of personal questions, is care taken to do thoroughly into the circumstances of a case?—Care is no doubt taken to go thoroughly into the circumstances.
18022. Are there many personal appeals?—I could not exactly say in what proportion they would to the total number of cases, but there is a fairly large number.

18023. Do a considerable number of cases come up for my decision?—Yes.

18024. Generally on questions of fact, or on questions of law?—Mostly on questions of law, but not infrequently on questions of fact, as well.

18025. But still neither with regard to fact nor law, would you limit your decision?—Yes.

18026. You say that you are not in favour of conferring any extension of power upon the Heads of Departments or Commissioners—what is your reason?—I think the powers already vested in those authorities are sufficient to occupy all their time and attention.

18027. It has been suggested that particularly in the case of the Court of Wards local authorities should have much larger power of decision—would you allow them those?—My experience in that respect is very limited, but I would rather not enlarge their powers except so far as they may be necessary to meet urgent cases which require immediate decision.

18028. Were you appointed to the High Court straight from the Bar, or had you any previous experience of executive work?—I cannot say that I had any experience of executive work except so far as I could derive it from my practical work at the Bar. I practised both in the supreme courts and in the High Court. For the first six years of my professional career I was a pleader in the District Court of Murshidabad, but that was many years ago.

18029. Speaking generally, is it possible to increase the sympathetic intercourse between the people and the officers?—I think it is possible. I would take action in two directions in particular—firstly, by requiring or encouraging Executive Officers to make as many informal social parties as possible, and, secondly, by encouraging them to make non-official tours through districts apart from regular tours.

18030. How would an officer be able to make a non-official tour?—If he has leisure he might visit a particular village in his district, it may be without any previous intimation, but to make these tours in the interior of any use, Executive Officers should be required or encouraged to learn the vernaculars of their district so as to be able to converse with the people unacquainted with the English language. English officers have not a sufficient knowledge of the vernacular at present.

18031. Would people in mufassal districts respond to any proposal to come to parties or unofficial gatherings?—Yes, I think they would, but they must see that the occasion is sympathetic and will restrain, if not overcome, their social and official pride.

18032. It has been stated by a certain number of witnesses that the Indian official is quite as apt to exhibit what you call pride as the European official—is that your experience?—To a certain extent that is true, but, while the Indian official may show that respect, or that they are about the same as they were used to, I think that respect, or that they are about the same as they were used to, will be satisfactory to me, much less to you.

18033. Would you suggest that these difficulties may arise not merely from the difference of race, but from the possession of office?—Yes, that is so to some extent.

18034. Is there a considerable desire on the part of both official and non-official classes to come together?—Yes, there is that desire certainly, and there are many people amongst the officials, Indian and British, who show an anxious desire to mix freely and on equal terms, but I could not say that their number is very large.

18035. (Mr. Dutt.) At present the right of appeal is unrestricted and there are certain rules restricting that right in different cases. Would you like those rules to exist as they are now?—In departmental matters my knowledge and experience are both limited, and if there are any rules restricting the right very much, I might even have those rules rescinded as far as possible.

18036. You say that in certain urgent matters you would not object to the delegation of powers from the Government, for instance, to the Commissioners of divisions. Are there also many minute matters in which reference has now to be made to the Government, where a more speedy decision could be arrived at if they were disposed of by the Commissioner?—My experience in these matters is very limited, and therefore I cannot undertake to give any answer that will be satisfactory to me, much less to you.

18037. Has not a great deal of official work which a District Officer now has to perform the effect of keeping him somewhat aloof from the people?—Yes, I think so—want of time very likely is one of the reasons. My experience of the mufassal dates back to a period from 1880 to 1888, and not much later.

18038. Can you suggest any way in which a District Officer could be brought more into touch with the people even in regard to the work which he has to perform?—Yes; if he had something like Advisory Councils composed of men of his district, and invited their opinions, and then they might even in some degree of official work he would come more into contact with the people of his district than he does now.

18039. If the Commissioners and Collectors interested themselves more in education, or had some power in education, would it be a good thing?—No, I should think so.

18040. It is practically now a great deal under the control of the education Department, but if local officers, the Commissioner, the Collector and the Sub-divisional Officer interested themselves more in education, would it have a beneficial effect?—Yes, it would, generally speaking, but their interference in the matter will have to be so regulated as to avoid unnecessary or undesirable friction between the officers of the department and themselves; if care is taken in that respect their interference will certainly be valuable.

18041. Have you much experience of Bengal villages?—Not much.

18042. Generally speaking, would you be in favour of creating or reviving and encouraging small village communities to manage their own village concerns?—Yes it would be a good thing.

18043. Would you invest such small communities with power to dispose of petty civil and criminal cases, either finally or subject to appeal?—Yes, I think they might be invested with such powers, but the selection of the men must be very carefully made.

18044. If a number of men sat and disposed of petty cases would it be on the whole for the good of the people themselves?—Yes.

18045. (Mr. Hichens.) Is there any other point in particular which you wish to bring before the notice of the Commission beyond what you have already said?—No, I think not.

18046. Is the Collector out of touch with the villages?—I cannot say that he is very much in touch with them.

18047. You say you have not had much experience with regard to villages. Therefore you may not perhaps be aware exactly what the Collector's relations with the people of the villages are?—That is no doubt likely; my experience is limited and there must be a great deal beyond the sphere of my knowledge, but as far as I can gather from second-hand information and from knowledge derived from accompanying Magistrates and from the record of the cases which have been submitted to the Inspector, there is very little real approach. Many people come, but they stay a distance, and very few have any opportunity of exchanging a word with the Magistrates.

18048. Do you think matters are getting worse in that respect, or that they are about the same as they used to be?—I fear I am bound to say they are getting a little worse.

18049. You say that you have not considered the subject of Advisory Councils very fully?—I have not considered it very fully, but I would be in favour of them if the scheme is properly worked.
18050. Have you considered at all what subjects might be referred to such Advisory Councils?—No, I cannot say that I have carefully considered the matter.

18051. Are you in a position to say whether the people who would be members of such Advisory Councils are people who are consulted in practice by the Collectors to-day?—I could not say anything definitely, but there is one class of people who are not likely to be consulted now, consisting of men who are of an unobtrusive nature who do not like to thrust themselves upon the attention of Government officers unless they are expressly asked to do so. That class I consider to be the most useful class to consult.

18052. But perhaps the Magistrate does consult them?—It is very difficult for him to get hold of people of that class.

18053. Then he could be held of them to sit on an Advisory Council?—By consulting the best of those, he would come into contact with men who would give in their names.

18054. All of which he might do to-day without an Advisory Council?—Yes, he might, if so inclined.

18055. (Mr. Meyer.) Do you mean that it is difficult for a Collector, especially if he is new to the district, to discover gentlemen such as you mention, who would be able to give him valuable advice, and therefore, when once a Collector has discovered them and got them put upon an Advisory Council, they would be valuable advisers to any successor?—Quite so.

18056. As regards appeals, is it not the ordinary procedure in civil and criminal jurisdiction not to allow a second appeal on questions of fact?—In civil matters, unless the subject matter in dispute exceeds a certain limit in value, the second appeal is confined to questions of law; in criminal matters there has been some difference of opinion, but there is no hard-and-fast rule limiting such appeals to questions of law; questions of fact are gone into in criminal cases on revision.

18057. Would you see any objection to applying the same principle to administrative appeals and appeals against matters connected with disciplinary action in respect to public servants?—I would rather not impose those restrictions in regard to administrative matters, because in administrative matters, to begin with, there are no hard-and-fast rules. In judicial matters there are hard-and-fast rules the operation of which is salutary and some safeguard is given that all the evidence will be gone into in the first instance, whereas in administrative matters the same safeguard might not exist; therefore I would leave matters less hampered by hard-and-fast rules in respect of administrative matters.

18058. Are you aware that in the case of Government servants there is a stringent rule that all charges against them must be reduced to writing and shown to them, and that they have full opportunity of calling evidence?—Yes.

18059. Are there not occasionally, as in every nationality, designing persons who try to make friends with Collectors and other European officers for their own profit and ends?—No doubt there are such men—I cannot say there are not.

18060. Is it not possible that if a European officer has found, especially when he is young in the Service, that men of that sort have taught him his acquaintance and used it for bad ends, he keeps himself aloof in future so as to prevent his confidence being abused again?—Yes, that is quite within the range of possibility, but here again there is one thing to be borne in mind, namely, that there are so many points of diversity between an Englishman and an Indian, that an Englishman is liable to misunderstand an Indian, and it may be that from misconception or misunderstandings, an Englishman might set down an Indian as a bad man when there was no reason for it.

18061. But may it not also be that an Indian occasionally misunderstands an Englishman and puts down to rudeness what the Englishman never intended as such?—Certainly.

18062. Is the existing system of education too uniform?—It is too uniform.

18063. Do you apply that to the University system mainly?—Yes.

18064. Would it be better, for instance, to allow local bodies to work schools with less regard to the cast-iron restrictions of a provincial Education Code?—I think it would have a salutary effect at least in one direction. The education problem being a new problem in this country, where education is imparted mostly through the medium of a foreign language, different lines of experiments may be tried with advantage, the results determining which lines shall be followed, and that some diversity would be very desirable.

18065. Are you not at present engaged in a very interesting experiment in education?—Yes, we are.

18066. Is your object to start a curriculum of education which is not quite in accordance with the general lines of the University?—Yes.

18067. Would you like to see more freedom generally for people to develop education on their own lines?—Yes.

18068. Would it be necessary still to have the results tested by Government officers?—I would stop at testing—it would not be by Government officers, but by trustworthy examiners.

18069. As regards panchayats you say you would be inclined, if they were carefully selected, to give them the decision of petty civil and criminal cases; but how would you make their decisions final?—Not, I think, in very petty cases where the interests at stake have no lasting value.

18070. In a dispute with regard to movable property worth a few rupees for instance, or in any petty case of assault would you have finality?—Yes.

18071. (Sir St Aubyn Edgington.) I suppose the property at issue in matters of administrative appeal is sometimes of very great importance to one or the other of the litigants?—Yes.

18072. Supposing there is a great difference in the wealth of two litigants would not the multiplicity of appeals be a source of great danger to the poor man?—It would be a source of great trouble to him, but I cannot see that it is a source of danger, because the Appeal Court if it reverses the decision of the First Court will do so only where there are good and valid reasons clearly made out, so that, so far as the stability of a just decision goes, an appeal is not fraught with possible hardship. Of course so far as the costs and harassment go there may be that difficulty in the way of appeals being allowed, but the question must always be considered from a relative and not from an absolute point of view; relatively the proportion of good that results from allowing these appeals would outweigh any possible hardship.

18073. Do you think that if a litigant has won in the first two Courts he should be carried on from Court to Court?—Yes, in civil cases that is so at the present day, and after all the result in the end is not very harmful.

18074. On a civil appeal you cannot go into the whole facts of a case, but only into the law. Is it not different on the administrative side?—Unless a good point is made out the appellate authority will only go to the point of the procedure and consider the right that sort and accept the decision, if it is a concurrent one, of two Lower Courts as binding upon it.

(The witness withdrew.)
expenditure would not interfere with the efficient working of any other department, the Local Government should have liberty to spend without the previous sanctions, and the works or objects of purely provincial character, but such expenditure should be clearly set out in the budget and sanctioned by the Council. The present condition of the Council does not offer an effectual safeguard: but the fact that the Council may be divided will work as a brake on any scheme of unjustifiable or extravagant expenditure.

The present financial settlement, though an improvement, is not altogether satisfactory, as far as the provincial Government is concerned. As the division is by certain fixed proportions, the Local Government will have liberty to spend without any general supervision on purely local works. The provincial budgets should be less cryptic and more onerous: but at the same time I would not be desirable to restrict appeals only to cases certified as suitable for appeal by the authority appealed against.

The right of appeal should not be curtailed: It would not be desirable to restrict appeals to cases certified as suitable for appeal by the authority appealed against.

As regards the appointment of European officers above Rs. 200, the rule laid down by the Secretary of State that his sanction should be obtained should be strictly followed, and I would suggest the following remedies—better acquaintance of the vernacular on the part of District Officers; the separation of the offices of District Officers in their stations for at least three years if not five; the capacity for sympathy to be required. The District Magistrate is out on tour, he is so hemmed in by the ordinary people do not, and dare not, come to him freely: here insufficient acquaintance with the language is a great obstacle. The approach to the Supreme Government is difficult in matters relating to the collection of revenue, the control of the Supreme Government is exercised by the Secretary of State. The interference with the budgets specially of District Officers in their stations for at least three years if not five; the capacity for sympathy to be treated as an essential qualification for promotion.

There are sufficient opportunities for personal contact between the executive and the people, but unfortunately they are not sufficiently availed of. Close personal relations seldom exist between the Executive Head of a district and any class of the people: when the District Magistrate is out on tour, he is so hemmed in by and so closely associated with the police, that the ordinary people do not, and dare not, come to him freely: here insufficient acquaintance with the language is a great obstacle. The approach to the Supreme Government is difficult in matters relating to the collection of revenue, the control of the Supreme Government is exercised by the Secretary of State. The interference with the budgets specially of District Officers in their stations for at least three years if not five; the capacity for sympathy to be treated as an essential qualification for promotion.

No general increase in the administration staff is required. Transfers are very frequent: the same system ought at least to be followed as in the Judicial Service.

There ought to be less interference by the District Officers in the affairs of District Boards and municipalities. The interference with the budgets specially in minor details is unnecessarily irritating; a grain allowance for instance of eight annas to a peon need not be under the scrutiny of the Magistrate. Only the major heads of the budget should be examined: on the minor heads freedom ought to be given to the municipalities to spend within the budget grants. In the case of the more advanced municipalities there ought not to be any interference at all, except in very important matters of capital expenditure. The two classes of municipalities may be very easily differently scheduled. The District Boards are practically official bodies; half the members are nominated by the Governor and the Chairman is the District Officer: interference with them—except in the case of capital expenditure—is hardly needed at all. The constitution of the

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Municipal Act, was due to the initiative of the Local Government. I would recommend that certain questions should be reserved for introduction after sanction by the Supreme Government, such as questions of taxation, matters prejudicially affecting popular rights, etc. In other matters dealing only with purely local works I would leave the decision of the local authorities and the carrying out of any measure to the Local Government.

The right of appeal should not be curtailed: It would not be desirable to restrict appeals only to cases certified as suitable for appeal by the authority appealed against.

Commissioners and Collectors ought to be allowed to spend money, subject to sanction, within a grant limited for each division and district respectively. So far as the provincial Government in Bengal is concerned it is not too imperative. It should however be brought in contact with the people. A provincial Government is often to a great extent dominated by considerations of revenue. I may instance the case of income-tax, where, notwithstanding the raising of the taxable limit to Rs. 1,000, the receipts have not appreciably diminished, and the result is ascribed to lower scrutiny.

As regards new appointments to the Subordinate Services, the Local Government ought not to be allowed full powers, so as also regards the enhancement of salaries if carried out as part of a definite scheme, sanctioned by the Council and not by individual pretexts. As regards the new appointment of European officers above Rs. 200, the rule laid down by the Secretary of State that his sanction should be obtained should be strictly followed, and I would extend this rule to non-domiciled Eurasians also.

In legislative enactments in which any action is directed to be taken by Local Governments, the taking of such action should not be delegated to a lower authority without special legislation. I am against a general delegation of authority, but there are some minor matters in which such delegation would probably be of some advantage, but this should be clearly stated and such Act should be detailed in detail.

The Government of India is too imperious. The pomp and circumstance with which it surrounds itself is an absolute and often irritating anachronism and is a vain attempt to imitate the outward trappings of the Eastern rule of old without its inwardness. There is no direct touch between the Supreme Government and the people, no Darbar (a place where the Emperor sat in open state to receive petitions from his subjects). The approach to the Supreme Government is difficult in matters relating to the collection of revenue, the control of the Supreme Government is exercised by the Secretary of State. The interference with the budgets specially in minor details is unnecessarily irritating; a grain allowance for instance of eight annas to a peon need not be under the scrutiny of the Magistrate. Only the major heads of the budget should be examined: on the minor heads freedom ought to be given to the municipalities to spend within the budget grants. In the case of the more advanced municipalities there ought not to be any interference at all, except in very important matters of capital expenditure. The two classes of municipalities may be very easily differently scheduled. The District Boards are practically official bodies; half the members are nominated by the Governor and the Chairman is the District Officer: interference with them—except in the case of capital expenditure—is hardly needed at all. The constitution of the
District Boards should be entirely changed and should be similar at least to the constitution of the Local Councils. The District Boards, the Chairman being elected. If the District Boards are freed from the incubus of excessive officialism and become great, the ratepayers will be good to the people and much further powers as regards roads, sanitation and education may be given to them than they possess at present.

The municipal Government of Calcutta is an absolute anomaly: it consists of 3 co-ordinate authorities, the Committee, the General Committee and the Corporation, each of whom is independent of the others: a recent case is an apt illustration of the state of things. The Corporation was instructed to inquire into the allegations of corruption against some of their servants: objection has been taken to their doing so by the Chairman, who, under the Act, has independent powers, and who in exercise of these powers has appointed these municipal servants. The result is that the Corporation under the Act has no power over the Chairman and practically no control over the servants appointed by the Chairman or the General Committee, who form, with the exception of a few superior officers, the bulk of the Corporation employes. The Corporation has no power of control over the proceedings of the General Committee or the Chairman except in specified instances and as a body it has ceased to possess a truly representative character. To the Corporation, as at present constituted, I would not recommend further delegation of powers, as the representation of the ratepayers is unduly weak.

I am in favour of the creation of Advisory or Administrative Councils: if these Councils are to be of any use they ought to include a strong elected element, otherwise as the position would confer some prestige upon the holder, it would inevitably lead to subserviency and sycophancy, if it remained entirely in the gift of the officials concerned. Two-thirds or, if this proportion is considered too large in the beginning, then at least half, of the members of these Councils should be elected, and the remainder nominated. The election may be entrusted to the municipalities and the elected members of the District Boards. As regards Advisory Councils for divisions the same method, as regards election and nomination should be followed, the election in this case being made by the elected members of the District Councils. The Councils should be consulted in all matters except judicial affairs affecting the district or the division, and regular meetings ought to be held, so that it may not be possible for an official to let the Councils go to sleep.

In the Education Department, funds for the current needs of colleges should be allocated in the beginning of the year, and the College Council, consisting of the Principal, some members of the teaching staff and one member to be nominated by Government, should be entrusted with spending it: books, instruments, and other accessories for colleges should be allowed to be purchased by the head professor of the department concerned with the sanction of the College Council. As regards Government schools, when they are under the control of college Principals, the same system may be followed: in case of other Government schools the Collector of the district in consultation with the head-master should be allowed to buy school requisites.

The distinction now obtaining between the Indian Service and the provincial Service in the Education Department should not be allowed to continue. If it should be thought necessary to continue the system, though I think it is both unsafe and injudicious, let there be two classes A and B, class B ending with Rs. 1,000 and class A beginning with Rs. 1,000 and ending as the Indian Service now does; but subject to the number in the higher class being limited by the Government of India for each province, the Local Government should be allowed to entrust class A both in England, as well as from class B.

18076. Might some further opportunity be given to provincial Governments to lend money for provincial works without the previous sanction of the Supreme Government?—Yes, provided that it is included in the budget and sanctioned by the provincial Council that influenza is being exercised upon the Educational Department in Bengal.

18077. In the case of customs which have been imposed by the Local Government it yet has no voice in the appointments to that service?—Yes, that is how I understand it would be instruments of great usefulness, and good to the people and much further powers as regards roads, sanitation and education may be given to them than they possess at present.

18079. Would you wish such power to be given to the Local Government?—Yes.

18080. Within the general limits of appointment otherwise laid down?—Yes.

18081. Have you any actual experience of the work of local bodies such as District Boards and municipalities?—Yes, I have been a member of the Calcutta Municipal Corporation for a great number of years, but not in the municipal.

18082. You say that Local Governments might have more borrowing powers for the construction of feeder railways and canals? Could they get a local market for their stock?—Yes, municipalities and Port Trusts do obtain fairly good local markets for their stock, and if a slightly more advanced rate of interest were offered by the Local Government, I have no doubt loans would find a ready local market.

18083. Would you make the loans of these Local Governments subject to the sanction of the Central Government?—Yes.

18084. Is the offer of a slightly higher rate of interest an essential condition of success for borrowing in a local market?—It has been recognised as such by the Calcutta Municipality, whose credit has always stood very high, and by the Calcutta Port Trust, whose credit has also stood very high; these securities are gladly sought after for investment in the case of Trusts and for similar purposes. The rate is slightly higher than the rate offered by the Supreme Government, and is at present 4 per cent. in place of 3½.

18085. Would the revenue of the provincial Government as based upon their settlement with the Government of India be regarded as a good security by the investors?—I think so. So far as the Government of Bengal and rich people in Bengal are concerned, they would regard the security as quite good enough.

18086. Would not the failure which has attended District Boards in this direction necessarily attend the Advisory Councils as regards decision and nomination?—Not at all. The provincial Government would not meet with the same difficulties.

18087. You say that there is no direct touch between the Government and the people, and that access to the Supreme Government is difficult or practically impossible; what remedy would you suggest for this and for some of the other questions which we have discussed?—The Supreme Government just now is more or less an abstraction to the people, partly because of the pomp and circumstance with which it surrounds itself, and partly because it spends the greater part of the year away in the hills.

18088. Is the offer of a slightly higher rate of interest for their stock?—Yes, municipalities and Port Trusts do obtain fairly good local markets for their stock, and if a slightly more advanced rate of interest were offered by the Local Government, I have no doubt loans would find a ready local market.

18089. Have you any actual experience of the work of local bodies such as District Boards and municipalities?—Yes, I have been a member of the Calcutta Municipal Corporation for a great number of years, but not in the municipal.

18090. Did you find that the influence of the Director-General in educational matters was either not useful or non-existent?—We did not see much evidence of that influence being exercised upon the Educational Department in Bengal.

18091. Supposing he had attempted to intervene with regard to educational matters in the University,
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would that have been resented or welcomed?—The University as it is constituted is a self-governing institution, subject to certain powers of control by the Chancellor, who is the Governor-General of India, and I do not think the University would submit to outside influences unless offered in a spirit of friendly advice, and not in a spirit of criticism or fault-finding.

18092. Was such advice ever tendered to you by the Director-General?—I do not think so.

18093. Was it ever asked for by the University?—I do not think so.

18094. You have pointed to the desire of the provincial Government merely to acquire revenue, and you illustrate it by the fact that the receipts from income-tax has gone up, although the taxable limit has been raised. Are you aware that that is regarded as a sign of prosperity in most countries?—Yes, but in this case the result of the next year's operations after an enhancement of the taxable limit showed that there was practically no diminution. In one year I do not think the theory of advancing prosperity was sufficient explanation.

18095. Would you be surprised to hear that in other countries, notwithstanding the raising of the taxable limit, the revenue tax has increased? No, but a question was asked upon this head in the local Council, and so far as I remember the answer was not that the non diminution was due to the increase of prosperity of the people, but was due to the closer scrutiny exercised by the assessing officers over the incomes of the assesses, thereby including many people who had previously escaped from paying the income tax.

18096. When the Head of a district or division goes on tour, do the people find some difficulty in approaching him?—Before dealing with that question, I might bring to notice a general impression which prevails that in matters, for example, like the excise revenue, though there are directions which apparently restrict the number of liquor and opium shops in the mufassal, the local officers are careful to see that the revenue does not suffer by any restrictions imposed by the central authority. That was also in my mind when I said that there are more or less influenced by considerations of revenue.

18097. Do you suggest that while the Imperial Government desires to restrict the number of liquor shops, the provincial Government takes no notice of it?—The provincial Government does, but the officials under the provincial Government do not enforce those restrictions or at least enforce them in such a way that the revenue does not suffer any sensible diminution. The idea amongst the people is that if an officer fails to return to the Government treasury the estimated revenue of his department does not find his position a very comfortable one.

18098. You think when District Officers go on tour the people have difficulty in getting access to them. Do you suggest that that is caused by the action of the British?—I think so.

18099. Would you suggest that this is the case frequently or in isolated cases?—It occurs in most cases.

18100. No matter how great is the experience of the District Officer?—No. I think the greater experience he has, the more an official goes up the more accessible he becomes personally to the people.

18101. At what stage in an officer's career does this difficulty of access which is experienced by the people cease?—I cannot say that it does cease, but the difficulty diminishes as the officer gains greater experience of matters, for example, like the excise revenue. For instance, when he has been District Officer for some years, or the Commissioner of a division, he is less hampered in his intercourse with the people than in his younger days.

18102. Would that extend not merely to his younger days, but up to the earlier days of his administration of a particular district?—Relatively it would.

18103. You suggest that an officer ought to be kept for some time in a district?—Yes, for between three and five years.

18104. Would you make the period longer than five years?—That question has two aspects. Sometimes, unfortunately there have been District Officers who have not been popular, and we cannot contemplate with equanimity the continuance of their régime for a period longer than five years; therefore I have suggested that the maximum period should not exceed five years. Of course, on the other hand, with a good and sympathetic officer in a spirited period it would be much more useful, both to the officer and to the people.

18105. When an officer is unpopular in a district, is he unpopular amongst all classes, or is he popular with certain classes and unpopular with others?—Generally he is unpopular with all classes, if he is unpopular. His unpopularity is sometimes due to a lack of sympathy which affects all classes; sometimes, but very rarely, it is due to an antagonistic feeling against a particular class, but that is very rare, and therefore his unpopularity is generally with all classes.

18106. Might a District Officer become unpopular because he took up the rights of one particular class as against another?—It has happened, unhappily, in my experience of District Officers, that owing to their taking up the cause of one class against another that has been the result.

18107. For instance, with regard to such questions as disputes between landlord and tenant?—Yes, that has happened, but not very frequently, and when an officer like Sir Henry Harrison thought that the rights of one class should be vindicated against the other, he proceeded with a degree of caution which eliminated to a great extent any feeling of hostility against his measures; but sometimes in cases between landlords and tenants young officers coming out from England, with preconceived notions, have regarded the right of the tenant against the landlord, and have sought to carry out those notions, irrespective of their want of knowledge of the country, and have thereby provoked opposition which might otherwise have been avoided.

18108. In cases where there is this lack of sympathy shown, is it possible to overcome the effects of it?—We find that by experience it is overcome.

18109. It is suggested that sometimes social gatherings or visits without ceremony overcome on either side, and so forth, might take place; would you lead us to believe that those are possible as well as desirable?—They are possible and very desirable.

18110. Would there be no hanging back if they were proposed by the British Officer?—I do not think it would be so.

18111. Have you ever noticed that Indian Civilian Officers have shown equally with British Officers what might be called official pride and hauteur?—Unfortunately that has been the case in some instances.

18112. Might it therefore be thought that it is the pride of office rather than the difference of nationality which creates these difficulties?—I have qualified my answer by saying that it is sometimes the servility of belonging to the ruling caste that works against better relations between the people and the rulers; it is often the feeling of the ruling caste, and it is also the feeling of the ruling caste, and I am sorry to say that I have known Indians of Indian nationality who have been foolish enough to think that their caste would be a source of strength in the discharge of their official duties, and would assimilate themselves more closely to the ruling classes, of which they form, for the time being, a component part.

18113. So that difficulties do arise very often in your judgment, not from differences of religion and race and so forth, but from the possession of authority and power and the way in which it is exercised?—Yes, to a great extent; but in the case of Indians of Indian birth, some of them have a mistaken notion that to put themselves on a par with their European colleagues they should imitate the manner of their colleagues, and that has been at the root of much of the mischief.

18114. I suppose their European colleagues have themselves perhaps been influenced by the same sense of authority and power?—It may be so.

18115. Generally speaking, you wish to see less interference by the District Officer with municipal affairs. Have you seen the working of any mufassal munici­pality?—Yes, I have, because I have property in the mufassal, and I can say with more or less acquaintance with how they work.
18116. Are the present powers which municipalities have adequate ?—For their present purposes they are adequate, but they are subject to too much interference, which ought not to be the case. I mean interference with the budget and with trifling details. There is interference too much in every trifling detail, causing unnecessary friction, and where it is probably not at all needed.

18117. Is the Chairman of the municipality which you have in your mind in making that statement an official or a non-official ?—He is a non-official.

18118. Does he prepare the budget ?—The budget is prepared by the Secretary and the Vice-Chairman.

18119. Both of whom are non-officials ?—Yes, but it is done with the knowledge of the Chairman and with the help of a committee. The municipality is divided into committees for the purpose of doing work. They work satisfactorily.

18120. When the budget is prepared and sent to the Commissioner does he interfere with it too much ?—It is not the Commissioner but the District Officer who interferes; then the matter goes up to the Commissioner and he does not often revive what the District Officer has done, except in very special cases where there is an appeal to him by the municipality, when the matter has to be gone into. Otherwise the budget is finally approved and passed by the District Officer is the budget sanctioned by the Commissioner.

18121. Is the budget before it is sent to the District Officer circulated amongst the members of the Municipal Council ?—Yes, generally about a fortnight before the meeting.

18122. At all events you think that once the Municipal Council have agreed to the budget, unless there is some serious defect in it, it ought not to be altered ?—I think at least the minor heads ought not to be disturbed, and as regards the major heads I would suggest that the total allotment may be sanctioned by the District Officer and Commissioner, the internal details being left to be worked out by the municipality.

18123. Is there much interest taken in the government of the town by the members of the municipality ?—Yes, they take a good deal of interest.

18124. Apart from the question of the submission of the budget, have municipalities ample discretion and power ?—Yes, within the scope of their functions they have quite sufficient power to act.

18125. Are their functions wide enough ?—I think so. They do possess the power of raising money at present except in the case of very exceptionally big municipalities, and I do not think any such power is desirable or necessary.

18126. (Sir Stepney Egerton.) Are the people generally in this country interested in municipal administration ?—They are, because it affects them locally.

18127. Do they feel that they are responsible to the public ?—Yes, and I think that is felt at the time of the elections particularly. If a Commissioner has not discharged his duties well his chances of re-election are considerably diminished.

18128. Would you say that generally of most Munusabt municipalities in Bengal ?—As far as my experience goes, I think I may say that generally municipalities vary according to the degree of education and public spirit in a particular province, but my experience which is more or less confined to the Presidency Division, shows that the people do take sufficient interest in municipal government.

18129. (Mr. Meyer.) Should the provincial budget be controlled by the Government of India, or are you in favour of complete independence subject to the veto of the Council ?—The budget, on the whole, ought to be controlled by the Government of India. Not as to details, but as to the budget itself.

18130. Would it be an improvement, as has been suggested, if all the provincial figures were dropped out of the Imperial budget and only the figures with which the Imperial Government had to deal directly were included ?—I have not considered that aspect of the question sufficiently well to be able to give a definite reply, but I think it would be an advantage. I am inclined to think that if the Imperial budget were not the basis for the provinces, then the administration it would in some respects be an advantage.

18131. How would you find out what the Indian Government as a whole, provincial and Imperial, was spending on such a matter as education for instance ?—The Imperial Government would show the allotments made to the different Governments, and need not go into further detail in order to show the minor provincial expenditure.

18132. Do you desire that the Local Government should have full power in agreement with its provincial Council to spend money on works, whatever the value of the works ?—The Local Government and its Council ought to be the best judges, subject to the general control of the Supreme Government. The budget when framed should show the allotments made, but there does not seem to me to be any necessity for interference with the details.

18133. Supposing the provincial Government proposed to build a new college costing 10 lakhs of rupees; under present circumstances that would have to be sanctioned by the Government of India and the Secretary of State. Would you relax that restriction ?—If a Council were constituted on which the voice of non-officials could make itself felt, and if the budget was sanctioned by the same, discretion of the provincial Governments should be fettered.

18134. Would you therefore relax the restrictions imposed by the Secretary of State as well as those imposed by the Government of India ?—Not as a general control, but the development of a scheme has to go backwards and forwards between the Imperial Government and the provincial Government and the Secretary of State, and its final execution is so greatly delayed that the original intention of the scheme probably is forgotten, and it is not carried out in its finality with the same degree of completeness and enthusiasm as it would have been carried out if all these detailed negotiations had not been required. Therefore, if within the limits of its budget a provincial Government, with the sanction of its Council, formulates a scheme which is sanctioned by the Supreme Government or the Secretary of State, in my opinion further interference is not needed and is not beneficial.

18135. Would you apply that also to the creation of new appointments in the event of a scheme for the creation of new districts involving additional Collectorships and Judgeships ?—I think the cost of new Collectorships and Judgeships should be controlled by the Government of India and the Secretary of State, and its final execution is so greatly delayed that the original intention of the scheme probably is forgotten, and it is not carried out in its finality with the same degree of completeness and enthusiasm as it would have been carried out if all these detailed negotiations had not been required. Therefore, if within the limits of its budget a provincial Government, with the sanction of its Council, formulated a scheme which is sanctioned by the Supreme Government or the Secretary of State, in my opinion further interference is not needed and is not beneficial.

18136. Do you mean that in any case you would keep the existing restrictions on new appointments which would be filled by European Officers framework, and as regards other appointments, if the scheme were sanctioned by the Secretary of State or the Supreme Government, I would vest the Local Government with power to make them.

18137. As regards the borrowing powers of Local Governments, you wish to confine them to productive public works ?—Are the canals in Bengal productive ?—Yes, in many parts. They have been productive in many parts of Bihar, both as a means of transit and as a means of irrigation.

18138. But have they yielded enough to cover their working expenses and make a profit ?—My impression is that the canals in Bihar are productive; I would not advocate borrowing money upon works which are not estimated to yield sufficient return enough to cover the interest.

18139. On the principle that the Local Government should not be allowed to borrow for works which will impose a permanent burden upon it, but for works which will pay in the long run ?—Yes, because in those cases money might be borrowed on more favourable terms than by the Supreme Government, and it might be unwise to burden the finances of the Local Government which would in the long run be more easily borne if undertaken by the Supreme Government.

18140. Do you agree that at present the Supreme Government undertakes productive works and gets as much money as it can from them ?—Yes.
18141. Do you think more money could be got if the Government of India or the Local Government, or the Local Government might develop the resources quicker, having more direct knowledge of the necessities of the district? —Yes.

18142. Are you opposed to any general delegation Act which in general terms would allow the Government of India or the Local Government to delegate any powers that the law has hitherto vested in them to some subordinate authority? —Yes.

18143. You want any delegation to be specifically carried out by legislation. The matters contained in special enactments which might safely be delegated to Commissioners, but those are matters which ought to be left to the discretion of a certain district or province, to a certain extent and give the Commissioner some latitude as regards the way in which it was spent. A general delegation Act would cover many matters which I do not think could be safely delegated, and therefore I am against a general delegation Act. —Yes.

18144. You said that the Government of India had no means of receiving information from the people, but are there not elected non-official members as advisers to the Legislative Council? —Yes.

18145. And is it not open to any Association, the British India Association for instance, to put their views before the Government of India, and do they not habitually do so? —They do so. As regards the members of the Vicereoy's Council there is in Bengal only one member for the whole province, and he is in touch with the Government for a very short period in the year; for the greater part of the year he is in touch with the Supreme Government at all, and as regards memorials they seldom proceed to the effect which personal intercourse might produce.

18146. With regards to excise and what you thought to be the tendency of the local officers to act counter to the instructions of the Government, are you aware that there was an Excise Committee appointed by the Government of India to inquire into the whole subject amongst other things? —Yes.

18147. Ought the Central Government to keep control over the general lines of excise policy in India in such a way as to be against that policy on the part of the local officers? —Yes. The Government of Bengal, as at present constituted, and I believe other Governments also, would follow the general lines of policy laid down by the Supreme Government, but at the same time I should prefer some control being vested in the Supreme Government with regard to it.

18148. Is it be possible to give a younger officer the means of mixing with the people outside the criminal classes? —Yes. When he first comes out. When he comes to know what matters have you specially in view? —Various. That is to say you would break up the existing system of one commissioner and one collector for the whole province, and he is in touch with the people more freely and has nothing to do with criminal work: would you think that of any advantage? —It might be of use if in the first few months it had the disadvantage of mixing with the people outside the criminal classes? —It would be better that he should come into contact with the better class of people.

18151. Do you think more money could be got if the Government of India or the Local Government, or the Local Government might develop the resources quicker, having more direct knowledge of the necessities of the district? —Yes.

18152. You have said that the young European in his early days some means of mixing with the people outside the criminal classes? —Yes. When he first comes out. When he comes to know what matters have you specially in view? —Various. That is to say you would break up the existing system of one commissioner and one collector for the whole province, and he is in touch with the people more freely and has nothing to do with criminal work: would you think that of any advantage? —It might be of use if in the first few months it had the disadvantage of mixing with the people outside the criminal classes? —It would be better that he should come into contact with the better class of people.

18153. Do you think more money could be got if the Government of India or the Local Government, or the Local Government might develop the resources quicker, having more direct knowledge of the necessities of the district? —Yes.

18154. Are you opposed to any general delegation Act which in general terms would allow the Government of India or the Local Government to delegate any powers that the law has hitherto vested in them to some subordinate authority? —Yes.

18156. At the beginning of his service he starts as a Magistrate and is brought into contact with perhaps the worst class of the people? —Yes.

18157. Do you mean that he should do the work, but that he should be merely learning the habits of the people. Might it not be more desirable to give the young Civilian in his early days some means of mixing with the people outside the criminal classes? —Yes.

18158. You speak of reducing transfers and following the same system as in the Judicial Service; what is that system? —In the Judicial Service no transfer is made in less than three years.

18159. Is that rule generally observed amongst District Munsiffs and Subordinate Judges? —They are as a rule posted to a place for three years.

18160. You spoke of a District Magistrate's power of interference with a municipal budget, but has he any independent power; does not the budget go to the Commissioner? —Yes, but the Commissioner generally follows it.

18161. Do you mean that he remarks upon it? —Yes, and the Commissioner generally follows them.

18162. But as District Magistrate can he do anything beyond report to the Commissioner? —That is so.

18163. You spoke of municipalities not being able to raise money, but do they not borrow from Government habitually? —Yes, and probably it would not be necessary to invest them with independent powers of borrowing.

18164. As regards Advisory Councils, what would happen if the Commissioner and Collector disagreed with the majority of a Council on any subject? —There is a feeling in official circles that in case of a difference like that it would result in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in the instance of the members of the opposition who were the representative members of the Corporation, that the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen unusually or frequently in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in the instance of the members of the opposition who were the representative members of the Corporation, that the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen unusually or frequently in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in the instance of the members of the opposition who were the representative members of the Corporation, that the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen unusually or frequently in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in the instance of the members of the opposition who were the representative members of the Corporation, that the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen unusually or frequently in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in the instance of the members of the opposition who were the representative members of the Corporation, that the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen unusually or frequently in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in the instance of the members of the opposition who were the representative members of the Corporation, that the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen unusually or frequently in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in the instance of the members of the opposition who were the representative members of the Corporation, that the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen unusually or frequently in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in the instance of the members of the opposition who were the representative members of the Corporation, that the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen unusually or frequently
not view any conflict arising between the majority of the members of the Council and the Commissioner, with any serious degree of apprehension. If it did arise, I should think that the opinion of the majority should be respected, because it would be the opinion of the popular element represented by Hindus and Muhammadans. If it so happened that in any small local matter all other elements combined came to a different conclusion from that of the Commissioner, I do not think that the prestige or the position of the Commissioner would be in any way affected by an adverse vote of the majority; but to guard against that, I am prepared to suggest that in such a matter a reference might be made to the Local Government, and that the Local Government should be allowed to decide, just as happens in a case where the District Judge refers the matter to the High Court which decides.

18155. You have spoken merely of local matters, but let us take a matter which conflicts with the general policy of the Government—what would happen then?—Just now it does not strike me that there is any such matter which would arise in a district or division, but even if it did arise, if an ultimate appeal is provided for to the Local Government that would be sufficient.

18156. Would it not turn the Collector from a single individual into a corporation with limited liability?—Not at all, because it would apply only in matters affecting the people themselves; for instance, supposing there is a liquor shop proposed to be opened in a particular area, and the Commissioner’s Advisory Council said that it was not proper to put it there, probably the Collector, who is more interested in the development of the revenue than in the improvement of the morals of the people, would wish to have it. I do not think that would be a catastrophe which need be looked upon with any amount of apprehension, and if it were, the final decision of the Local Government would be quite conclusive.

18157. Does the Calcutta University start curricula on various subjects which influence nearly all the colleges and schools in the province?—Yes.

18158. Is that the same thing as the whole, or would you like to see a little less uniformity and the education developed by the people more according to their own ideas?—Taking each province by itself I think not India as a whole. I think a certain degree of uniformity is desirable, but it has been recognised both by the Government as well as by the people that the education so far imparted by the Calcutta University has not been all that was necessary or desirable. With regard to smaller municipalities it might be desirable that in the case of a man drawing a salary of a certain amount an increase should be subject to the control of the Collector or to the Commissioner, as the case might be. In the case of a man drawing a salary of Rs. 10,000 in all road-making, it does not matter how much of that sum is spent on one road and how much on another; for if a sum is allotted for salaries, it ought to be on no condition the Collector that one rupee is given here or one rupee deducted there—all those matters ought to be left to the municipality.

18159. Would you give a municipality full power, say, to increase the salary of its Secretary as it liked?—There are two classes of municipalities, small and large. With regard to smaller municipalities it might be desirable that in the case of a man drawing a salary of a certain amount an increase should be subject to the control of the Collector or to the Commissioner, as the case might be. In the case of a man drawing a salary of Rs. 200 a month, sanction might be desirable, but not in the case of smaller amounts. I do not think it is necessary. With regard to bigger municipalities I do not think even that amount of control would be desirable, but not in the case of bigger municipalities.

18160. And to dismiss him?—Yes.

18161. Without an appeal?—There might be an appeal, but the power to dismiss him might be given.

18162. To whom would you allow him to appeal?—It must be to the Commissioner because the Local Government would be too far removed and too much burdened to deal with details like that.

18163. That is to say, you think a municipality would be entirely impartial in regard to increasing a man’s salary, but that they might not be entirely impartial in respect to dismissing him?—In the case of larger municipalities I would not admit any interference by the Commissioner in the internal work, but in the case of smaller municipalities some control is desirable. In the case of a large municipality the Collector would have a large body of men to deal with, while in the case of a government it has happened in my experience that an officer incurring the displeasure of a single official has been dismissed
sometimes unjustly, because he has been reinstated on appeal by his superior officer—the case went on appeal to the Local Government of Burma which upheld the dismissal; it then went on appeal to the Supreme Government ; it then went on appeal to the Supreme Government; in a concrete case. There is, for instance, the quartering of a punitive police force on a particular area; the District Board has nothing to do with that because it is outside its scope; the municipality has nothing to do with it. I think the Collector might with great advantage to himself and to the people consult the Advisory Council or the Advisory Council, whichever Council the Government may appoint, as to whether the circumstances justified or necessitated the quartering of that police force in that particular area.

18197. Would the punitive police be quartered in another district without the order of the Local Government?—No.

18198. So that all the Collector could do would be to consult with the Council as to whether it was necessary or not, and send on the opinion arrived at to the Local Government, who, in his turn, would consult with the Police and would come to a conclusion as to whether it was desirable or not; then the joint deliberations of those two bodies would go on to the Local Government?—Yes. I have only given you an example. I have not considered matters in detail as to which may be within the scope of the Administrative Council or the Advisory Council, or which may be outside.

18199. Would not a Collector or a Commissioner, as the case may be, be able to gauge the public feeling with regard to the necessity or otherwise of that punitive force?—Our great grievance has been, and it is one of the principal elements of the unpopularity of British Rule in India, that the Collector depends more or less entirely upon the reports of the police. It has been our unfortunate experience that the word of a police officer has more weight with the Collector than any non-official information that he receives from the people; that has been the grievance of the people, and therefore I gave it as an instance shewing one of the acts associated with the arbitrary exercise of powers vested in the Collector of harassing the people at the instance of the police.

18200. Do not Collectors consult leading people to-day?—I do not say they do not; but they do not consult them to the extent that they should, and they do not consult the people they should.

18201. Would it not be possible to develop that system independently, without constituting a formal Council?—Yes, it would be a less efficient method, but it would be a better method than that which now prevails.

18202. The advantage of a Council would be that their advice would come with greater force and that in many matters they would have administrative powers?—They would have greater force and greater weight, and would be recognised by Government.

18203. But would they be recognised as representing public opinion?—Yes, if you select your men and allow your men to be elected.

18204. Would they meet in public?—They need not meet in public.

18205. Then they would meet in camera?—Yes, with the Collector.

18206. What kind of executive matters would you give them to decide?—I have not carefully thought about the special functions which might be entrusted to those bodies, and probably I shall be doing injustice to myself if I give an off-hand answer.

18207. Then you are not prepared to say at present that there are any executive functions which could be given to such a Council?—Yes, I will cite an example which is very fresh in my mind. Take the case of the last Myrnaminghio riot which was brought to the notice of the Collector that certain notices which had been posted in the town had been removed, and it is admitted that in the dead of night he ordered a police patrol composed of civil and military police to visit the city. Now if, instead of doing that, he had had an Advisory Council he could have sent for them and ascertained the truth of the reports which came to him and the means by which the mischief done could be repaired, and the end that he had in view would have been attained without the ill-effects which have been caused by subsequent events.

18208. Was not that a case where prompt action was required?—Yes.

18209. On this Council you would have representatives from all parts of the district—you would not confine the representation to headquarters?—No.

18210. Therefore in the case you cite might it not have been difficult to call the Council together in time?—Yes, but there would always be some members at headquarters who could be easily consulted.

18211. In it not an objection with regard to an Executive Council that very often prompt action is required and therefore your Council, to be of any good, must be on the spot?—Yes.

18212. (Mr. Dutt.) You suggest power being given to Local Governments to borrow within certain limits for the purpose of spending the money on productive works. Might that not lead to their undertaking schemes which might prove to be losing concerns in the end?—If it is controlled first by the Council, constituted as I suggest, and secondly by the Supreme Government, the risk of mistakes would be diminished.

18213. You do not want the control of the Supreme Government over every single work that is undertaken?—There must be the sanction of the Supreme Government with regard to every work for which money is borrowed.

18214. Sometimes there is a great deal of pressure brought to bear on the Local Government for the construction of works by men or by Companies who are interested in such works?—If you give Local Governments power to borrow for such works, might
they not sometimes yield to such pressure and under­take works which might not be remunerative?—A power might be given in a way, but one mistake committed in that way would be a warning.

18215. Then on the whole you think the bad results would be more than counterbalanced by the good results?—Yes, provided it is sanctioned by the Council. I think the risks of mistakes would be diminished, and at the time we in Bengal suffer from the lack of these communications, and that difficulty probably would be obviated.

18216. You said that the provincial Government could borrow money from the Imperial Government on such occasions and for such purposes?—Yes, but there might be difficulty; the Supreme Government might be unwilling to lend, and in that case I am inclined to think that power might be given to the Local Government.

18217. In cases where the Supreme Government was unwilling to give the money, would it give its sanction to borrowing?—I do not think they would give their sanction.

18218. Then what would you gain by having this power?—I should gain in this way that the Supreme Government might not like to lend its own money for the purposes of the project, and then it could be borrowed elsewhere.

18219. You have stated that for certain matters, such as famine relief and sanitation, Local Governments should be allowed to work on the general lines of policy laid down by the Supreme Government, but is that not the case now?—That is the case now, but in matters of sanitation it has been felt that Local Governments have not done all that was possible. In the case of deaths from malaria, for instance, we feel that great attention ought to have been devoted to the question than there has been hitherto, and if the Local Government was able to carry on any works of importance to mitigate the ravages of malaria, it would be able to move sooner owing to its greater knowledge of local conditions, and the pressure that might be brought upon it by the non-official members of the Council.

18220. My question was whether the control and supervision of the Government of India has in any way impeded the provincial Governments from doing what they liked?—We are not cognisant of what passes between the Governments, but we have felt that many schemes are tied up in the Secretariat of the Supreme Government, and considerable delay takes place.

18221. With regard to the question of the finding of a remedy for malaria, do you know of any proposals of the Bengal Government which have been tied up by the Government of India?—No.

18222. You speak of a special Sanitary Board to deal with the question in Bengal, but is there not a Sanitary Commissioner in Bengal?—We have a Sanitary Commissioner in Bengal, but there is no special department to deal with malaria.

18223. Have you not a Sanitary Board?—Yes, but just as we have a Sanitary department for plague in Calcutta, I would suggest a special body to deal with malaria alone to the exclusion of other matters.

18224. In certain matters would you allow the provincial Government to pass legislative measures without the sanction of the Imperial Government?—It must be subject to the final sanction of the Imperial Government. I was thinking of a measure like the Smoke Nuisance Act, which might be easily undertaken by the Local Government and passed subject, of course, to the Imperial Government.

18225. Is there any great need for sanitary improvement in municipalities?—Yes, there is need of good drinking water.

18226. What prevents the municipalities meeting those requirements?—Want of funds.

18227. What is the income of the municipality you are speaking of?—About Rs. 48,000.

18228. Is that money mostly spent on its annual requirements leaving no margin for large sanitary improvements?—Yes, it is spent on current needs.

18229. How do you propose that those sanitary improvements should be carried out?—They cannot be carried out by individual municipalities; it is absolutely impossible, and they could only be carried out by the Local Government or by the municipalities grouped together.

18230. In such matters as large sanitary improvements might the municipalities look to the Local Government for contributions from time to time?—Yes, I certainly think so, because the protection of life and the prevention of death are considered to be the prime duties of the Government. Might such contributions with advantage be made to municipalities for the specific purposes you mention?—I think so.

18232. Is it within your experience that there are certain municipalities which are very small and which, although they are called municipal towns, are practically only villages?—There are such places.

18233. Is anything gained by keeping them up as municipalities?—I do not know how they could otherwise be looked after. If arrangements could be made for the proper conduct of a place, that is all that is needed.

18234. If you made them into village unions, or villages under panchayats, would that not answer all purposes?—Yes.

18235. In primary education now practically managed by District Boards?—Yes.

18236. Are primary schools supervised and managed by Government inspectors, or by the servants of the District Board?—They are supervised by Government inspectors.

18237. Would you give District Boards full power to appoint their own servants, to supervise their own schools, or do you prefer the schools being supervised by the Government inspectors?—I prefer their being supervised by the Government sub-inspectors.

18238. With regard to roads constructed by District Boards, would you like to have that work done by an Engineer who is a servant of a District Board, or by a Public Works Engineer whose services were lent to the District Boards?—That is a question which has engaged the attention of the Local Government for some time past and upon which there is a difference of opinion. It is a very difficult question and I have not formed an opinion.

18239. When measures of legislation are sent to the District Officers for their opinion, would Advisory Councils be able to give any useful opinion on those matters?—I think they would: in any event they would be able to give very valuable information about the local conditions in reference to the proposed measure.

18240. Can you think of any matters in which the advice of an Advisory Council would be of value?—Yes, with regard to the general condition of the district, or the water-supply, or the drainage of the district?—Yes, their opinion and the information that they would place at the service of the District Officer would be of great value, because they would necessarily have a personal knowledge of things which the Collector may not possess.

18241. Is the want of water-supply a great and crying want in some parts of Bengal?—Yes, a very great want. For the present, it can be met only by good tanks and wells.

18242. If the Government pays a contribution, could money be raised locally for making tanks to be devoted to drinking purposes only?—I have no doubt about raising money locally in those places where there is no filtered water supply; elsewhere some money might be raised, but having regard to the conditions of Bengal, it would be difficult to raise money in that way.

18243. Might the money come from the allotments given to the District Officers?—Yes.

18244. Allotments are made too for the purpose of excavation of tanks provided the people themselves contribute a definite proportion?—Some parts of that money remained unutilized because the people themselves could not raise the contribution.

Babu Bhupendra Nath Basu. 18218. Then what would you gain by having this power?—I should gain in this way that the Supreme Government might not like to lend its own money for the purposes of the project, and then it could be borrowed elsewhere.
18245. Are there not occasionally little local disputes between different sections of the people—between Hindus and Muslims? Do you think that an Advisory Council would be of any use to the Collector in trying to settle these disputes?—I think it would be of very great use. On the occasion of the last Bakrid festival, some influential Hindus in Bengal issued a notice saying that there should not be any interference with the ceremonies that Muhammadans might perform upon that occasion, and I have reliable information that that notice had a great deal of effect, and happily there were no Bakrid riots in Bengal on the last occasion.

18246. You mentioned something about the location of liquor shops in the mufassal; might the Collector usefully consult the District Council in the matter of the location of the liquor shops?—Yes, at least the members coming from the particular locality.

18247. Would their advice be of any value to the Collector in that matter?—Yes. For instance, take the question of these matters the Commissioner of Police or the Chairman of the Corporation consults the representatives of the Ward concerned, and their opinion is always acted upon. I have rarely known of a case in which their opinion has not been acted upon. As regards the location of a jute godown, or of a mill or factory or liquor shop, the opinion of the local representatives is obtained in Calcutta and always acted upon. The same system might be followed with advantage in the interior.

18248. A great deal is being done at present by the Government to encourage local trades and industries. Would the Advisory Council be able to help the Collector in that matter?—Yes, in making suggestions to him as to what industries should be introduced or fostered in a particular district and how it could be done—what classes should be approached, and how they should be educated.

18249. Would you have the Collector consult the Advisory Council only in these matters, or would you have him invite other gentlemen to be present there to give their opinions also when these questions arise?—If an Advisory Council is properly constituted I do not think that other men should be invited, because that would diminish the sense of responsibility of the Advisory Council and that would not be desirable. But for any particular measure, just as the Local Government now consults the members of the Local Council, but forms special committees to work out the details of any particular measure which it has in view, so the Collector may form individual committees, but they should be outside the Advisory Council: the Collector may nominate to them members of the Advisory Council.

18250. But the Collector would not be debarred from taking other advice from any other quarters?—Not only would he not be debarred, but he should not be debarred.

18251. Generally speaking, if the Collector consults these members of the Council would his administration be more in touch with the requirements of the people?—Yes; it would bring the Collector into closer touch with the people. It is a great gain, to my mind, that the Collector should be looked up to by the people as not apart from themselves. In the next place, he would know the feelings of the people and sentiments of the people in a much greater degree than he does now, and through more trustworthy channels.

18252. Would you suggest that the Council should be convened once a month, or periodically, or whenever it is necessary to ask them to come?—I think once a month ought to be the minimum.

18253. And they should meet when necessary?—Yes, they should not be like some of the local Councils which are seldom called together.

18254. Would you like to constitute small village panchayats and give them more powers than they exercise at present?—I think so. In arranging local districts village panchayats would be of great help, and they would be helpful in putting down the desire of some people to rush to law on the least provocation.

18255. At present we have chaukidi panchayats?—Yes; they do not inspire any confidence.

18256. If you had to organize village panchayats, as you would take the chaukidi panchayat as your basis?—I would get a different class of men.

18257. Would you have a panchayat in every village, or would you sometimes group villages together?—I would group together villages to give them sufficient importance and weight.

18258. Would you create these panchayats all over the district where the conditions are favourable?—Certainly.

18259. You think also that in that way the administration might be improved and popularized?—Yes.

18260. (Sir Frederic Lely.) I understand that you have not any practical acquaintance with the working of District Boards?—No, except as a resident sometimes in the mufassal, otherwise not.

18261. The interesting evidence that you have given us is the product of your own thought rather than your own contact with the people?—It is the product of my own contact with the people, not so much from my experience of District Boards. The actual workings of District Boards are brought home to us by our surroundings.

18262. Your view pre-supposes that we get for these Advisory Councils men of public spirit and determination?—Yes.

18263. With reference to municipalities, you are acquainted with one or two of rather a large size?—Yes, I am more familiar with them.

18264. You think that it is essential and necessary that they should be able to borrow for special objects?—From the Local Government.

18265. Never mind from whom, but that they should be able to raise money to discount future income for important works?—I am not in favour of the mufassal municipalities borrowing independently.

18266. But you are in favour of their anticipating their future income with a view to carrying out large works?—In the case of big municipalities, yes.

18267. Would you go so far as to say that borrowing was essential for progressive administration?—Yes.

18268. At present a municipality is not ordinarily allowed by the Government of India to borrow for a longer period than 20 years; might that period be extended?—The period would have to be extended to provide for sufficient sinking fund and interest; the 20 years is too short. I would not make it less than 30 years.

18269. Would you suggest that the period should be to some extent adjusted according to the life of the work that was to be executed?—According to the life and value of the work. For a small work costing a small sum of money a long period would not be necessary, but for a big undertaking one which would benefit future generations for a long time, it is desirable that the burden should be spread over a longer period.

18270. In the case of a municipality would you have the Chairman elected?—Yes.

18271. Would you advocate that all the members of the municipality should be elected instead of a proportion as now?—I am at some extent conservative as to that, and I think that two-thirds elected is not an unfair proportion.

18272. You justified not allowing an appeal from large municipalities on the ground that there are fewer clerks in large municipalities; is that really so?—I think so; you have to get together a much larger number of people to carry out a particular thing.

18273. Would not the practical result of that be that there are more clerks?—No. I have experience of some large municipalities, including the Municipality of Calcutta.

18274. You have used some rather strong words about the British officer. May I ask whether you speak from personal knowledge or is it only general?—Both from personal and general knowledge.

18275. Have you known yourself personally Englishmen who are intolerant of opposition, who invest...
themselves with such a coating of dignity and aloofness that self-respecting people as a rule avoid them?—I am sorry to say that I have known them in my younger days.

1827. It is not a general impression derived from what you have heard people say?—It is derived from both personal experience as well as from impressions received from people.

BAEB BIHUKOTA NATH SEN.

1827. (Chairman.) What is your profession?—I am by profession a solicitor of the Calcutta High Court of 44 years' standing and a landholder. I have had some experience in the management of municipalities, and I was Chairman of the Berhampore municipality for nine successive years. I was once a member of the District Committee before the constitution of the District Boards and also a member of the Bengal Council.

To have some real control over the bureaucracy, we must have a Governor and his Executive Council, who all should be appointed from England unless indeed any of those appointments are given to Indians.

There should be a provincial Head for each important Department, who should be called the Inspector-General of the department and who should have an exclusive expert staff under his control. The provincial Heads of departments should be called Inspectors-General of their respective departments, who are not so designated now. And we may similarly have an Inspector-General of Wards' Estates, of Government Estates, of Tazizi and Cess Collections, of Partition and Land Acquisition, of the Chakildari Department, and so on. The Land Registration Department should be under the Inspector-General of Registration with a Deputy Inspector-General under him. Inspectors-General of big departments should have Deputy Inspectors-General to assist them, for instance the Accountant-General should have a Deputy Accountant-General who will be inspectors of district and sub-divisional treasuries. In this way not only will decentralization be secured but the maximum efficiency insured.

The Governor of the province should have an Executive Council of four members, all the European members of which should be appointed directly in England and not recruited from the Indian Civil Service. The Governor will himself have a Chief Secretary, who will direct all the work of the Political, Legislative and Appointment Departments. All the other departments should be divided between the four members of the Executive Council. Each member of the Council should have the Inspector-General of all his departments directly under him, and each member will have a junior secretary to assist him.

The chain of subordination will be as follows:—
(1) Governor and member: (2) Inspector-General and (3) District Officers. The District Officers will have powers of decision up to Rs. 1,000. The Inspector-General up to Rs. 5,000, member of Council up to Rs. 25,000, and the Governor above that sum.

Appeals will lie with the Inspector-General and member in all cases. Appeals from the decisions of members will lie beyond a certain limit to the Governor in Council, and thence beyond a certain higher limit to the Secretary of State in Council.

If the above scheme is accepted, there need be no Board of Revenue and no Divisional Commissioners. The latter serve no useful purpose at present, the only thing at all useful which they do is their periodical inspection of the District Officers, but these are not done effectively, as they have too many departments to inspect and no man can be an expert in all departments. Hide-bound routine and red tapeism is unquestionably the bane of the existing form of administration, and the greatest share of this mischief has been brought about by the cart-loads of manuals issued by the Board of Revenue, and whose correction slips in a year would fill boxes. They have made all things impossible and have reduced the members of administrations into machines. These two anachronisms, viz., the Board of Revenue and the Provincial Executive Board, should be abolished. It is quite feasible to reduce the shelf-full of manuals into two handy volumes for all the departments.

There need be no separate Advisory Councils for the Local Governments and District Officers. When the provincial Local Self-Government Board is established, the Education Board, and the Committee of Wards' Estates, all local officials will have ample opportunities of electing the representatives of the landholding and educated middle classes on those Boards, and in the District Boards, and in the municipalities.

The anomaly and the anachronism of the Non-Regulation districts should be removed. Almost half of each of the districts of Midsapoor, Birbhum and Bankura is inhabited by Sonthals and other aboriginal tribes. Is it seriously maintained by anyone that they are all discontented because they have to live in Regulation districts?

There should be a provincial Education Board at the capital of the province to consist of one representative from each district (to be elected by the District Board and all the municipalities in a district jointly), and representatives from each of the recognised Landholders' Associations and literary bodies, such as the British Indian Association, the Bengal Landholders' Association, the Muhammadan Literary Society, the Anglo-Indian Defence Association, and the British and other associations, as well as four representatives each from the University, and the Agricultural and Industrial Departments of Government, one member equal to one-fourth of the total strength of the Board in order to secure the representation of minorities and of Government interests. The present Director of Public Instruction, who should be called the Inspector-General of Education, should be the Secretary of the proposed Education Board, and it should preside over by the Member of the Governor's Council in charge of the Education Department. The Education Department should be under the control of this Central Education Board, which should fix the curricula for all grades of schools, should sanction all grants-in-aid, and should control the entire inspecting staff of the Education Department. There should not be separate standards for the collegiate educations of Europeans, Eurasians or Muhammadans. For the non-collegiate education, they may have separate curricula to be decided by Special Committees of the Education Board, consisting of a majority of members belonging to their respective communities. There should also be Special Committees of the Board for female education, agricultural education, and for industrial and technical education generally.

When the Divisional Commissioners are abolished, there should be a provincial Local Self-Government Board, consisting of one representative member for each district to be elected by the District Board and all the municipalities in the district put together, and two representatives from each of the Landholders' Associations in the province, such as the British Indian Association, Bengali Landholders' Association, Bihar Landholders' Association, etc. and a number of nominated members equal to 1/8 of the total strength for securing the representation of minorities and Government interests, the whole Board to be presided over by the Member of the Governor's Executive was called and examined.

MINUTES OF EVIDENCE:

18277 (Chairman.) Probably the number of cases to which you refer is rather small?—Yes, so far as my personal experience goes.

18278. Your knowledge of what may be called village life is very limited indeed?—I live mostly in Calcutta but my home is in a village.

(The witness withdrew.)
Council, who may be in charge of this department. This Board should exercise the necessary control over all the Executive staff. Men with administrative experience, such as Deputy Magistrates and Sub-Deputy Magistrates of seven to ten years' standing, may be available for these posts, if it is made worth their while to accept them.

Rightly or wrongly the Indian public believe that Collectors and Commissioners are as a rule against imparting any high education to the wards, especially to those inheriting any considerable estates. There is a ground for complaint in the excessive cost of management which is not under the Court of Wards by the appointment of European managers, assistant managers, and guardian-tutors on big salaries with house accommodation. My proposal is that instead of a member of the Board of Revenue forming the Court of Wards, as now, a Court of Wards Council may be formed at the capital to consist of three representatives from each of the recognised Associations in the province (British Indian Association, Bengal Landholders' Association, and Bihar Landholders' Association); two members of the Local Legislative Council, representing the landholding classes; the Inspectors General of Education and Agriculture, and to be presided over by the member of the Governor's Executive Council. The proposed Inspectors-General of the Wards' estates should be the Secretary, and he should inspect the local wards' offices regularly.

The provincial Government ought to have borrowing powers within certain limits and under certain restrictions, and they might issue debentures like those of the Calcutta Corporation and Calcutta Municipalities, which is on the principle of the Calcutta Corporation and Calcutta Municipalities. The proposed scheme of decentralisation would be to allow borrowing powers to the Deputy Magistrates and other officers under a Court of Wards Council. The proposed Court of Wards Council would consist of three representatives from each of the recognised Associations in the province (British Indian Association, Bengal Landholders' Association, and Bihar Landholders' Association); two members of the Local Legislative Council, representing the landholding classes; the Inspectors General of Education and Agriculture, and to be presided over by the member of the Governor's Executive Council. The proposed Inspectors-General of the Wards' estates should be the Secretary, and he should inspect the local wards' offices regularly.

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18309. Do you wish to see any extension of the powers of a municipality?—They have got sufficient powers under the Act as it now stands, only some powers are withheld by Government under the law and are not extended to certain municipalities. The Municipal Act comprises sufficient provisions for the exercise of rights which would keep the municipality in good order.

18310. And the same with regard to District Boards?—Yes.

18311. Do you work in the municipalities by committees?—Yes. I think the system works well.

18312. Do you have committees on the District Boards?—No, the District Boards have no other committees; there is simply the District Board.

18313. Would it be desirable to establish committees?—I think it would be.

18314. Do municipalities depend for their income entirely on taxation?—Yes; in some municipalities it is a tax on "persons," as they call it, and in some cases it is a rate—that is, a valuation on buildings. There is also the latrine tax, and where there are water-works there is the water rate; there are certain other sources of income. In the Berhampore municipality they have a certain income from pounds and ferries.

18315. There is no contribution from the Government?—Not as a rule, unless for special works.

18316. For Public Works, either under the District Board or municipality, do you borrow from Government?—Yes; the Government does not charge a high rate of interest.

18317. Is there any principle by which the Road cess is shared as between the Local Board and the District Board?—Unfortunately, no. It is desirable to lay down some principle. The allotments made to these Local Boards are generally poor, while they are expected to keep up and maintain the village roads. The agriculturists pay the tax; they can only appreciate its benefits if the roads are kept in good order and all village communications are maintained, but unfortunately the District Boards made scanty allotments to the Local Boards, and the actual agriculturists, the cess-payers, do not feel the benefit at all; that is a grave complaint.

18318. Would you suggest what a fair division should be?—I think it should be half and half of the Road cess; half to the District Board and half to the Local Board.

18319. If members of District Boards and municipality were gazetted by the Commissioner of the division, instead of by Government, would that lead them to think that their position was in any way lowered?—That would be a sentimental question, and I think, in view of the feelings and views of my countrymen, they would look upon it with disfavour. I would not like to attach much importance to that; sometimes differences of opinion are inevitable, and amongst my countrymen there are few who can claim an expert knowledge perhaps of sanitation, so I would not like to attach much importance to that.

18320. Is the work done pretty speedily?—Some work is taken up and some money is spent; jungles are cut and drains are kept clean, and so on, spasmodically as it were, not in a systematic way, and they do not do much good.

18321. You would like to see panchayats established where possible? It would probably be necessary to start experimentally?—Yes. Instead of starting wholesale throughout the province, it would be much better to take up experimental and tentative measures in some well-advanced districts.

18322. Would you give them a small jurisdiction in petty civil and criminal cases?—Yes.

18323. Probably you would be able to add to that minor sanitation?—Sanitation and education in primary schools.

18324. With perhaps a simple water-supply?—Yes.

18325. And would you suggest the distribution of irrigation water?—There is not much feeling in Bengal about the distribution of irrigation water, but in Bihar there is a considerable feeling, and it would do much good in the Bihar districts. I have known of several cases where from a single dispute as to taking water from one field to another there have been lots of riots and murders.

18326. Would those be probably less frequent if they were settled by a panchayat?—I am inclined to think so.

18327. Would you add the management of any communal or forest lands that might adjoin the village?—That would be too big a subject.

18328. When you start experimentally with these panchayats, do you start them in single villages?—No, I should start them in groups of villages; you could not start them in a single village. I would take a population of about 10,000; that is, if one village is to be taken; if a group is to be taken, perhaps two or three thousand in each village—three or four villages of two or three thousand each.

18329. With regard to the conduct of Executive Officers towards the people, you tell us that there is a want of courteous treatment often; is that from your own personal knowledge?—Speaking for myself, I should say, perhaps, that I have been always very courteously treated, but I cannot say the same with regard to others.

18330. When you have heard complaints of discourtesy have you ever taken the trouble to personally investigate them or have you simply accepted the statement?—I have accepted the statement of the gentleman who came into contact with the authorities.

18331. Is it possible to draw together the officials and population of the districts in any way?—There might be a sort of meeting occasionally. It is very difficult to lay down any rule for that; it depends a great deal upon the temper and nature of the individuals in authority. There might be a gathering in some shape or other and an exchange of thoughts; perhaps that would bring into existence a sort of touch which might be desirable.

18332. Is there a desire on the part of both parties to come together?—I think there is.

18333. Therefore it is perhaps only want of consideration on both sides—that prevents it?—I think on both sides, yes.

18334. Perhaps some sort of racial pride on one side, and some amount of difference, which to a certain extent is equally pride, on the other?—Yes, difference on one side, and I might almost say arrogance on the other.

18335. Is this arrogance, where it exists, due to the fact that the man is an officer-holder?—Yes.

18336. So that it may affect both Europeans and Indians?—Yes.

18337. (Mr. Hicken.) You suggest that the Lieutenant-Governor should be replaced by a Governor
and an Executive Council; what is your reason for that?—The Members of the Indian Civil Service would be under proper control. It is very important that this control should come from outside.

1831. You might have a Lieutenant-Governor from outside; if you had that, would you still want an Executive Council?—Yes, the Executive Councils would be an essential thing to help him in administration.

1832. Why do you think that the Head of the Government requires advisers and colleagues? is it because you would get greater continuity of policy?—Yes, there would be greater continuity of policy, and the collegiate would help the Lieutenant-Governor in duties which he alone could not be expected to discharge.

1833. You mean you would get several minds looking at the thing instead of one, and possibly a broader point of view?—That is my idea.

1834. You are not in favour of Advisory Councils for District Officers?—If what I have suggested be accepted, there will be no necessity for Advisory Councils.

1835. You would rather have an effective Advisory Council for the whole province than a number of small Advisory Councils dotted about all over the province?—Yes.

1836. You might have a conflict of opinion among the smaller Advisory Councils, and one might be in conflict with the other?—Yes, and that would give rise to disorder and difficulties which it is not desirable to introduce into the administration.

1837. If there was a question which provoked a certain amount of conflict, you might have a number of conflicting views sent up to the Government, and the temptation might be to play off one against the other?—That is the reason why I suggested that the central control should be properly representative.

1838. The Local Boards to-day have a certain amount of money for roads; do they spend that money well?—Neither the Local Boards nor the District Boards spend their money well.

1839. Which spends it best?—I should say it is better spent by the Local Boards than by the District Boards.

1840. In the case of the District Board there may possibly be less supervision and therefore possibly more leakage—is that what you mean?—I fear so.

1841. Would that be an argument for giving greater powers to the Local Boards?—I think so.

1842. (Mr. Dutt.) You propose to abolish the Divisional Commissioners and the Board of Revenue and to substitute an Inspector-General at the head of each department?—Yes. Every Corporation and Port Trust can do so; therefore, a fortiori, so can we.

1843. Does the Corporation or the Port Trust borrow on as advantageous terms as the Government of India?—Not quite, but I think the provincial Governments would be able to do so.

1844. Would you make any kind of police work one of the duties of the village panchayat?—The panchayat ought to be a link, as it were, between the police and the District Magistrate. These panchayats ought in no way to be subordinate to the police; they ought to be at least co-ordinate with them. They might be entrusted with certain police powers, not all. For instance, just as there is a legal obligation on the chakdisar to report some local offences, it might be made an obligation on the panchayat to give information on certain matters.

1845. Barring that, you do not want them to undertake any other police work?—No.

1846. Otherwise you confine the panchayat entirely to sanitation, education, and the improvement of their villages and so on?—Yes.

1847. Would it help the organisation of these panchayats if a special officer was employed?—I think so.

1848. You were Chairman of Berhampore municipality; is that not a large town?—Yes. The population is about 40,000. I ceased to be Chairman in 1895.

1849. Was your Vice-Chairman a non-official gentleman elected by the members?—Yes.

1850. Did you feel that you had sufficient powers to carry on all the work of the municipality?—I think I had; the executive authorities perhaps thought that I had too much power.

1851. Did you have to maintain any schools or dispensaries in the municipal area?—Yes, there was a large dispensary which we supported entirely.

1852. Were the services of the doctor lent by the Government, while you paid all expenses?—Yes.

1853. Had you sufficient control over the working of the dispensary?—The municipality had not sufficient control over the dispensary, nor has it now. There is now a Dispensary Committee.
18384. For the money you paid did the municipality have a sufficient voice in the expenditure?—Yes.

18385. Are primary schools inspected by sub-inspectors paid by the District Board or by the Government?—The subinspectors are paid by Government.

18386. So that you maintain the schools and Government inspect them?—Yes.

18387. Is that a good system?—No, it is not at all a good system. I would prefer to have our own schools inspected by our own servants under our own control.

18388. (Sir Stepping Edgerley.) Your suggested Council is an Executive Council of four members: how many of these would be European?—Provided you cannot appoint an Indian they should be recruited from Englishmen.

18389. Where will you get all these Inspectors-General from?—They will be drawn from the Indian Civil Service; they will gradually rise to those posts.

18390. All the appointments should be by competition; in that I include also the Indian Civil Service examination.

18391. You mean for instance that your Inspector-General of the Imperial Survey Department should be a member of the Indian Civil Service?—Yes, that is the case now.

18392. And the Sanitary Commissioner?—He, too. Unfortunately there is not now much training in sanitation, but sanitary men with good sanitary education would spring up.

18393. And the Commissioner of Excise?—Yes, gradually.

18394. And the Director of Public Instruction?—Yes.

18395. Then it is practically a change of name?—A change of name and change of functions.

18396. A change of name and a change to administration by subject in place of territorial charges?—Yes.

18397. (Mr. Meyer.) Under your system you speak of an appeal going up to the Governor-in-Council, and thence, beyond a certain higher limit, to the Secretary of State. Where does the Government of India come in? is it to be dropped out?—Yes.

18398. The provincial Government should go straight to the Secretary of State?—Yes: I would not like any decision by the provincial Government to be subject to the revision of the Government of India; it ought to go direct to the Secretary of State.

18399. You speak of special Boards for education and local self-government and Court of Wards. As far as I can make out your Education Board would consist of over 70 members; would that be a good administrative body?—In this province we have 31 districts; there would be 31 members; then from the Associations and Universities and so forth there would be about 40 members.

18400. You do not see any objection to a body of that size?—No.

18401. With regard to the Municipal Council, who punishes a municipal clerk?—The Chairman.

18402. Does appeal lie from him to the Council, or to the Commissioner or where?—The Chairman can make appointments up to Rs. 20 and can punish departmentally, his order being subject to revision by the Municipal Commissioners, but with regard to other appointments and dismissals, punishment has to be inflicted, and the appointment has to be made, by the Municipal Commissions at a meeting by the whole body.

18403. Suppose a Rs. 20 clerk is appointed and dismissed by the Chairman, is there any appeal?—There is no appeal.

18404. If you have a Rs. 50 man, he is appointed and dismissed by the Council. Has he any appeal?—Yes. To the Divisional Commissioner.

18405. Are you in favour of that system?—Yes.

18406. You said that middle schools should be under the District Boards. What about middle schools in municipalities?—The middle schools, too, might be under the control of the municipal Commissioners.

18407. Do you consider that the municipality has sufficient power in the matter of managing and aiding schools?—Not at present. I think that local bodies generally might have more discretion.

18408. Who looks after your streets and drains and so forth in the municipality?—There are the overseer, sub-overseer, Vice-Chairman and Chairman. The Chairman is always expected to do outside work besides the office work.

18409. Are those overseers entirely municipal or are they appointed by Government?—They are entirely municipal servants.

18410. Is it the same with regard to the Assistant Surgeons and so on who look after the dispensaries?—They are not under the municipality. They are lent by Government.

18411. Is the Assistant Surgeon under the control of the Chairman while he is in charge of the dispensary?—No, under the local Committee of Management.

18412. That Committee is responsible to the municipality?—No, the municipality merely subsidises it; with regard to the management the municipality has no control.

18413. Is that the usual thing in Bengal?—Yes, as far as I know.

18414. Does the municipality give a fixed amount?—The dispensary Committee sends its requisition; the municipality makes an annual contribution.

18415. Suppose the Committee wanted to add to the dispensary building or to extend the work of the dispensary in any way?—The municipality can hardly afford to make any contribution, and they would do it by other means.

18416. Would you be in favour of the municipality having a larger control over the dispensary itself?—The Chairman generally is a member of the Managing Committee. Speaking personally, all the time I was Chairman I was a member of the Managing Committee and the subsequent Chairmen have all been members. I think the present system works well.

18417. As regards the panchayats of which you have been speaking, when properly constituted, are to deal with local matters; if they were successful, would you let them absorb the present chaukidari panchayats and the local fund unions, or would you keep them separate?—I think they should be kept separate.

18418. So you might have in one place three authorities within the same area more or less—a chaukidari panchayat, an ordinary panchayat, and a village union?—The duties of the chaukidari panchayats would be confined to certain matters in connection with police work, and the other panchayats and union committees would have other duties independent of those.

(The witness withdrew.)
The district administration may at once be made substantially useful by bringing it under popular control without encroaching on the rights of the local authorities. The two so-called existing self-governing bodies in the districts are the municipalities and the District Boards. It was the Government of Lord Ripon which inaugurated these two institutions. The objects in view were to teach the people the art of managing their own affairs and impart to them "political and popular education," and the other to afford relief to the over-worked District Officers. It was further stated in the Government Resolution that in the beginning the scheme was bound to be attended with failure, but this must not discourage the authori­ties. Neither of the above-mentioned two objects has been attained. The District Officers are still as hard­worked as ever, while the people have been allowed to learn very little of local self-government. This is due mainly to the fact that the principles embodied in the Resolution of 1882 have but been very partially followed, and that even in an unsympathetic spirit.

The principles were adopted, to some appreciable ex­tent, in the case of municipalities, but very partially in that of District Boards. A municipality in a native town, however, affords very little opportunity for learning self-government, as its area of jurisdiction is very limited. It is in the District Board that repre­sentatives can be elected to get an effective training in the management of local affairs, as its jurisdiction ex­tends to the whole of the district. The Municipal Boards, again, is elected by the officials, and as such, that, as a rule, it is practically no self-governing body at all.

Under the existing arrangement, two-thirds of the members of municipalities are elected and one-third nominated. Now, why should not the proportion be three-fourths and one-fourth, considering that municipal towns were in the past inhabited by a large number of educated men, and that also in the past forty years a century has passed since the two-thirds concession was made?

The chief complaint against the smooth working of municipalities is official interference. In many places the District or the Sub-Divisional Magistrate is the Chairman. The District Police Superintendent is an ex-officio member, and so is the Civil Surgeon of the station. Then, again, Government officials have the privilege of being elected as members and Chairmen of the Municipal Councils. The Secretary to the Divisional Com­missioner has the authority to recommend the suspension or the suppression of a municipality on the ground of the unofficialised condition. The incident took place about a year and a half ago with regard to the Pilibana municipality. The Commissioner of the divi­sion is empowered to set aside even the elective process of appointment of a municipality. Officials should not be Chairmen or Members of Municipal Boards, except in cases where they show their utter incapacity to manage the local affairs of the town. Only then should they be placed in the hands of the District Board for sanitary, educational and other matters in rural tracts.

As in the case of the municipality, so in that of the District Board, the Local Government, and not the Commissioner of the division, should have the authority to interfere with its proceedings. Such also was the advice of the Government of Lord Ripon.

The District Board should be un-officialised to as large an extent as possible and supplied with ample funds, so that, in addition to its duties, it may undertake various other works and thereby not only relieve the over-worked District Officer of many of his duties, petty and large, but perform these with greater efficiency than now. Such unpopular taxes as the income-tax and the chaukidari-tax, and the Excise Department may also be placed in the hands of the Board, and the odium attached to the administration thereof may be transferred from the shoulders of Government to those of the representatives of the people. In fairness to the Board, however, if unpopular taxes are made over to it, it must also have the power to convert them into more popular ones. Such an arrangement would be a large preponderance of non-official persons on the Board.

District Officers should be relieved of the duty of serving as Chairmen of District Boards, and replaced by elected non-official persons as a rule. This will secure the twofold object for which the local self­government measure was initiated. It will relieve the overworked District Officers of many petty duties, and, at the same time, enable the representatives of the people themselves to manage the local affairs of the districts. The appointment of the District Officer as Chairman might have been a necessity in the beginning, but as the District Boards have now worked for upwards of twenty years, the time has certainly come when the Magistrates may safely retire in favour of non-official representatives of the people.

The other important change needed is in the direction of entrusting to the District Board more serious work. At present the Board is not at all attractive. The principal sum of money placed at its disposal—namely, the proceeds of the Road cess—is not even as large as an ordinary sampler spends annually with the help of his servants. You can make the Board as independent as possible, but its members will not feel any real interest in it, or work with heart, if the duties imposed upon them are not of an important nature or do not appeal to their vanity or patriotism.

At present the only sources of income to the District Board are the Road Cess, the pounds, and the ferries, besides the grant made by Government on account of education. But why should not several other sources of income be also made over to it?

The functions of the District Board may be expanded by placing the following departments and sources of income at its disposal: (1) The Road Cess; (2) the Public Works Cess; (3) the income­tax (which has supplanted the license tax and is included in the Self-Government Resolution); (4) the chaukidari tax; (5) the ferries; (6) the pounds; (7) the abadi and other cesses or taxes of a similar nature. All these are now worked by the Road Cess, which was imposed with some specific objects in view, a separate account should be kept showing that its proceeds are spent for only such pur­poses for which it was levied. Besides, a portion of the land revenue of the district, say one-third, should be placed in the hands of the District Board for sanitary, educational and other matters in rural tracts.

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income tax. He has to hold charge of the treasury. He is the stamp-vendor general, as also the Head of the Registration Department. He is the Head of the Registration and the Education Departments, and is the Chairman of the District Board. Latterly the village watchmen and chaukidars have been amalgamated with the regular police and brought under the control of this hard-working officer. Where is then the wonder that the Magistrate should find himself overwhelmed with work and fail frequently in the performance of his numerous heavy duties? Where is also the wonder that he should have very little control over his subordinates who frequently bring disgrace upon his administration?

The District Board should be made a living thing, by transferring a considerable portion of the administrative work from the shoulders of the officials to those of the representatives of the people. Lord Ripon's Government suggested that all matters which, for imperial reasons, had not to be retained in the hands of the representatives of Government, might be made over to the people themselves. One such matter is sanitation. Another is education. A third is the rural police. One more is work relating to village roads, village tanks, wells, canals, water reservoirs, etc.: the other is the improvement of village cattle and the agricultural and industrial condition of the masses. Yet another is the disposal of various civil and criminal cases among the rural population. The Board should be entrusted with these duties, as also several others which, in the hands of local officials can part with, without jeopardising imperial interests, and also be furnished with the requisite means of war to carry them out. The Board must have its paid agents in the shape of engineers, sanitary experts, educational and police inspectors to conduct their work. Government-officers should have perfect liberty to inspect the works of the Board and offer friendly advice from outside. Government may also appoint a special auditor to check the accounts of the Board. Indeed, there must not be any friction between the Board and the officers of Government; on the other hand, the latter should make it a point to see that the project becomes a success.

A Board of Control, consisting of two non-official Indians, with a senior Civilian as President, should be appointed to direct control and supervise the proceedings of both the Municipal and District Boards of a province. This suggestion emanated from the Government of Lord Ripon. The controlling Board should be subordinate to the Local Government. If the District Magistrate or the Divisional Commissioner want to know anything regarding the doings of any particular municipality or District Board he should have to do it through this controlling Board.

How the municipalities and the District Board are to be constituted are matters of details. Either the present electorates may be retained, or they may be altered according to the circumstances of each district. The proportion between the elected and the nominated members should be 4 to 1.

The District Board, as now, should have Local Boards subordinate to it. As regards village unions or village communities they should be created by the District Board, and not by the Magistrate as now. The village communities might have been developed into excellent and very useful institutions 25 years ago; but alas! the respectable classes in all the villages of Bengal, with the exception of a very few, have been decimated by malaria and cholera. Village communities have been left and constituting them into unions or communities, and making over such matters, civil and criminal, to them as they deem fit.

The reformed municipality and the District Board may elect a body of, say, half-a-dozen persons to serve both as an Advisory and Administrative Council. The Administrative Council is, of course, more desirable than the Advisory. The District Magistrate may delegate several responsible duties to the Council in the interests of both himself and the public. The members of the Council may be paid an honorarium in the shape of a fee of, say, Rs. 10 per sitting.

To sum up the above:

(1) Larger financial powers might be safely given to the provincial and district administrations provided they could be controlled respectively by the Legislative Council, and the District and the Municipal Boards.

(2) If the local Legislative Council vote for or against the disposal of provincial funds, their voice should be respected in the matter.

(3) The local Legislative Council should be expanded in the following way, namely, first and second-class district as well as two third-class districts grouped together shall have the privilege of returning not less than one member to the Legislative Council through the District and Municipal Boards.

(4) Both the Municipal and the District Board, specially the District Board, should be largely expanded and as thoroughly non-officialized as possible. These institutions should be under the control of a Board, consisting of two non-official Indians and one senior Civilian Officer, the controlling Board being subordinate to the Local Government.

(5) The Calcutta Corporation should have its old constitution returned to it and further liberalized in due course.

(6) Unless the people of the country have at least one municipality in the metropolis and two local bodies in the better districts, we cannot hope for order and good government.

(7) It is a pity that our old village communities were demolished by the rulers and no real self-governing institutions substituted in their place. Return these old village republics with all their privileges to us and we dont want your Boards, Legislative Councils and so forth.

11399. Have you had any experience of local administration?—I was a member of the District Board for two years—that is a long time ago.

18400. Subject to certain considerations, into which we need not now go, you would like to see the hands of the Board over the proceedings of the Municipal and the District Boards strengthened so as to give experience to the members of the municipalities and District Boards how to manage their own concerns?—Yes.

18401. Was the Chairman of the Board to which you once belonged an official?—Yes.

18405. Is it desirable that the Chairman should be an official?—He should be non-official.

18402. Would a non-official Chairman have the experience and would be give the time which would be necessary to manage the affairs of the district?—Yes, the district is very large and there are men interested in its administration who could do the work quite efficiently. The business is not of a very complicated nature.

18404. Does it differ in different districts?—No, in Bengal it is all the same. They deal with the roads and primary education and some small sanitary works, such as small water works, digging tanks, sinking wells and so on; the road work is the main work, and there is a District Engineer who does this work under supervision now.

18405. If you remove the direct control of Government over the proceedings of the District Board, do you desire to retain their indirect control in any way or do you wish it to disappear altogether?—I think it ought to cease; the Local Government might have control. The controlling Board is not my suggestion although I approve of it; Lord Ripon's Government suggested that there should be a controlling Board consisting of three persons, two non-officials and one official, who would supervise the work of the District Boards and municipalities; this controlling Board should be immediately under the Local Government.

18406. Suppose a District Board wanted to carry out some sanitary improvement, and they had to spend something more than the money which they could get from revenue, would you have the Board frame its own scheme and prepare its own estimates?—The Board should be expanded according to the suggestion of Lord Ripon's Government, and various other matters should be entrusted to it. In that way the functions of the Board would be increased, and a Board of Control should be established to supervise their work. The special reason for that is that the District Officers are very hard worked; they have so many things to do that unless they part with some of their work it is simply impossible for them to do...
things as satisfactorily as they ought to do them. That being so, the Board should be enlarged and empowered and official controlling power should be placed over the District Boards and municipalities. This Board would have ample work to look after, and they would be able to suggest improvements in administration.

18407. Would a Board, constituted as you would desire to see it constituted, be perfectly competent, with the advice of the District Engineer, to undertake all district roads and sanitary works? How would you find the funds wherewith to do these things which you desire to do?—Under the existing system the District Board has got only the proceeds of the Road Cess and the proceeds of police and ferries; Government makes some grant for educational purposes. These are the three funds, and there are small grants which are in the hands of the Board now. The result is that practically all the money is swallowed up by road-making; no sanitary works are done; education is neglected. Then again, the Road Cess Fund was created for a separate purpose altogether, but the Fund is practically mis-applied for purposes for which it was not intended. That being so, the Government must find the funds; the Government must make other sources of revenue available as Lord Ripon’s Government suggested, such as the licence tax for instance. Under present circumstances the Board has practically no funds at all.

18408. So that your suggestion would entail on the one side the removal of control and on the other side the increase of Government contribution?—When you talk of Government contribution you speak of the people’s money, and the Government would be simply giving back some of the people’s money to help the District Board. You must give some control to the people over their own taxes.

18409. But viewing it from the administrative point of view, would not your proposal entail the removal of the administrative control, but an increase in the public contributions?—It would involve the removal of the official administrative control, but the popular administrative control is as good as, or I think better than, the administrative control.

18410. In Bengal are most of the municipal Chairmen elected or appointed by Government?—Generally they are elected. In the large municipalities such as Howrah, Patna, Dacca and others they are all official Chairmen.

18411. You wish to see official control removed also in the case of these large municipalities?—Yes.

18412. Since the municipalities practically raise all their own funds, no increased contribution by Government would be necessary in respect of their expenditure?—But Government has certain duties to the people; for instance, plague or some disease breaks out, or there is a necessity of improvement in educational matters. It is the duty of Government to impart education from Government funds, and it should contribute; with regard to other matters which affect the citizens directly they must manage to find their own money.

18413. In the case of municipalities you do not want an increased Government contribution at all; events not as much proportionately as you wish in the case of District Boards?—Yes. I said with regard to certain matters only; in exceptional cases, or if a disease breaks out, the Government should help.

18414. Are you in agreement with the last witness that primary education should come under the municipalities?—Yes.

18415. And secondary education should remain with Government?—Under the existing system the Government has got a larger staff of officers than the municipalities have, so that it is better that higher education should be left with the Government.

18416. The District Boards in their turn would also control primary education?—Yes.

18417. Suppose that a panchayat is created in either small villages or in villages of the township class that predominates. Then again, the Road Cess Fund was created for a separate purpose altogether, but the Fund is practically mis-applied for purposes for which it was not intended. That being so, the Government must find the funds; the Government must make other sources of revenue available as Lord Ripon’s Government suggested, such as the licence tax for instance. Under present circumstances the Board has practically no funds at all.

18418. Are there not sufficient men left in the present villages to be able to undertake the duties?—There are only illiterate agriculturalists—that is the class that predominates.

18419. Have you any practical experience of village life in Bengal?—I have visited the village of my own. Now and then I go to my own village; it is a deserted village. We had formerly more than one hundred families there of the higher classes, and now we have got half-a-dozen.

18420. How would that affect the administration by the District Board?—The members of the District Board are generally recruited from those who live in the town; those villagers who could save themselves from the influence of disease and malaria have emigrated to the towns, in which you have a number of educated people; the District Board members are generally recruited from these educated people, so that the District Board is composed of men who are educated and highly respectable men. There are some villages no doubt here and there where some respectable people manage to live; they may also supply members for the District Boards.

18421. Where are the members of the Local Boards drawn from?—From the sub-divisional areas.

18422. Are the municipal Chairmen who are living in villages or in small towns?—In very small towns, from 5,000 up to 10,000 people.

18423. Are the powers of the District Board sufficient?—As it is now, practically the District Board is in the hands of the Magistrate-Collector.

18424. But apart from the question of an official Chairman, are the powers which the District Boards are supposed to have now sufficient?—They are not sufficient. First of all the Boards are equally constituted of elected and nominated members; they may have power, but what is the good if they are in the minority.

18425. Leaving apart the question whether they exercise the powers, are the powers which they have by law sufficient?—Yes, they can look into the accounts. In that respect they have some powers no doubt, but if the Magistrate-Collector wants to have a thing done they cannot resist him.

18426. Do District Boards work by committees?—Some of them do.

18427. Is that a good system?—I think it is, and it might be usefully extended.

18428. Do the municipalities work by committees as a rule?—Yes.

18429. Do they work well?—Yes.

18430. With regard to the Advisory or Administrative Councils do you think that they would be a good thing to establish?—Yes, if they can be constituted properly they would be of use.

18431. From your point of view, you wish to see a Council for the Collector or the Commissioner as the case may be, which he should be bound to consult, not which he should call together at his pleasure?—Yes.

18432. And unless there is that obligation, you do not attach much importance to Advisory Councils?—No.

18433. You think that they ought to be paid some honorarium?—Yes, because they will give up their time; that would make the work more attractive to them—like the Municipal Commissioners in Calcutta, who get their fees.

18434. You would really like to see before everything else the re-establishment of the village community so far as that is possible?—Yes, but unfortunately it is utterly hopeless. I wish the Commission had gone into a village and seen the havoc which has been played; I think that that is the most important subject for consideration; if the people die out who pay the taxes; Government will be bankrupt in no time.

18435. (Mr. Meyer.) Are you aware that the population of Bengal increased very considerably, as shown by the last census?—I think it can be accounted for in their hands. It is very difficult because our villages have been denuded of all the respectable classes practically by malaria and it is very difficult to get men who could be trusted with those duties.
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was started, and if you like I can tell you the reasons

Government of India in Lord Ripon's time?—But it

you correct there; was it not a scheme started by the

tendent of Police is an

have an Honorary Board?

Administrative Council to assist the Collector; if you

late Mr. Colman Macaulay for Bengal, which was dis­

you speak of that as one of Lord Ripon's projects; are

it was converted into the income-tax.

income-tax will all have gone over to the District

and sanitation and the administration of the excise and

going to assist him in?—The administrative body

these local self-government matters, what are they

Board would face that odium?—It would make it

collection of these taxes; do you think that an elective

Lord Ripon's view with which I agree.

Yes, I am absolutely sure.

practically the purposes for which the cess was origi­

But now the proceeds of the cess are being applied to

provincial roads and dispensaries, which were not the

-affected; among other sources of revenue, with income-

for trade, used to bring a very large income into the

The licence-tax was a very different thing

the District Board is hardly qualified?—Yes. Let me

look after the rural police; would not that impose on

the District Board a part of the police work for which

the Board. The chaukidars, or the village police, for

whose benefit the chaukidari-tax is raised, are practi­

ally the servants of the villages; they have now been

incorporated with the police. That is wrong. That

being so, the chaukidars, as servants of the villagers,

be under the District Board, or its subordinate,

Local Board, which practically represents the

Villagers.

—They might be improved.

Government must make grants for the purpose, or if

not at all.

do you mean the chaukidari unions which now exist?

Public Works Cess should be devoted to the purposes

one of the duties being sanitary purposes—that might also

system are the main causes: that is generally admitted

—In some places at first, where the conditions are

look after the rural police; would not that impose on

the District Board a part of the police work for which

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whose benefit the chaukidari-tax is raised, are practi­

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being so, the chaukidars, as servants of the villagers,

be under the District Board, or its subordinate,

Local Board, which practically represents the

villagers.

You say that the District Superin­

powers that you indicate, would you want .Advisory

suffice.

You speak of an Advisory Council or an

Administrative Council to assist the Collector; if you

are going to dissociate the Collector entirely from

these local self-government matters, what are they

going to assist him in?—The administrative body

ought to be a popular body.

But what work is left, because road and schools

and sanitation and the administration of the excise and

income-tax will all have gone over to the District

Board with which the Collector has nothing to do?—

I would give them the duties of the Collector; the

list is half a mile long. I would relieve him of many

of them both in his own interests and in those of the

villagers. The other half is due to the District of the reasons which led the

Government of Lord Ripon to propose that.

Should they help him to try cases?—You

have Honorary Magistrates; why should you not

have an Honorary Board?

(Mr. Dutt.) You say that the District Superin­
tendent of Police is an ex-officio member of every

municipality; is that so?—So I am told; a man

connected with the police told me.

But you are not quite sure?—No.

Is the District Superintendent of Police

ex-officio a member of any municipality?—I will

enquire about it; I am not quite sure.

You say that the proceeds of the Road Cess

are now misapplied; will you tell us what you mean?

—This Road Cess was levied with definite objects in

view; when the Road Cess was proposed the zamindars

made a row over the matter. The Government silenced

them by giving direct pledges that the cess would be

applied to certain purposes, only to village roads;

not provincial or imperial roads, but village roads,

village tanks—everything connected with the village.

But now the proceeds of the cess are being applied to

provincial roads and dispensaries, which were not the

object originally; they are being applied to maintain

veterinary schools and for other purposes, so that

practically the purposes for which the cess was origi­

nally levied have not been fulfilled.

Are you sure that the proceeds of the road

cess are now being applied for veterinary purposes?

Yes, I am absolutely sure.
THIRTY-FIFTH DAY.

CALCUTTA, Wednesday, January 29th, 1908.

PRESENT:

C. R. H. Horshouse, Esq., M.P., Under-Secretary of State for India, Chairman.

The Honourable Mr. F. A. Slacke, C.S.I., was called and examined.

18468. (Chairman.) You are a member of the Board of Revenue in charge of the Land Revenue Branch?—Yes; I deal with land revenue, survey and settlement, land registration, land improvements, the sale or lease of waste land and Government estates, the management of Wards and attached estates, the collection of cesses, and so forth.

The relaxation of the existing limits on the exercise of powers is desirable and can be best effected by a general Act giving power to delegate, such as was suggested by the Bengal Salaries Commission in 1885, but with this proviso that no delegation should be made until (i) a notification had been published in the Gazette to the effect that such delegation was contemplated and inviting criticism from the public and (ii) such criticism had been considered.

The proper sphere of work of Directors and Inspector-General under the Government of India is that of inspection and suggestion. These officers being the expert advisers of the Government of India exercise very important powers and where an opinion given by one of them is adverse to a proposal submitted by a Local Government such opinion might be first communicated to the Local Government concerned for any criticisms they may like to offer before a decision is arrived at on the proposal by the Government of India.

I would not curtail the existing right of appeal in respect to administrative action, but as regards the right of appeal now granted to officers of Government against orders affecting them personally I would not allow any such appeal in respect of promotion or the selection of officers for special posts.

I am not aware of any increase in the demand for returns and information from the Government of India since the curtailment effected by Lord Curzon.

I have doubts as to whether the influence of the Commissioner is sufficiently strong in matters relating to the supply of drainage facilities by railways. A case came to my notice when I was Collector of Saran Division, the average area of a sub-division not to be much more than 600 square miles.

Are appeals against Government orders?—Yes.

When a Commissioner makes his report to the Lieutenant-Governor on the recommendation of a Board of Revenue or of investing District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

Do you do that as a matter of practice?—It depends on the officer himself; some officers do and some do not.

Is anything laid down with regard to their duties?—In the recent appointments made the Government of India laid down certain stipulations; if they were followed always it would be beneficial.

You would not curtail the right of appeal with regard to administrative action?—No. Where it is a question of selecting an officer for a particular post, there should be no appeal against the Lieutenant-Governor's order.

But in the case of such things as small revenue appeals, would you allow them to go up?—I think that any curtailment of the right of appeal would be very distasteful to the people.

Are appeals against supersession frequent?—No, there are not many.

You say that there is no increase in the demand for returns made by the Government of India; what about the provincial Governments?—There has certainly not been any increased demand for returns since the time when the returns were revised in Lord Curzon's time.

Have you issued any fresh orders since that inquiry?—No, I have cut down two or three periodical returns concerning land revenue quite lately.

Is there any further reduction that would be advantageous?—I cannot think of any at present.

From the point of view of the Board of Revenue are you bound to ask for all that you now do ask for?—That is my position, as far as I can see...
at present; I am always on the look-out to see what can be reduced both in respect of registers and returns.

18479. You tell us that the Commissioner has given the requisite influence in matters which appertain to his duties, except in respect of railways; is that an exceptional case?—Hardly; because railways are incurring a loss on the railways, and when they do not draw an increment of pay until he has passed certain examinations. Then, if one does not know the vernaculars well enough, they may happen which, owing to his lack of the vernacular, will show that he is not a good District Officer, and thereby retard his promotion. The retardation of promotion is not dependent on his knowledge of the language, but his lack of knowledge affects his promotion.

18493. It is an indirect, not a direct, factor?—Yes.

18494. Might vernacular knowledge be profitably taken into larger account?—It is very hard to do that. I am myself not good at languages; I am not good at the classical portion of the languages; but there was once a Commission sent round, and I had to conduct it round my sub-division; one of the members had passed in the High Proficiency Examination in Bengali; it was a Bengali sub-division, I found that he did not understand the people in the slightest; I did all the interpretation. Upon that experience I venture to say that these examinations will not help you to get any idea as to the value of an official's work amongst the people.

18495. Would you lead us to believe that the superior officers of the Service are so unacquainted with the capacity of their juniors that they do not know whether a man has a reputation as a practical linguist?—I did not mean to say that, because one travels about amongst one's subordinates and hears how they speak.

18496. Then there is some method, other than examination, by which an officer's knowledge of the vernacular can be arrived at?—Certainly.

18497. Ought the knowledge of an officer's power to speak the vernacular to be taken into account either in retarding or advancing his promotion?—In some cases it should be. I would not go so far as to say that it should always be taken into account. It should be left to the discretion of the officer who makes the appointment to take it into consideration.

18498. An officer should only be exceptionally promoted when he knows the vernacular?—Exceptionally promoted for a post in which a knowledge of the vernacular is necessary.

18499. Is enough care taken in selecting officers for promotion for the ordinary posts such as Collectorships?—You have got to make the most of what you have got; you have not sufficient officers. To a certain extent there is selection. For instance, some may not be sent to certain districts, because they would not be considered competent to manage them.

18500. Suppose one of these exceptional districts fell vacant, is it within your knowledge that a senior man has been passed over and a junior put in?—Not generally; they might transfer from another district an officer who could manage that district properly.

18501. That the non-observance of selection may not only lead to a more or less incompetent officer being promoted, but it may possibly result in a greater number of transfers?—That is so.

18502. Suppose you could get an adequate staff, would it be well to take greater care in the promotion of Assistant Collectors to Collectorships?—Certainly. I would go further: I would go to a Joint-Magistrate.

18503. Suppose the process of selection had been more rigorous than it appears to have been at the present moment, would the result have been that a considerable number of officers would have been passed over for promotion?—I could not say a considerable number, but some would have been passed over.

18504. You state that the number of transfers recently has been very large?—For some time I had.

18505. Has that had a bad effect upon Government generally?—Certainly; we are letting go the most valuable asset that we possess—the confidence of the people. Over and over again the samaritans and those entitled to have some say have told me: "We want
to know who the Head of our district is; we want to know him so that he may know us, but he is here only a very short time, and we know by experience that he is likely to be here so short a time that it is not worth our while to go near him.

18507. Would that apply with even greater force to the raiyats than to the samndars?—Yes; they are very slow to take anything in, but they are being taught the way here for only a short time, and by the time he gets to understand our needs somebody else will come. It is now extended not merely to District Officers, but also to Divisional Officers at headquarters; it is affecting the office work. I have done a good many inspections this past year, and in most of the Collectorates I have found many departments in which on the average the Gazetted Officer-in-charge has been there only six months, and so he lets the department be run by the clerks. It is affecting the administration very badly.

18508. Has there been a large increase in the number of clerks attached to district offices away from headquarters?—Not clerks; there have been increases, but you cannot call them large.

18509. Therefore the most urgent reform is to prevent the constant transfer of officers?—Yes, I look upon that as equivalent to fourteen annas in the necessities of administration.

18510. A considerable number of Court of Wards cases come to you from Commissioners to Collectors?—Yes, that gives me a great deal of work.

18511. Could a large number of your powers in that respect be delegated to one or the other of your subordinates?—A great deal of the heavy work cannot be delegated, for instance, budget and returns; they cannot be wholly delegated unless the subordinate establishments and the Collectors of Bengal are so trained as to pass the budgets. The Collectors have the power at present to pass the budgets for estates the revenue of which does not exceed one lakh of rupees, but I find they cannot be trusted to pass them; they must be checked here, because their establishments have not been sufficiently trained, or the officer-in-charge does not know his work sufficiently to be trusted to pass the budget. In time I hope it will be possible to do it, but it will take some years before we can safely do without the check that we have now.

18512. What is it that you find wrong with the budgets?—They are not sufficiently carefully prepared; there are a number of faults which are detected here and put aside; matters are put under the wrong heads, or there is no explanation given, and there are variations in amounts.

18512a. Could that not be checked by audit?—In Bengal, but estates with incomes under Rs. 50,000 are not submitted to professional audit; they are only audited by some Deputy Collector at headquarters.

18513. Is it not that the Collector or Commissioner would not have experience to be able to deal with these points, but that his clerical staff is not sufficiently careful?—Quite so.

18514. Therefore the power of the delegation might be given?—The power has been given, but it does not affect the amount of work in my office here.

18515. Would you give Commissioners a considerable power of making small budgets in their own divisions dealing with Public Works and things of that kind; so that they might take Public Works without reference to Government up to a limited sum, say, Rs. 10,000?—They have now a certain sum which they can spend. At present I am unable to see the necessity of anything further.

18516. You do not think it would save time?—I think not. I would not consider to pledge myself unless I had an instance put to me.

18517. (Sir Frederic Lely.) The Board of Revenue in Bengal consists of two members?—Yes.

18518. It is an appellate Court in revenue administration matters.

18519. Do appeals to the Board of Revenue after wards lie to the Lieutenant-Governor?—He can be

memorialised. It is very rarely that a memorial is submitted to the Lieutenant-Governor.

18520. Practically the Board is a final Court of Appeal?—Yes.

18521. It is also the superior executive authority in certain departments. Do you consider that it has an advantage to have a Court other than the Commissioners and the Local Government?—Somebody has to deal with the appeals from the decisions of the Board, and it seems to me that the Board is the best authority to deal with them.

18522. It has been suggested that the status of the Board of Revenue should be somewhat altered—that the members should still sit to exercise appellate authority, but for all executive work they should act as the Lieutenant-Governor's agents; that all minor matters should be referred to, and dealt with by, them, and that on important matters they should act as a Consultative Board to the Lieutenant-Governor; what do you say to that?—That is very much what is being done now. Many matters are submitted to us either individually or jointly.

18523. What do you consider is the special place of the Commissioner in the official administrative machinery?—Certain matters do not pass beyond the district in executive affairs, and he sees that a certain portion of the province is properly administered.

18524. Does he, or ought he, to fill in his division practically the place which the local Government fills in the whole province?—No, I would not go so far as that.

18525. Would you consider that the Commissioner has any responsibility for the management of excise in his division?—He has responsibility, and he exercises it. I cannot say that he has any authoritative power in the matter, but his suggestions are always given great weight to.

18526. As a matter of official courtesy, so to speak, to a man of position and influence?—Yes.

18527. Has he any authoritative influence in matters of police?—The Commissioner has a great deal of power with regard to the police. He hears appeals from police officers.

18528. Was that under the recommendations of the Police Commission?—I have not had experience of police work during the last two years, but up to about two and a half years ago he had.

18529. Has he any authority over education?—A great deal.

18530. I mean direct authority?—No, I think not.

18531. Would he be in any way held responsible for anything going wrong?—I think he would be held responsible for not knowing that any large matters were going wrong. It is only what is expected to know and everything of magnitude that is going on in his division. He would be looked upon as responsible for seeing that anything was going wrong steps were taken to put it right. Suppose there was friction going on between the Educational Officer and the Head of the district, it would be his business to know of it and to see that it was stopped.

18532. Suppose a training school or a college is utterly mismanaged; would he be held responsible in any degree?—Yes, because he would have to satisfy himself that the District Officer was taking steps to see that the want of discipline was remedied.

18533. But he would have no direct authority himself?—Except the authority that is given to his position, that is all.

18534. (Mr. Dutt.) You have made some suggestions for the delegation of powers to Divisional Commissioners; will that delegation largish, or to some extent, reduce the work of the Board of Revenue in Bengal?

18535. But in other branches besides the Court of Wards will there be any great reduction?—There will be a slight reduction, but then on the other hand you have to take into account the extra work that may be entailed by the delegation of powers to the Board from above, powers which they do not possess now. I cannot say to what extent that will be the case, but the work will not be reduced very considerably until we can get better staffs in the subordinate.
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18536. So that you do not foresee any great reduc­
tion in the work of the Board if these recommenda­
tions were accepted?—I do not yet foresee it.

18537. A suggestion has been made that the members
of the Board of Revenue, besides acting as a Board of
Revenue in regard to revenue matters, should be either
summer or full-time colleagues of the Lieutenant-Governor in
matters other than revenue; in fact, that they should be
something like members of his Council?—I would
not like them to be colleagues, because that would divide
authority; I would let them be advisers as they are
now; the Regulation gives them that position; the old
Regulation lays down that they are the confidential
advisers of the Government.

18538. Is that so in all matters?—The Regulation
says so.

18539. But as a matter of fact are they the advisers
of the Lieutenant-Governor in these matters?—There
is nothing laid down about that: all matters are to be
sent to them for their opinion. Under the present
system it is only the matters which the Lieutenant-
Governor sends to them for their opinion; it rests
with the discretion of the Lieutenant-Governor as to
what subjects they are consulted upon. Matters have
not to pass through them, as they would in the case of the
Council of a Governor in Madras or Bombay. It
may be possible that it would be a question of confidence in
Government in revenue matters; on the other hand
(I am only speaking from memory) that they are con­
didential advisers to Government in everything.

18540. Would you approve of the idea that they
should be de facto advisers of the Lieutenant-Governor
in general administration, including all matters?—I
should leave it to the Lieutenant-Governor's disci­
SION: I would not hamper him and say to him, "You
must take the advice of the Board on every point."

18541. For instance, is there anything in the law to
prevent the Lieutenant-Governor from consulting the
Board in municipal matters?—There is nothing in
the law to prevent the Lieutenant-Governor consulting
anybody he chooses.

18542. You say that you are in favour of a general
Act giving power to delegate, as was suggested by the
Bengal Salaries Commission in 1885. Does that mean
that when certain powers are vested in the Government
by certain Acts a general power of delegation should
be given enabling the Lieutenant-Governor to delegate
any of those powers to any local officer by Gazette
notification?—Subject to certain safeguards; that is
to say, the Local Government should not delegate
those powers without having first of all published
their intention to do it and obtained any comments
that others might wish to make. Delegation should be
made with the sanction of the Imperial Government,
and with the proviso that those comments had been
examined.

18543. In certain matters there is a good deal of
debate in Council as to the authority which should have
the power to sanction a certain thing, and the question
is settled sometimes as the result of a compromise. If
such a power has to be delegated, would it be altogether
fair to delegate it by simple Gazette notification?—I
cover that by providing that the intention should be
published and that comments should be invited; then
if it was not thought to be fair there would be a large
mass of opinion against it, and presumably the Imperial
Government would be asked to take that into
consideration, and the delegation might not be made
except through the Legislature.

18544. Then you do not provide for an amending
Act in every case?—I think that that is not elastic
enough; at the time it takes to pass an Act through the Legislature; very often prompter action
than that is needed.

18545. Suppose it to be the law that a new tax in a
municipality should be levied by the Government of
Bengal, and under a general Act of delegation the
Lieutenant-Governor delegates that power to Divisional
Commissioners, the only way of altering the Act without a
specific amending Act; would that be altogether fair to
the rate-payers of municipalities?—But they would
have had their say before any delegation took place;
the delegation would not be rushed through in a week;
time will have been given to anybody to put forward
any reason for objection, and those reasons would be
considered; if it was thought the reasons of objection
were tenable, delegation would be made, so that I see
no unfairness. It would be in some instances quite
satisfactory, to have those safeguards, and to have the
thing simply done by notification, without the persons
interested hearing anything of what was taking place.
Where the delegation was objected to strongly, if the
Government still thought it necessary to delegate, I
would have a special Act so that it would be debated
in the Council.

18546. You mean if there was strong opposition?—
Strong and reasonable opposition.

18547. Who is to judge of that?—The Imperial
Government.

18548. You say that you would not curtail the right of
appeal except with regard to appointments?—Yes,
with one exception; I think it has just been altered
lately. Commissioners of Divisions should be put on
the same level as Heads of Departments.

18549. How are the Deputy Collectors appointed?
—They are appointed by the Government, except that
first of all, in some instances, there are appointments
from Sub-Deputy to Deputy; appointments of outsiders
to sub-Deputy Collectorships are made on the
nomination of the Commissioners and Collectors;
some are made direct by the Lieutenant-Governor.

18550. I am speaking of the actual appointment; is
that made by the Government in every case?—You
may say that it is made by the Government, but it is not
made always directly by the Government.

18551. Would you recommend the delegation of
that power, or would you keep it in the hands of the
Lieutenant-Governor?—I would certainly keep the
power in the hands of the Lieutenant-Governor.

18552. Are the posting and transferring of these
officers done under the orders of the Government?—
Except as to Sub-Deputies in a division.

18553. I am speaking of the Provincial Service?—
You mean the Deputies. When the staff is sufficiently
strong I would like Commissioners to transfer their
Deputies within their division; I would not do that
now; the cadre is not sufficiently strong. It might be
considered hereafter.

18554. You recommend that there should be a
larger number of sub-divisions; is that with reference
to the area of sub-divisions generally, or have you
some particular sub-divisions in view?—I think the
area of sub-divisions generally should not exceed 600
square miles, because the more sub-divisions you
have, the closer you bring the administration to the
people through the medium of a reliable officer other
than the police.

18555. As a rule now are sub-divisions over 600
square miles?—There are a great many over 900
square miles.

18556. Are you in favour of the idea of creating
one or two circles inside the sub-division under the
Sub-Deputy or Collector, and placing officers in charge
of those circles?—That would not be so good as lessen­
ing the size of the sub-division. You would then have
an inferior officer to carry out the work. Of course,
something is better than nothing; if you could not
afford to increase the number of sub-divisions that
would be an improvement, but it is not nearly so
good as increasing the number of sub-divisions, when
you would have a much better officer in charge.

18557. In Madras and Bombay under the Sub-Divi­sional Officer there are smaller circles mainly for
revenue collection but also for other purposes, of
which circles tahsildars are in charge. It has been
suggested to us that some arrangement like that
would probably bring the administration more into touch
with the people. What is your opinion generally upon
this point?—I do not think it would be useful, generally speaking; it might in certain
sub-divisions be of assistance. There are a very large
circle tahsildars in charge of the Government estates in his division, would be trifling.
ROYAL COMMISSION UPON DECENTRALIZATION.

Is it possible to delegate to Sub-Divisional Officers some of the revenue work which is now done at headquarters in the Bengal districts?—As it is the Sub-Divisional Officer who is in charge of the income-tax, he does stamps, he does Government estates, if there are any. The only things that might probably be delegated would be land registration and the collection of land revenue. Delegation of those two things might be useful in a few tracts, where you are particularly coming to a rajpatuni land settlement, such as, for instance, in Bihar; otherwise it would not, and it would be exceedingly unpopular with the landed class, because they have to keep an agent in every sub-division instead of keeping one only at head-quarters.

With regard to income-tax, what do you say?—I do not think that that would be much work for the Sub-Divisional Officer, because the income-tax realised in the majority is very small.

Or land acquisition work?—That is very small.

You do not then think it is possible very largely to transfer the work of the officers at headquarters to the Sub-Divisional Officer?—No. Of course, there are cases in which an officer does not transfer; at present it is permissive; I have found cases in which an officer could have transferred revenue work and did not do so.

It would also be possible to transfer some of the treasure work from the Sub-Divisional Officer to the circle officer, suppose the circle was created?—You must consider the grade of the officer; if you have an officer at Rs. 200 or Rs. 250 a month, you would not transfer to him excise work about the locality of a liquor shop, for instance. I cannot see the advantage of that over the present system; you have joint deliberations now. With regard to other matters you have your deliberative assembly for their opinion.

To other administrative matters, such as municipal matters?—I only say that the Board require two members, because there are more departments through which a member can attend to. If the departments were so small, each in itself, that the work could be done by one member, then there should be only one member. We carry out the principle really here by Commissioners’ conferences.

Would it be desirable to have possibly an additional member attached to the Board of Revenue?—That is to say, the Lieutenant-Governor would be bound to conciliate; I cannot see the advantage of that over the present system; you have joint deliberations now. With regard to other matters you have your deliberative body in the Commissioners’ conferences.

How often do such conferences sit?—Once a year for about 14 days.

Once a year would be a very inadequate amount of time if the same amount of deliberation is to be applied as is applied in the Board of Revenue?—Those are particular questions that come up. Most of these big questions are not so urgent that they cannot be postponed for two or three months.

You appreciate the importance of a deliberative body in the case of your own work; do you not think that the importance might apply equally to the Lieutenant-Governor’s work; if not, what is the difference between the two?—The Lieutenant-Governor should have the power to pass orders of his own motion; he should not be subjected to the dictate of another body; he might ask for advice where it suited him to ask for advice and where he thought it was necessary to do so, but you should not compel him to submit every question that arises to a deliberative assembly for their opinion.

Would your first point not be met if he had the power in exceptional circumstances of over-ruling his colleagues?—I think that that would increase the work without any necessity; you would have to put it always down on record why he over-ruled his colleagues.

Would that be an advisable and desirable check?—If you had a deliberative assembly the Lieutenant-Governor should have the power of veto.

Suppose he had to put his opinion in writing and to consider it very carefully before he over-ruled his colleagues, would that not be a desirable check against impetuous action?—I do not think you usually find that there is impetuous action.

Does the Board of Revenue decide whether encumbered estates should be taken over by the Court of Wards?—They have taken under the Encumbered
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Estate Act, not by the Court of Wards; the Board of Revenue advises as to whether Government should take action under the one or the other method.

18587. The decision is left to His Honour?—Yes, there is a proposal to delegate that power to the Board of Revenue, as to whether the scheme is able to produce reasons in favour of their doctrine?

18588. Is it desirable to delegate that power?—Yes.

18589. Is the taking over of estates under the Encumbered Estates Act a matter of political importance?—Yes.

18590. In practice, has the taking over of such estates grown or decreased?—It has grown, because the part of the province where these estates exist is becoming opened up; the owners of these estates are very thrifty; they have greater opportunities of getting into debt, and therefore more cause arises for bringing estates under the Encumbered Estates Act.

11591. Are estates taken over merely because they are encumbered, or is there any additional reason?—You do not want to have these aboriginal people in the hands of alien money-lenders, who have no sympathy with them, who do not know their ways and customs, and who might produce a revolt or rebellion.

18592. You say that an increase of staff is necessary; have you worked out at all in numbers what it would cost?—No.

18593. (Mr. Meyer.) You say: "Where an opinion given by the Inspector-General is adverse to a proposal submitted by a Local Government, such opinion might be first communicated to the Local Government for any criticism that might like to be offered before a decision is arrived at on the proposal by the Government of India. Do you mean an opinion given by the Inspector-General in the course of his tour of inquiry?—If a scheme is submitted to the Government of India and the Government of India send it to their expert for his opinion, then if his opinion is adverse to the scheme, before orders are passed, that expert's opinion should be shown to the Local Government to see whether they accept it or not, or to get their reasons for not accepting it, so that the Local Government's reasons for not accepting the expert's opinion might be before the Government of India when they came to decide the matter finally.

18594. Would you say that the Secretary's opinion should be held confidential but not the opinion of an Inspector-General?—I did not contemplate the Secretary's opinion being other than confidential.

18595. Is the Inspector-General not referred to as a sort of Secretariat officer?—As an expert adviser to the Government in that particular matter.

18596. Would it not often involve considerable delay which it might possibly be an urgent matter?—It would make administration smoother.

18597. In many cases the Government of India, as a matter of fact, now do not overrule the Local Government without first referring the matter to the consideration of the Local Government?—Yes, for further consideration on certain points.

18598. And it often happens that the Local Government is able to produce reasons in favour of their own course, which the Government of India accepts?—Yes.

18599. You would like that practice to be extended?—I would like the Imperial Government not to overrule the Local Government in the course of his tour of inquiry?—Yes, to the safeguard that I mentioned just now.

18600. As regards general delegation, should the orders of the Government of India be sought in all cases where the Act as it stands says that the Local Government shall exercise the power, and the Local Government want to delegate it, say, to the Board of Revenue, must it go to the Government of India?—Yes.

18601. Where the Act says that the Commissioner is to exercise power and the Local Government wants to delegate it to the Collector, should you go up then?—Yes.

18602. Do you think the time has now come when it would be quite expedient to delegate powers which were advisably reserved to the Government of India?—Yes, subject to the safeguard that I mentioned just now.

18603. As regards general delegation, should the orders of the Government of India be sought in all cases?—Yes.

18604. The decision is left to His Honour?—Yes, for a matter of fact, now do not overrule the Local Government in that particular matter.

You say: "Where an opinion given by the Inspector-General is adverse to a proposal submitted by a Local Government, such opinion might be first communicated to the Local Government for any criticism that might like to be offered before a decision is arrived at on the proposal by the Government of India. Do you mean an opinion given by the Inspector-General in the course of his tour of inquiry?—If a scheme is submitted to the Government of India and the Government of India send it to their expert for his opinion, then if his opinion is adverse to the scheme, before orders are passed, that expert's opinion should be shown to the Local Government to see whether they accept it or not, or to get their reasons for not accepting it, so that the Local Government's reasons for not accepting the expert's opinion might be before the Government of India when they came to decide the matter finally. I was thinking of officers such as the Superintendent of the Geological Survey; he is an expert adviser.

18594. Would you say that the Secretary's opinion should be held confidential but not the opinion of an Inspector-General?—I did not contemplate the Secretary's opinion being other than confidential.

18595. Is the Inspector-General not referred to as a sort of Secretariat officer?—As an expert adviser to the Government in that particular matter.

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18598. And it often happens that the Local Government is able to produce reasons in favour of their own course, which the Government of India accepts?—Yes.

18599. You would like that practice to be extended?—I would like the Imperial Government not to overrule the Local Government with regard to a proposal, where the decision of the Imperial Government was arrived at on the advice of their expert, without first of all letting the Local Government see what the advice of the expert was; I did not contemplate for a moment that the opinion of the Secretary in the department concerned should be similarly treated.

18600. Is it not likely that the expert, if he has travelled all over India, will know more about the circumstances of the province and the local arguments than the Secretary, unless the Secretary happens to have belonged to that province himself?—I would not say so always.

18601. You mention among the matters in which larger powers might be given to the Local Government questions which are covered by the Bengal Tenancy Act. That was arrived at as the result of a compara­tively after a very acute and lengthy controversy?—Yes.

18602. Do you think the time has now come when it would be quite expedient to delegate powers which were advisably reserved to the Government of India?—Yes, subject to the safeguard that I mentioned just now.

18603. As regards general delegation, should the orders of the Government of India be sought in all cases?—Yes.

18604. Where the Act says that the Commissioner is to exercise power and the Local Government wants to delegate it to the Collector, should you go up then?—Yes.

18605. Is there not a general distinction between Acts which may be called Acts of administrative expediency, as to who shall have the ultimate authority in them, and Acts which the law already provides for, and matters which affect the liberty of the subject, such as who shall decide the question of what powers a Magistrate should be invested with?—No, you would allow a general delegation in respect of such questions also?—No.

18606. Do you make the distinction I suggest between matters of revenue and administrative conve­nience, and matters involving the liberty of the subject?—Yes.

18607. It was suggested to us by a member of the Board of Revenue in Eastern Bengal that one undesirable restriction imposed at the instance of the Government of India, and thought of the Secretary of State, was the prohibition of salami; I understood that to mean payments for the original right of occupancy. In the case of Government or Court of Wards' estates do such matters come before you?—Yes.

18608. Is it a matter upon which you would allow discretion?—No, I would not. I would lay down a hard-and-fast rule that salami are not to be taken into account.

18609. Outside appeals, when it is a question of overruling the Commissioner, are there other two-member subjects that come before the Board?—No, but there are two or three manuals in which, when a correction is to be made, one member would consult the other because both are concerned in the matter.

18610. Is that merely a matter of expediency which the Board itself has adopted, or is it enjoined on them by Act or by Government?—It is enjoined on them in both ways.

18611. We have heard from other witnesses about the present method of disposal of cases which come up to the Board of Revenue; are you satisfied with that system?—Do you think it leads to efficiency?—I think it leads to more noting, because if you have to take the opinion of somebody else which was not taken before, that means a note; it leads to more routine office work.

18612. You have, in fact, got double office work, first in the Board's office, and secondly in the Revenue Secretariat?—Yes, it leads to more routine office work; that is one complaint that was recently made, and I am going into the matter very soon to see if I can remedy it.

18613. Is not the logical corollary of the system the abolition of the Board's office?—Yes, that is also contemplated—the amalgamation of Board's office with the Revenue Department.

18614. Might it not also be possible to reduce Under-Secretary to Government?—He does not practically work; he merely comes in in the routine work.
18616. A note is submitted by the Secretary to the Board to the Secretary to Government; the Secretary to the Board is practically the Under-Secretary in this scheme of things. There are one or two cases in which the Under-Secretary does come in, but it is merely routine.

18617. Is there sufficient work for him?—I could not say that, because I have not got the figures.

18618. Is it a matter for consideration?—Certainly.

18619. You mentioned that various powers in respect of the Court of Wards had been formally conferred on Commissioners in various parts and that it was proposed to confer on them could not really be exercised by them because of their want of sufficient establishment. Could not that be met by distributing some of the Court of Wards staff among the Commissioners?—Hardly; you could not pass them round quickly enough; the men who do this particular work are not numerous enough; you cannot get the men from the Board’s Office for six Commission­ships; you have great estates with income of over a lakh of rupees, so that you have to keep your best men here.

18620. You say Commissioners have the powers, yet they have to send the budgets up to you?—Naturally they must in any case send the budgets up to the Board for information, otherwise the Board would be in the dark; and when the Budgets come to the Board they have to be examined because they cannot be relied upon.

18621. Is there much use in decentralization when you do not rely on the lower authority?—I quite agree, and I hope in the course of years their establish­ments may be reliable; then it would be of some help.

18622. Is not the best method of reliable decon­centration to strengthen the establishments? That is what I am trying to do, but I have not yet a sufficient number of property trained men to strengthen Com­missioners’ offices to the extent that is necessary.

18623. Would it not be better if the conferences were presided over by the Lieutenant-Governor in person?—We thought not; the reason being that it is better for the Lieutenant-Governor to be outside and to be able to focus the discussions that go on and pass an opinion upon them, rather than that he should be present in the debates.

18624. On the other hand, the Lieutenant-Governor misses a valuable opportunity of hearing opinions interchanged?—Those are all down on the notes.

18625. Is it the same thing to have the decisions of his own for the last three or four years?—We thought not, the reason being that it would rather have the appeal heard by a Sub-Divisional Officer.

18626. Are there divisional conferences of the same character?—Yes.

18627. The Commissioner has held regular confer­ences of his own for the last three or four years?—Yes.

18628. Who attends them besides the Collectors?—Only the Collectors, as far as my knowledge goes.

18629. Not the officers of other departments in the division?—The inspector of schools would attend on certain matters.

18630. Then, acting on the same principle, does the Commissioner abstain from presiding over the divisional conferences?—No.

18631. Should not he preside over the divisional conference?—No, I do not think so.

18632. In Eastern Bengal we were told, generally speaking, that the Sub-Divisional Officer had practically nothing to do but magisterial work, and that his revenue functions were of the slightest; you have told us now that does a great deal of revenue work?—I did not say a great deal; I said there are various items of revenue work; it depends on the sub-division itself as to whether there is any revenue work to be done, or not; in some sub-divisions the Sub-Divisional Officer might have heavy Government revenue work; in others he might have none; and so to other subjects.

18633. Does he take the original criminal cases coming up in this sub-division?—Yes, or he transfers them.

18634. But as regards revenue work he has no terri­torial jurisdiction; he has only the work that the Collector chooses to delegate to him?—Yes.

18635. Is that a good system?—The Commissioner and the Collector too see that he gets sufficient work dele­gated to him.

18636. As a consequence of that you have a number of Deputy Collectors at headquarters all dealing with various subjects, and another with minor subject, another with excise and income-tax work, another dealing with certificate work, another dealing with collections, and so forth?—Yes; but certificate work is done by the sub-divisions.

18637. At the same time, you have a whole lot of Deputy Collectors at headquarters?—But then you must consider the size of the sadar sub-division; it is very much larger than any other sub-division in the district.

18638. The Madras and Bombay system is that the district is split up into sub-divisions, and the Sub­Divisional Officer takes practically all the local revenue work; there is, of course, a Deputy Collector at the headquarters treasury, and there is no aggregation of Deputy Collectors. Would not a Civilian be likely to get better training in that way than under your sys­tem?—The best training a Civilian can get is to be in charge of a sub-division in his early years.

18639. A Madras Civilian is in charge of a sub­division and exercises all the powers of a Collector. A Bengal Sub-Divisional Officer may possibly have been a Sub-Divisional Officer for years and done hardly any revenue work?—I think that is rather an exaggera­tion; he is not all his time in one sub-division, and therefore he gets a variety of work in some sub-divisions there may be next to no revenue work to do, no matter what the Collector may wish to depute; in others there may be a good deal to do.

18640. Take income-tax work; it is quite possible that he may never do any income-tax work if the Collector chooses to do all his work at headquarters?—That is so, but the Commissioner should see that that is not done.

18641. Is not income tax essentially a matter that ought to be done locally?—Yes, therefore you have the assessors.

18642. Can a Sub-Divisional Officer dispose of an appeal from a Second or Third Class Magistrate?—I think he can be specially empowered.

18643. In Eastern Bengal the District Magistrate usually takes appeals; is that a good system?—I think rather have the appeal heard by a Sub-Divisional Officer.

18644. From the point of view of the people, does not your system oblige the people often to go to district headquarters to get their business done?—Yes, because we have not a sufficient staff; if we had a sufficient staff it would be different.

18645. We were told that the average size of a sub-division in Bengal is 1,170 square miles; you would nearly double the existing sub-divisions?—Yes.

18646. That would involve a large expense?—No doubt.

18647. In other provinces the bulk of the magisterial work is done by talisadars of corresponding pay and status with your Sub-Deputy Collectors here. Are you in favour of having a similar system of delegation in Bengal?—It would be a much better system to have a number of sub-divisions than to do that, but something is better than nothing.

18648. Then the practical doubling of the number of sub-divisions is what you would like, but in default of that you would be quite prepared to accept some system analogous to that in other provinces, by which powers might be given as far as possible to Sub-Deputy Collectors?—Yes.

18649. You want to have a separate officer for the headquarters sub-division; do you want a Joint­Magistrate besides?—I think it is very probable you would.

18650. For what sort of work?—For general dis­trict work and for important cases.
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18651. That is to say, a sort of additional Collector?—Something like that to help the Collector, so as to give the Collector more time to go about touring about?—Yes.

18652. Have other provinces with much larger districts these additional Collectors?—I believe they have in Madras.

18653. There are only one or two as a temporary experiment. Has not the Bengal Government already submitted some proposals for a considerable increase of the district staff and is contemplating others?—It has already had sanction for a large increase in its Provincial Executive Establishment; that was some two years ago, and I am not sure whether it is not thinking of asking for more men with regard to other projects.

18654. Before embarking on schemes involving much expenditure, would it not be desirable to study the systems of administration in other provinces?—It would be very desirable.

18655. Do you share the opinion that has been expressed that one of the most serious difficulties and drawbacks of administration in Bengal is that there is no local officer in communication with villages except the police thana officer?—They have forgotten to take into account the fact that more than a third of the whole of Bengal is in direct management; that there is for more than a third of the whole of Bengal you have other agency.

18656. Those are estate tahsildars?—And managers.

18657. What sort of pay do these estate managers get?—The Government estate managers may be Deputy Collectors.

18658. Are the majority of Government estates in Orissa?—There are large estates in Orissa, but in almost every division you have a number of Government estates of considerable size.

18659. Are they all under Deputy Collectors?—There is a Deputy Collector in charge of each.

18660. Through whom you have a link with the people?—If you choose to use it.

18661. Is he generally so used in your opinion?—As far as I have seen he is certainly used.

18662. Still, in two-thirds of the province you have not got that link? You think that that is unsatisfactory?—Certainly.

18663. Your Sub-Deputy Collectors at present are on a provincial list; they are appointed by the Local Government?—Yes.

18664. Could you not break them up into divisional lists and leave the Commissioner the power of appointing them as well as posting them?—I cannot see the necessity for it.

18665. Might it not avoid transfers and correspondence?—I cannot see the necessity of having six different series of Sub-Deputy Collectors; you have six divisions and you would have six different series of Sub-Deputy Collectors; I would recruit them for the general work all over the province.

18666. And therefore they are constantly transferred from one division to another?—Sub-Deputies are not constantly transferred from one division to another by the Commissioners; they may be transferred from one district to another.

18667. You told us that you saw no object in splitting up the Public Works budget and dividing a portion of it between divisions; at present have all the allotments for provincial work to be made at head-quarters?—I believe so.

18668. Assuming that to be so, is it not likely that there is a considerable rush and that the divisions may not all get their fair share?—That would be so in any case.

18669. Would it not therefore be of advantage to give a Commissioner a certain sum for his division?—No complaints have come before us showing the necessity for that. It has not been discussed.

18670. Would you give the Commissioner power to invest officers with magisterial powers, subject to the conditions of fitness laid down by the Local Government?—Without consultation with the judge I do not think I would. In consultation with the Judge it might be considered; I should not like to commit myself definitely.

18671. Would you give Commissioners the powers of Government under the Land Acquisition Act—of course within certain pecuniary limits?—I think the procedure might be simplified.

18672. In the case of small areas of small value not included in growing towns might the Commissioner notify the acquisition?—Certainly.

18673. Might the Commissioner's powers in connection with District Boards and municipalities be increased; it has been suggested, for instance, that all such powers as exist in those bodies at present might be conferred on them?—I think I would. I cannot see the necessity for it.

18674. It has been suggested, on the other hand, that the non-official members might feel aggrieved if they were appointed by the Commissioner; is there anything in that?—There is something in it, but it might be lived down.

18675. Could it be obviated by giving Commissioners a sort of formula such as "I have been authorised by the Lieutenant-Governor to appoint you member of such or such a municipality"?—I think it might be tried; I would not say that it would meet the difficulty.

18676. Has the Commissioner sufficient say in the allocation of Public Works funds?—So far as my memory goes the budget goes through the Commissioner.

18677. As Commissioner or Collector did you ever have any difficulty in that respect?—No.

18678. Are you satisfied with your control over the forest officer?—Yes.

18679. Have you any idea as to the proper distribution of education work as between the Government and local bodies? Would you make over primary schools to the management of local bodies?—They are now under the management of local bodies.

18680. Is that a satisfactory allocation?—So far as funds permit.

18681. Then about middle schools and secondary schools?—I should not like to entrust them to the District Boards. The Government high school should be maintained by Government as a model for the rest of the district.

18682. Suppose it were proposed to start a new Government high school, or to aid some mission or other high school that had not been aided before; would the Commissioner or Collector be consulted?—Speaking from memory, I do not think he would be.

18683. Supposing that to be so, ought he to be consulted?—I am not sure whether the Collector is consulted by the District Officer—is not asked, but I do not think the Commissioner is. The District Officer certainly should be asked.

18684. Should the Commissioner have some say in the preparation of the educational budget as to what is needed for his division?—He might be shown the educational budget and asked whether he has any remarks to offer in regard to it. I remember that reports were sent to me when I was in charge of the Chota Nagpur Division by the Education Officer for any comments that I might like to make with regard to education as a whole before they were published.

18685. Was that with regard to his inspection of particular schools?—No, as far as I remember, it was with regard to the year's work.

18686. But were you consulted in the matter of future expenditure?—I do not remember. I would send him the budget for any remarks, but I would not keep the budget back until I got his remarks.

18687. You would put him on the same footing as he is now in the matter of the Public Works Budget?—Yes.

18688. Do Collectors tour sufficiently in Bengal?—As a rule, the Collectors tour as much as they can.

18689. The minimum prescribed is three months?—Ninety days.

18690. In Assam it is four months?—You must take into consideration the amount of their correspondence and other calls upon them, the correspondence
ROYAL COMMISSION UPON DECENTRALIZATION.

177. Then you think they could work together?—I think it is possible; I do not say that they could, but it is possible.

178. Would you be in favour of trying the experiment?—Yes, in some cases in carefully selected villages.

179. Your Local Boards in Bengal do little work?—Very little.

180. Would you be in favour of giving them larger powers?—It is under discussion and, as far as I know, we are of that opinion.

181. In Madras, for instance, the Sub-Divisional Boards, corresponding to your Local Boards, get half the land cess and certain other receipts; but in Bengal the Local Board only gets what the District Board chooses to dole out to it; would you be in favour of putting the Local Boards more on the Madras footing?—Yes, anything that would give them a certain knowledge of the income they would have to deal with, provided you alter the present system of election.

182. Assuming that to be done, would you like to give the Local Board the functions which the District Board now has in regard to education, medical relief and sanitation?—I would give them a more assured position than they now possess.

183. At present they only deal with petty roads and ferries and so on; in Madras they deal with primary education, sanitation and medical relief.—I quite agree that if the Local Boards are to be a success they must have more powers.

184. And the people will then be more likely to take an interest in them?—That is so.

185. Would you be in favour of trying to diminish transfers in some parts by making acting appointments depend more upon character than upon seniority. For instance, if a Collector goes upon leave and you have a Civilian in the district who is not next for promotion, you can suspend within the revenue year.

186. But you have the chaukidari panchayat which has to perform certain functions?—It has to get in reports from the chaukidars of the different villages.

187. Would it be possible to have a similar grouping for the disposal of petty cases?—You mean to have a panchayat of headmen of these villages to settle disputed cases?

188. You group for chankidari and police purposes?—But you have the individual chaukidar who knows about every bad character in the village; you would lose your local knowledge by the grouping together of villages.

189. Then you think they could work together?—Yes, in some cases in carefully selected villages.

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MINUTES OF EVIDENCE:

18724. Have they occupancy rights?—Yes, just in the same way as on private estates; over the great bulk of the province the rules framed by the Bengal Tenancy Act; in Chota Nagpur they have a special Act.

18725. Who deals with suspensions and remissions of rent?—The Commissioner deals with remissions of rent in Government estates.

18726. Do you suspend very often when you do not reject?—Yes; he goes up to the Board for the year afterwards, but they occur so seldom.

18727. Generally speaking, you do not think that Collectors and Commissioners need more powers in that particular matter?—It would not lessen the work; I am perfectly willing to delegate powers where necessary, but I do not see the necessity for this; the present system does not hamper them, because the need for their carrying out those matters occurs so very seldom.

18728. Is the principle under which decentralisation should be conducted merely that of lessening work?—And making it more efficient; there is no necessity to delegate a power which is used probably once in five or ten years.

18729. Is it not the principle rather that when there can be no objection to an officer having power, there is no reason for not giving it to him?—But you have not sufficient instances before you to show that there is no objection.

18730. Suppose a Joint-Magistrate is passed over for a Collectorate, would you debar him from an appeal?—I would put him then to serve in another division and see what the officer there said of him.

18731. Suppose the Lieutenant-Governor came to the conclusion that X was unfit to be a Collector, would you allow X to have an appeal to the Government of India?—No.

18732. In a Lieutenant-Governor’s province is that not rather a dangerous power to be in the hands of one man?—I would not bar the man from promotion for a moment think of disputing them; as far as I remember they were simply the substitution for an old defunct procedure of a modern one; that is to say, where you had “the Governor-General in Council” you put in “the Lieutenant-Governor.” At the time it was imposed there was no such thing as the Lieutenant-Governor; the administration had improved since then, and no one had the slightest objection to the Lieutenant-Governor being substituted for the Governor-General in Council in these matters.

18733. Is the procedure that was followed in that case in any way better than the procedure would be under a general delegation Act such as I have suggested?—Yes; you could utilise this procedure just as effectively with regard to non-contentious matters.

18734. Would that not be much more trouble?—Yes, no so far as you could not do it except probably in the cold weather and the rains.

18735. Does this procedure, as followed in this case, give any advantage over the procedure that you suggest?—No.

18736. The public have just the same notice under your procedure?—Yes, just the same.

18737. Rather more?—I do not know about more, because this Bill has not been published.

18738. It was published and passed within fourteen days?—But they would not do that always; they knew that these things were non-contentious; this would not be a general instance.

18739. Can you always know a priori that things are non-contentious?—You can have a very good idea whether they are likely to be contentious or not.

18740. The Salaries Committee reported that the custom of introducing the words “subject to the previous sanction of the Government of India” into Acts was of comparatively modern origin; do you agree with that view?—Yes.

18741. Would it not be generally sufficient to legislate in the sense that action should be “subject to the control of the Government of India” in order to enable the Government of India to maintain effective supervision?—In some cases, yes; I would not adopt it universally.

18742. Has it been suggested?—Yes, in some instances, not for general use.

18743. Could anything be done in the way of delegation in the sphere of executive administration, by devolving the powers and saying that instances of the exercise of the powers should be reported in periodical returns for the purpose of information and control?—In some instances it might be useful.

18744. Could that be made general use of?—No. Possibly there would be some instances in which it would be waste of time to do it; it might be considered on each delegation.

18745. You say that the functions of Inspectors-General should be those of “inspection and suggestion.” What do you mean by the word “suggestion”?—For instance, take agriculture; where you have got an experimental farm, it would be for the Inspector-General to inspect the farm, to see whether the work was being carried on upon proper lines.

18746. Should they be able to come into the provinces and make tours of regular inspection?—Yes.

18747. If they do that, should they inform the Local Government beforehand of their intention to come?—Certainly.

18748. And after they have inspected it, to whom should they report?—To the Government of India, indicating a copy of the report for information, unless of course there were confidential matters that they did not want to send.

18749. You refer to the Inspector-General of Education, say, could come into a province, make an extended tour, examine everything, and report direct
18775. Who pays for the Court of Wards' establishments?—The estates.

18776. What is the general charge for management?—Ten per cent. generally; in some cases more, in some cases less; on the average 10 per cent.

18777. Ten per cent. on the gross income?—On the yearly income—not on the arrears, but on the yearly annual demand.

18778. Would it tend to prevent transfers if you had a certain number of general-duty Collectors in order to meet leave and special duty?—That means a reserve staff, which we have not got at present. If you had a reserve staff, that would do; it is tantamount to what I want, that is, a larger staff.

18779. It would stop a good deal of the transfers of Joint-Magistrates?—Yes; I would not say off-hand that it should be adopted, but it is worth considering; it means a reserve staff which we have not got.

18780. In the course of your tours have you heard any sort of complaint that the recent police reorganisation has injured the prestige of the District Magistrate?—No.

18781. One suggestion we have had in different places is that it would be a great relief to the Collector if he were relieved of the charge of the treasury, and the treasury were really worked directly by the Accountant-General; do you think the relief would be great?—No, because all the Collector has to do is to count the treasury and see it keeps account, and to count it over two months I think it is. I cannot see how it would relieve him except that he might be allowed to depute the examination of stamps and so on to some other senior officer. All the other treasury work is done by the Treasury Officer.

18782. You do not think there is much in it?—I do not think so.

18783. Have you any rule in this Presidency that when an officer is transferred from one linguistic division to another he must pass in the new language within a limit of time?—No.

18784. Has he to pass in two languages before he is regarded as a fully qualified Assistant?—That is so. I do not say that the two languages are current in some portion of every division, for instance, Hindi and Bengali.

18785. He has to pass in two languages before he is regarded as a fully qualified Assistant?—That is so. I do not say that the two languages are current in some portion of every division, for instance, Hindi and Bengali.

18786. Is the medical staff adequate?—No, it is not what might be done; it is a question of funds.

18787. Do you approve the system of the appointment of the superior staff in the Forest and Public Works Departments by the Government of India? do they not appoint Conservators of Forests and Superintending Engineers?—Yes.

18788. In these outside departments, have you heard any complaint that the rates of travelling allowances are inadequate to enable the officers to travel?—Generally speaking, no; but in some few places they are; for instance, in the hills travelling is very expensive.

18789. Is that desirable or would a local cadre be better?—The local cadre is too small.

18790. In these outside departments, have you heard any complaint that the rates of travelling allowances are inadequate to enable the officers to travel?—Generally speaking, no; but in some few places they are; for instance, in the hills travelling is very expensive.

18791. And there are special concessions made?—Probably in some cases these are not enough, unless you say that a man has never to take his wife out with him; the wife's existence is always ignored by the Government. You cannot expect a man never to travel without his wife, and if he takes his wife out on tour it becomes a serious expense to him.

18792. You are the Chairman of the Port Trust?—Yes.
MINUTES OF EVIDENCE:

The Hon. Mr. William C. Macpherson.

18793. Have you seen the memorandum of evidence that they have put before the Commission?—Yes.

18794. Do you personally agree with that?—Yes, it was discussed at a meeting of the Commissioners.

18795. For instance, as to the inclusion of a recommendation in favour of the transfer of the Pilot Service to the Port Commissioners—I think there is something in it.

18796. (Chairman.) Is a considerable amount of time spent between the arrival of a question, say, before the Board of Revenue and its final settlement?—Sometimes; one always tries to get a question settled as quickly as possible.

18797. You said as regards conferences of Commissioners, that projects could be quite easily put off for a few months?—Not ordinary projects, but big projects which would involve the whole province and which could not be decided in a short time. Probably, if you started correspondence now between each division you would not get the results arrived at in those particular areas before the time came for the conference.

18798. You told us the delegation could be put off—that in the course of years it might be possible to have a greater amount of delegation; may I take it that time is no object in the Secretariat of Bengal and in regard to the Court of Wards for instance?—I am trying to improve it; it is a question of time to raise the officers up to their proper standard; that cannot require time. As soon as they are efficient the work will be lessened and my office will be decreased to a certain extent; I cannot decrease my office now; the moment I have worked them up to the proper standard they will have the full powers and I shall not check these budgets.

18799. I am not to take it from your evidence that time is of no consequence?—No, I am sorry if I conveyed that impression; I did not mean to do so at all.

(The witness withdrew.)
by constant unofficial communications and conferences on all subjects of administration. Such unofficial consultation in both the people, chiefly because they are too much taken up with desk work, also because they do not stay long enough in their charges. Relief can be given by increasing and improving the staff and establishment, and by the reduction of correspondence.

Executive Officers in Bengal frequently do not possess as much knowledge of the vernaculars as is desirable. They have to master two distinct languages, viz., Hindustani and Bengali, and if they serve in Orissa they must master three languages. In addition the province has many local languages and dialects. Greater conversational fluency and greater readiness in reading at least one language should ordinarily be required. But it would be possible to require too much in this matter. All persons have not the gift of tongues; and it may be remembered that Sir Ashley Eden, who was among the best of District Officers and administrators, is stated to have been a "poor linguist." Intercourse with the people is prescribed, but is not sufficiently required.

I have never served in a district which had a staff at all adequate for the work. The district staff should be strengthened. With regard to areas and charges, the first requirements are that the Patna Division and the Middrepassword should be divided, and that Sub-Divisional Officers should be appointed for headquarters sub-divisions.

The care taken in selection of Commissioners, Heads of Departments and officers of higher rank is ordinarily sufficient. Selection of District Officers would be much more useful if it were practicable to require a pulmonary retirement of weak or otherwise inefficient officers.

Transfers of officers both of the Indian Civil Service and of the Provincial Executive Service are too frequent. Increase of the cadre, specialization of departments, allotment of general to district for fixed periods, and some regulation of leave would mitigate the evil.

I am not in favour of establishing Advisory or Administrative Councils for districts or divisions, with responsible functions. The District Officer has his independent and Municipal Commission to deal with the business committed to him; and he frequently consults them collectively or individually on matters not strictly属于 Bengal. The lieutenant-Governor and District Officers and Commissioners of divisions frequently consult, formally and informally, the Associations and other local bodies. The experience is that there is no need to lay down hard-and-fast rules in the matter; but neglect to take such advice, when it should be sought, should always be pointed out.

It is desirable to give respected residents of villages greater powers in the disposal of local affairs. This matter is being carefully considered in Bengal. The organization of such local authority itself requires a special staff.

18801. Are the financial powers of the Lieutenant-Governor sufficient?—I think so. In matters of establishments the Lieutenant-Governor's powers might well be increased.

18802. You say that the necessity of reference to the Government of India often prevents questions being brought forward. What kind of subjects have you in your mind?—The position of the Bengal Secretariat was very aptly described in a letter of the Government of India which referred to the question of the grant of special pensions. The Government of India said that in so many years they had not received 25 cases of applications for special pension to the Secretariat. No doubt, there would be more frequent pensions of special character if the pensioner had been in their own hands. In the case of a Local Government it is too often a question, "How will the Government of India look at this question; will it go through?"

18803. Might that not possibly be a reasonable check upon the desire of the Local Government to give an excellent officer a pension which is not entitled to?—No doubt there is much to be said in favour of the check, but improvements and progress are also impeded.

18804. The Board of Revenue acts in many ways as a sort of consultative body to the Lieutenant-Governor in this province?—Yes, not only as a consultative body, but they are a judicial tribunal with large powers. They are defined in the Regulation as the Lieutenant-Governor's confidential advisors.

18805. If their consultative position was more definitely recognised, could the administrative powers exercised by the Lieutenant-Governor be extended? It might be that the responsibility which is too heavy for one might be increased, if there were three men, for instance?—I am not aware that in matters of real importance the Lieutenant-Governor has in fact smaller powers than the Governors in Bombay and Madras who have their Councils to help them.

18806. You do not think that the responsibility is too great for one man?—I do not.

18807. You say that there is some tendency in the departments of the Government of India towards rigidity and uniformity, and that they have not sufficient knowledge of the conditions in Bengal to act upon; would not one way of getting over that want of knowledge be to demand statistics and information?—The way to get over it is to have more control over the details in the hands of the local authorities. For instance, officers with great experience in settlement in other provinces wished to apply their experience to the conditions connected with Bengal settlement work, but in Bengal it was considered that the analogy was not complete, and the economies that were suggested were earnestly deprecated.

18808. Have you noticed any tendency on the part of the Government of India to increase their knowledge by periodical demands for information?—It should say that the tendency was checked in Lord Curzon's time.

18809. Has it sprung up at all since then?—No.

18810. Do you in this Government make too many demands on the time of local officers?—I think it is in our constant effort to control any tendency in that direction.

18811. Notwithstanding your efforts, might your demands be still further curtailed?—I think so; since conferences of Heads of Departments and Commissioners were instituted four years ago, very useful work has been done with regard to delegating powers and cutting down reports, returns, and correspondence.

18812. We have been told that a great deal of information is demanded by the Board of Revenue, not by virtue of the periodical returns; has any systematic attempt been made by the Board of Revenue to go through the returns required from Bengal?—It was done very thoroughly in the years 1902-03. From time to time since in particular departments the reports have been overhauled and considered in isolated cases, not in the mass.

18813. Are there still outstanding returns which might be dispensed with?—I think it is quite possible that some pruning might be done. I was, perhaps, wrong in saying that the work had not been looked at in the mass, because we had a Committee sitting a year or two ago which enquired into the whole work of the District Officers. The fact is that pruning and examination of the returns and reports is constantly going on under the examination of the superior inspecting officers, whether it be the Board or the Commissioners of divisions. I suppose hardly a month passes without their considering some return or report. The improvement of the form and matter of the report is discussed, and suggestions are made in the way of reduction.

18814. Without any corresponding subsequent attempt in another direction?—I hope not. I should say that a great deal has been done apart from Lord Curzon's orders in that direction.

18815. Do you agree with the evidence of the previous witness with regard to the work of Divisional Inspectors-General?—Generally I agree with Mr. Stacle's evidence.
18816. Is there anything which you wish to say in addition?—No, my experience with regard to the assistance given by Inspectors and Directors-General is altogether favourable, and I would not wish to be without such assistance.

18817. With regard to one particular item of their work, Mr. Slacke stated that a Director-General would consider whether work was being carried out on proper lines; supposing in the opinion of the Director-General work was being carried out on proper lines, would you agree that he should report to the Governor of India to that effect?—He is bound to report to the Governor of India.

18818. What is the action in the case, say, of the management of a farm—is the Government of India to interfere with the discretion of the Local Government in such a matter?—I am not sure that it is part of the province of the province of the Government of India to go into the details of the management of a farm: they would advise, and in some cases it is very hard to distinguish between details and principle.

18819. Suppose the Government of India were to write and say "Our Inspector-General says such and such a farm is not well managed," and the Local Government wrote back and said "We disagree, it is well managed," would the correspondence cease there?—I think so in the case of an experimental station. But I can hardly conceive that the Local Government would not adopt the advice of the greatest expert in India with regard to the management of a farm.

18820. Are you in agreement with Mr. Slacke that curtailment of the right of appeal would be a doubtful provision?—I see no necessity for it; so far as regards statutory appeal, there is very little to the Government of India.

18821. With regard to questions of revenue and so forth, are you in agreement that the point that any curtailment of appeals would be unwise?—There is very little that goes to the Government of India in the way of appeal in revenue matters. I have never seen any harm come from the existence of such powers of appeal as there are.

18822. Do you also agree that transfers of officers are too frequent?—Yes, certainly.

18823. And that the knowledge of the vernacular is too limited?—Yes, it is too limited.

18824. And that the time during which an officer ought to be kept in a district should be at least three years?—I think that is very desirable.

18825. Would you put any limit, ordinarily, on the stay of an officer in a district?—I would not put an absolute limit. I have known an officer stay for 12 years in a district and do much good there, but five years is about as reasonable a period as can be fixed.

18826. Would that apply not only to Collectors but Commissioners?—I would apply it to officers generally.

18827. Do you also think that the staff of officers is insufficient?—I have never served in a district in Bengal which has had a staff at all adequate for the work.

18828. Should any increase be in the higher or in the lower Services?—In both—in both the Imperial and the Provincial Services.

18829. Do you wish to see an increase in the number of Joint-Magistrates?—Yes.

18830. In what rank of the lower Services should the increase be?—There should be an increase of Deputy Collectors.

18831. You are not in favour of Advisory or Administrative Councils?—Not for District Officers at all events.

18832. Or for Divisional Officers?—That is a matter more open to discussion. The District Officer has to act more promptly: he is a Magistrate, and his functions are largely executive, while the Commissioner's functions are more administrative, and he has more time to act. I think the work of a district, so far as it can be made over to a Council, is sufficiently provided for in our Local Self-government and Municipal Acts, that is to say, much work has already been made over to District Boards and municipalities.

18833. Do Commissioners at the present moment consult the residents in their division?—Certainly.

18834. Do District Officers do the same thing?—It would be very exceptional to find that a District Officer had not consulted the person who ought to be consulted in his district with regard to any measure in which he was going to take important action.

18835. Is sufficient care now taken with regard to the selection and promotion of officers in the province generally?—Great care is taken so far as the weakness of the staff militates against the promotion of officers not only for particular appointments, but for particular districts.

18836. Do you agree with your colleague who said that the weakness of the staff necessitated not so much the passing over of an officer not sufficiently qualified, as his promotion to a less troublesome district?—I agree that the result of the paucity of the staff compels you to send a man to a less important district, though you do not refuse him the appointment altogether.

18837. And all the evils consequent upon frequent transfers then follow?—It aggravates the position.

18838. You would like to see something done in the way of giving powers to village communities. Yes, I think it is the hope of the future. We have not much left in Bengal now in the shape of a village community in the sense of an indigenous institution. I think there must be new development in that way.

18839. What size should such villages or groups of villages be?—It is exceedingly difficult to say, because if you increase the size of a community you lose the local knowledge which is so often useful. Experiments have been made with big unions. In big unions you have more choice of good men, while in favour of little unions it is to be said that you get the men who know all about the local affairs. The general feeling, perhaps in the province is in favour of 10 chaukidi beats, representing, perhaps, about 5,000 people for a union.

18840. With a community of that size might you make an experiment in the way of self-government in regard to local matters?—I should be prepared to make experiments on a much smaller scale than that if there were the funds and the means of organisation.

18841. With what size village would you make a beginning?—In a district like Hooghly where the people are advanced you might find in a village of 500 or 1,000 some intelligent persons who would be quite competent to look after the sanitation and perform minor magisterial duties, while on the other hand in Chota Nagpur and Bihar you might not find them in a village of 5,000.

18842. Are you prepared to see an attempt made to revive village autonomy within the limits you suggest?—I would prefer to say "develop village organisation" rather than "revive village autonomy"; it is doubtful whether we ever had autonomy in villages over a great part of Bengal.

18843. (Sir Steyning Edgeley.) With regard to the general Act of delegation, do you say that there is no great need for an Act as between the Government of Bengal and the Government of India?—Not in revenue matters; there are not many statutory powers of the Government of India in revenue matters, or so many as to require a delegating Act as between the Government of India and the Government of Bengal.

18844. Supposing such an Act applied to all departments, would it then be useful?—Such an Act would be useful if you mean generally as between the Government and its officers. The Government of Bengal and the Board of Revenue have almost plenary powers under Statute in regard to revenue matters.

18845. Then you limit your remarks to revenue matters?—Yes.

18846. But there are a great many matters outside revenue, in which you think such an Act would be useful as regards the whole sphere of administration of Local Governments generally?—I think it probably would be useful.

18847. Could it be sufficiently safeguarded in the way Mr. Slacke suggested?—I understand that Mr. Slacke said that he would allow the Government of India to decide after hearing public opinion—that was his solution.
18848. An invitation by notification of objections and the manner of the Government of India to the proposed delegation after consideration of the objections if unimportant, and if there was a large amount of objection, then require to see legislative. Would that be a reasonable solution?—I think so.

18849. And would an Act, similarly safeguarded, and thus delegated to the Government of Bengal and its subordinates, be useful?—I think so with reference to the statutory powers existing. I do not say that it is the best delegation, because I think the best way is to provide for delegation in the Act dealing with the subject. There are, however, so many Acts under which officers exercise powers that without a general delegating Act there might be almost interminable discussion in the Legislative Council as to what powers should be delegated to Executive Officers; I think in any new Acts we ought to provide who should delegate to whom.

18850. As regards Inspectors-General, if they report to the Governor of Bengal and the Government of India takes action, are you not coming very close to direct administration by the Government of India on the advice of the Inspector-General?—That would be so if the Local Government had not full opportunity of replying to anything the Inspector-General had to say and we would advise that if the Government of India interfered over much in details.

18851. When the Inspector-General tours and forms conclusions as regards any matter in connection with the administration of provincial Governments, what is your objection to allowing him simply to report to the Local Government?—That would be very desirable indeed. My experience is that Inspectors and Directors-General have taken the Local Government fully into their confidence as to what they are going to say to the Government of India in respect to the faults they have found, and where they would advise amendment.

18852. But why should the Inspector-General report at all to the Government of India in a matter for which the Local Government is responsible; why not leave the Local Government to deal with the Government of India?—It is very desirable that the Local Government should be informed; but one reason for the existence of Inspectors-General is to keep the Government of India also informed, and without their experts they might fall behind.

18853. Do you think it is to increase the efficiency of the control of the Government of India?

18854. —Certainly, and also their knowledge.

18855. Would you agree that the first function of these expert advisers is to increase everybody's knowledge?—Certainly.

18856. And if they improve the knowledge of the Local Government with regard to the technical factors of the problem, might not the Local Government usefully be left to deal with the whole problem?—Yes, often that would be the desirable solution.

18857. If an officer goes for a few weeks to a province and only reports to the Government of India, he might make mistakes; and if the Government of India took action the result would be a long correspondence, the object being merely to convince the Government of India that he had misunderstood local factors of the problem?—Yes.

18858. Would not all that be saved if the officer did not report to the Local Government?—I think the Local Government would be quite content if he were reported to them without his being fettered in any way as to giving full information to the Government of India. There is, of course, a risk of misunderstanding.

18859. Otherwise, apart from that risk, are these officers useful?—Most useful; I have had experience of the Inspector-General of Education and the Director-General of Agriculture, and other officers.

18860. Have you noticed any tendency on the part of local officers to look to Inspectors-General as the Heads of their Departments?—They are bound to look to the Director-General of Education, for instance, as the Head of a Department. They must treat his recommendations with proper respect.

18861. Of course they would treat the opinion of any expert with respect, especially that of a person with such wide experience, but evidence has been given that the Sanitary Commissioner of a Local Government had written past his Government to the Sanitary Commissioner to the Government of India with regard to matters of pay and prospects which had nothing to do with expert advice as to sanitation —what would you say with regard to that?—That might have been injudicious.

18862. Similarly, I believe, there has been an instance in the United Provinces with reference to the Director-General of Agriculture; have you seen any tendency of that kind in Bengal?—I have not seen any such tendency.

18863. Should it be repressed if it exists?—I think it should be repressed if the local officer in any way gives the Local Government the go-by.

18864. You are considerably impressed by the inadequacy of the staff, both Indian and European?—Very much so.

18865. As to the European staff, would you say that is dangerously weak, politically?—I find it difficult to answer that question. We have always governed India with a comparatively small staff.

18866. Would you say, looking to the result arising from the inadequacy of the staff, that in a great measure, the staff is dangerously weak?—I think one might go so far as to say that great inefficiency might cause such discontent as to give a handle to political agitation.

18867. Is the power of a District Officer suffering owing to the tendency of modern administration to specialise?—If you refer to influence in hipocracy, I think it is not what it was 20 or 30 years ago, but I do not mean to say that it is undesirable or an evil that his power should have waned.

18868. Is that an evil?—I have not noticed any evil results. Much depends upon the personal character of the officer—a strong District Officer has still great power for good or evil in his district.

18869. Is the European element in other Services too weak, taking, for instance, the Civil Surgeon and the Educational Officer and so on? Those Services generally are not strong enough; I am not prepared to say that there should be a greater percentage of Europeans either in the Medical or the Public Works Department, but they are numerically weak Services.

18870. Could that weakness be remedied sufficiently by recruitment in this country?—I could not say with regard to those two Services; they are both numerically weak.

18871. (Mr. Meyer.) In Eastern Bengal the Deputy Collectors, who used to deal with excise in conjunction with other duties, are about to be replaced by a regular excise staff of superintendents; is that so in Western Bengal also?—We are now formulating our proposals, and there is much divergence of opinion in Bengal as to whether a close Service should be formed for excise administration, or whether we should continue to do the work by recruiting from the general line.

18872. The objection to that was that the men were constantly changing?—And that the Excise Service gets the bad bargains.

18873. Assuming that the excise superintendents are constituted, it is not intended to diminish the control of the Collector over general excise administration?—By no means.

18874. It has been laid down by the recent Excise Committees that the excise superintendent or the chief excise officer of the district should stand very much in relation to the Collector as the District Superintendent now does?—Yes, no one in Bengal wishes to diminish the responsibility and duties and powers of the Collector in the matter of excise.

18875. In matters of excise administration does the Collector come direct under the Excise Commissioner?—Yes.

18876. But it is laid down that the Divisional Commissioners shall be consulted on all questions of policy which affect the well-being of the people generally?—It is emphatically laid down in the orders that there is to be no change of policy, or important discussion upon any excise question on which the Commissioner of the division should not be consulted.
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18876. Does that give the Divisional Commissioner sufficient control with regard to excuse matters?—It does.

18877. With regard to the Government of India and the powers of State Office to be addressed as to allowances for overtime and attendance, and so on, would the need for reference disappear with a larger margin to the Local Governments in regard to powers of sanction?—That is so.

18878. In the Board of Revenue, is the necessity for one member consulting his colleagues, when it comes to possibly overruling a Commissioner on an appeal, laid down by Statutes or by departmental order?—It is laid down by Statute. There is a distinction between the exercise of the Board's statutory and executive powers. In exercising its statutory powers on appeal one member of the Board must not overrule the Commissioner, and must not pass a final order without the concurrence of his colleague.

18879. But in the exercise of his administrative functions he may?—He may and he does.

18880. What you call statutory functions are mainly appeals under the Revenue Law of the province?—Exactly.

18881. But could you over-rule a Commissioner in a matter of excise policy, and so forth without consultation?—Yes.

18882. And in matters which are regulated by separate Acts do you over-rule a Commissioner on your own single responsibility?—A Commissioner has been overruled by a single member on applications made under certain Acts; but my practice is to consult my colleague before over-ruling.

18883. But you need not do it?—There is occasionally some doubt about the matter.

18884. As a matter of fact, has a Commissioner never been over-ruled unless the two members of the Board agreed?—It is very rare for a Commissioner to be over-ruled in the matter of an application under an Act on the strength of one member's decision only.

18885. To take a question such as the dismissal of a head-clerk; if the man appeals to the Board would a single member over-rule a Commissioner and reinstate him?—That is permissible; but in practice the members often consult one another.

18886. Do you agree with Mr. Slacke that the system of noting, as between the members of the Board and the Government, introduced by Sir Andrew Fraser, has proved successful?—Generally speaking, it has been very advantageous.

18887. Do you also agree with him that it must inevitably tend to merge the Board's office in the Secretariat?—Yes, to a large extent, but not entirely; because the Board in many cases is the final tribunal, and as such Board members have under existing conditions a separate status from that of the Local Government. It is as much a separate tribunal as the High Court is.

18888. But that would not affect its clerical working along with the General Government offices?—No.

18889. Is it not inevitable, under this system, that the Board need not have a separate clerical establishment, but that there might still be a Board's Secretary?—To a very large extent. The proposal that the Board's Secretary should be made a Deputy Secretary to Government was not allowed; it was held that the functions were to a large extent separate.

18890. With regard to a general delegation Act, you heard Mr. Slacke's distinction as to ordinary administrative matters and matters which affect the liberty of the subject, and that he was against any general Act giving a general power to the Local Government or anybody else; he wanted a delegation Act with specific schedules or sections showing what powers might be delegated. Do you follow him in that distinction?—I think it is very hard to draw the line. Nearly all administrative action touches the liberty of the subject in one way or another.

18891. It is a little like detail and principle?—Yes.

18892. But still, if you could draw a distinction, would you make one, or would you stick to the general proposition that a delegation Act is better?—I am not sure that the distinction is that laid down.

18893. Do you agree with Mr. Slacke that Commissioners should not have separate Public Works budgets, but that the provincial Government should have charge of the budget and that it should be distributed amongst the Commissioners?—I have never seen any need for the change.

18894. Do you agree with him that there is no necessity to break up the Service of Sub-Deputy Collectors and give the Commissioners powers to appoint Sub-Deputies?—We have practically come to the appointment of Sub-Deputies by Commissioners, because they are appointed on the nomination of Commissioners by the Local Government.

18895. That being so, might you not go a step further and recognise the position and leave appointments to Commissioners?—I think the Service is too important.

18896. In practice are Commissioners' nominations nearly always accepted?—Some Commissioners' nominations are accepted.

18897. Do you mean that sometimes the recommendation of Commissioner A is accepted, but not the recommendation of Commissioner B?—Yes.

18898. Do you agree that Commissioners should have the power of posting Deputy Collectors and junior Civilians below the rank of Collectors within their divisions?—The time may have come for allowing Commissioners to post Deputy Collectors and junior Civilians as they post Sub-Deputy Collectors, but the question is one of staff. When the staff was very inadequate, the Chief Secretary had to make the best he could of it, and the power could not be delegated, but with the strengthening of the staff it might be possible to make the work over to Commissioners.

18899. And if so would it be desirable?—Yes.

18900. Do you agree that subject to the concurrence of the District Judge, the Commissioner might be entrusted with the investment of officials with magisterial powers?—I do.

18901. And that he might take the place of the Local Government in land acquisition matters?—That is a more difficult proposal, because the taking of a very petty piece of land for a local authority, or for public purpose, might raise a question of principle just as much as the taking of a large area. I should prefer to examine the question carefully. Some right of appeal would have to be given if any authority short of government sanctioned as acquisition.

18902. Do you agree that the Commissioner should take over, speaking generally, such outside control as has to be exercised over District Boards and municipalities?—Yes; the last word should ordinarily rest with the Commissioner.

18903. From the Government point of view, would you think the Commissioner alone would be sufficient to do this?—I think it is reasonable that a public body should have the right of having a matter put before the Government.

18904. Would you leave the ordinary action of the Commissioner with a power of appeal from him to the Local Government?—That is how the Act leaves it; in many cases the Commissioner has power of control against which no doubt District Boards and municipalities could appeal, and they do appeal.

18905. You say that the influence of the Commissioner is as strong as he likes to make it in all matters; and you have said that you do not see the object of giving a Commissioner power with regard to Public Works—how do you propose to strengthen his influence?—I did not understand that I was asked to advise as to the Commissioner taking a larger part in Public Works administration, but as to whether it would be advisable or not that the Commissioner should have a separate budget for Public Works administration, I think it is reasonable that the Commissioners should see the Public Works budgets of his Superior Engineers.

18906. Mr. Slacke said he did see them?—A Commissioner can see anything he likes, but it would be unofficial; it is not an official rule that the Superintendent of Public Works shall submit his budget to the Commissioner of the division.

18907. Should it be made an official obligation on the Superintendent to submit the budget?—Yes, I think that is quite sound.

18908. Do you accept Public Works and railways from your general statement that the Commissioner's
influence is as strong as he likes to make it?—I am thinking of a case where the Commissioner of Patna and a number of officers were unable to make any headway in their protest against the administration of a local railway and particularly in regard to a matter of drainage in which they thought the public interests were suffering.

1890. Do you agree with Mr. Slacke’s answers to my questions regarding district organization?—Yes, but I should like to add that often the Sub-Divisional Officer performs very useful revenue functions, such, for instance, as the supervision of agricultural loans, the management of Government estates, the recovery of public demands, and so on.

1891. Mr. Slacke said that, subject to certain work being done at Government headquarters, he was in favour of a greater amount of territorial jurisdiction in the way of revenue matters and that there should be more Sub-Divisional Officers employed in revenue work: is that your view also?—There is disadvantage, as well as advantage, in concentration of work. If you have revenue work concentrated at headquarters in the hands of an officer who thoroughly understands it, it may be that the public gains by the work being more efficiently done; if you distributed it to subdivisions you would undoubtedly have to increase the staff largely, and you would prevent that specialization and duplication of work which is going on and which is likely to come about more and more.

18911. On the other hand, you would save travelling for long distances?—I attach great importance to that in the case of certain parts of the province where there are numerous peasant proprietors; the peasant proprietors in Behar would undoubtedly see considerable advantage in a decentralization whereby they would be able to register their titles and pay their revenue at the sub-divisions.

18912. We were told with regard to the collection of revenue that the zamindar preferred to pay his revenue at headquarters where he had his agents, would that apply in the case of small proprietors?—It would not apply to small proprietors.

18913. And you have a good many of them in Bihar?—Yes, we have scores and thousands of them.

18914. There is also an advantage in having your officers scattered more about the district where they would be in touch with local conditions?—That would be a great advantage.

18915. Might not those advantages outweigh the efficiency which you get by specialization at headquarters?—I think they would, but it would all cost a great deal of money, and a large increase of staff and new buildings.

18916. Apart from the cost, would you approve of it?—Yes.

18917. Might you not diminish the cost very largely by utilizing your tahsildars and converting your Sub-Deputy Collectors into local officers with a circle jurisdiction within each sub-division?—Of course we should fully utilize the Sub-Deputy Collectors.

18918. At the present time your Sub-Deputy Collectors are all either at the district headquarters or sub-divisional headquarters?—Yes, but they do a great deal of touring besides.

18919. Might not an increase of establishment be largely met from the Sub-Deputy class?—Not largely; they would not count largely against the additional cost, but they would, of course, be utilized.

18920. Do you also agree that it would be very desirable to reduce the Collector’s work so as to enable him to tour from four to five months in the year?—Most desirable, but many Collectors do tour from four to five months in Bengal.

18921. But you must have a minimum limit, which would enable you to deal with the people who do not like touring?—Yes.

18922. I understood from Mr. Slacke that, if the circumstances allowed it, he would like the three months raised to four or more. Would you be in favour of that?—In a large district that is not unreasonable for a Collector to spend away from his headquarters.

18923. And that the touring period of Sub-Divisional Officers should be similarly increased?—Yes; there is no objection to raising the number of days of tour if the Sub-Divisional Magistrate could get help at his headquarters to get through his cases.

18924. Do you not think it would be as well to encourage Sub-Divisional Magistrates to try cases in situ?—They try many of their cases in camp, and some in situ.

18925. But they try a good many at headquarters. If they toured more might not they deal with more cases locally?—Yes, certainly: it is always an advantage to try a case on the spot.

18926. As to village panchayats, you and Mr. Slacke are somewhat at variance. Mr. Slacke said he would not entrust powers to single villages with regard to petty civil and criminal cases because of the existence of factions: do you agree with that?—It all depends on the men you can get.

18927. Could you get men you could trust as single panchayats?—We have many Honorary Magistrates who sit singly, and dispose of a large amount of work in the province.

18928. I am speaking more of petty cases which might be given preferably to a panchayat?—There is an enormous amount of work to be done in that direction, but it means organization; it means having officers to go about and make themselves thoroughly acquainted with the people of a locality, and find out who are the proper people to exercise those functions there.

18929. Is the existence of factions likely to prejudice that generally?—That must count in many villages.

18930. Therefore, from your point of view, would it be a question of fact whether in each particular case locally the village the factions were such as to make it desirable to give local autonomy to that village or not?—Factions need not seriously interfere with giving powers to local residents as to sanitation and as to certain police matters.

18931. I was speaking rather with regard to the disposal of petty civil and criminal matters?—That might be more difficult.

18932. Speaking generally, if you could get a village fairly free from faction, would it be better to give powers to the panchayat of that village alone, or to a group of villages?—I believe in dealing with small areas rather than large ones.

18933. And the smaller the better, for those purposes?—I think so.

18934. You approve of the existence of Inspectors-General, and you admit that the control of the Government of India is necessary in matters of general policy?—Yes; I agree that their control is necessary.

18935. And that Inspectors-General are the means of bringing to the notice of the Government of India what they thought the Government of India should be apprised of?—Yes.

18936. Do Inspectors-General, as a matter of fact, interfere in details; would one, for instance, come and say to you, “You have not enough cows in this particular district”?—Yes, certainly, where anything was wrong.

18937. That, however, would not be a matter in which the Government of India were primarily concerned?—Surely not.

18938. On the other hand, if he found that the farms all over the province were being run on a wasteful system, it would be his duty to bring it to the notice of the Government of India?—Yes.

18939. Therefore, might not the Inspector-General, in regard to details, bring the matters to the notice of the Local Government?—It depends on how much the Government of India want to know.

18940. Might it not possibly be a satisfactory solution that he should send a detailed report to the Local Government, mentioning anything in the matter of detail which he thought might be remedied, and that the Local Government should report such matters as they thought the Government of India might want to know about generally?—He should tell us all he has to say; what the Government of India want to know is for them to determine.

2 A
MINUTES OF EVIDENCE:

18941. Would you be satisfied if the Government of India told him not to trouble about details but to discuss them with the Government of Bengal?—That would be common sense.

18942. You have mentioned various matters which had been delayed owing to discussion between the Government of Bengal and the Government of India told him not to trouble about details but to consider the Bill a bad one and advised the Government of India to send it up in 1904?—Yes.

18943. Some years ago did not the Government of Bengal or of East India tell him not to trouble about details but to consider the Bill a bad one and advise the Government of India?—Yes, in 1894.

18944. But the Bill was recast by various Lieutenant-Governors, and the present Lieutenant-Governor sent it up in 1904?—Yes.

18945. And the Government of India sent it back with some criticism?—They did, and very much improved it.

18946. Then, finally, the Excise Committee said they considered the Bill a bad one and advised the Bengal Government to go on entirely different lines?—And we have now recast it on the lines suggested by the Excise Committee; but I am not at all sure that it would not have been better to have had an imperfect Act 10 years ago rather than to wait 10 years for a better Act.

18947. Has the rule to which you refer with regard to appeals stopped a good deal of work?—I do not think so; it was not my experience that appeal work was excessive before we revised our rules.

18948. (Mr. Holtson.) Is the principle with regard to provincial administration, that in administrative matters the province has as free a hand as possible?—That is a principle to be generally accepted.

18949. But it has to be qualified in certain ways, and one of those ways is that it is desirable to have uniformity as between one province and another?—Yes.

18950. With regard to travelling allowance, would you say that possibly some uniformity was desirable?—Certainly, on the whole, with exceptions arising out of the fact that travelling is more expensive in some districts than in others.

18951. Is the general principle of travelling allowance that you should reimburse the officer concerned his out-of-pocket expenses for travelling?—It is the first principle of travelling allowance in India that it must not be made a source of gain, but that it must cover all proper expenses of travelling.

18952. Having laid that principle down, do you think that a major province with a Lieutenant-Governor or a province with a Governor-in-Council is incapable, with the advice of all the officers under him, of devising a scheme which would carry that out reasonably?—I think it is well within the capacity of a Local Government to devise such a scheme.

18953. If such a Government is told to prepare a scheme whereby an officer is to be reimbursed his out-of-pocket expenses, would it be able to do it?—Yes.

18954. Therefore there is no necessity for any further uniformity as between one province and another?—I think differences would develop very quickly, but that you might leave each Local Government to decide.

18955. Would it matter much if there were one scale of travelling allowance in Baluchistan and another in Burma, for instance?—Probably it would not matter.

18956. Would it matter if you had one scale in Lower Bengal and another in Eastern Bengal?—I suppose there would always be a tendency to level up; there would be discontent in any province if there was some notable difference as compared with the condition of things just over the border.

18957. Then one of two things in that case must happen; either one Government has made much too low a travelling allowance, or the other too high a one?—Yes.

18958. Would you be in favour of letting each province fix its own allowances subject to a general principle?—Yes.
any power was delegated there should be a Gazette notification of the delegation, and in case of opposition the decision of the Governor is final. I think it is too late to decide—am I correct?—That is one way of safeguarding the exercise of power. It has also been suggested that you might allow the Legislative Council to decide with regard to the delegation of powers.

1897. Would you do it by bringing in an amending Act?—The Legislative Council might be empowered to sit and consider the question of delegation.

1898. Would it be within its province to consider it unless it came before them in the shape of a Bill?—They might be formally empowered; it could be provided in a delegating Act that the question of delegation should be considered by the Legislative Council sitting in committee.

1899. Would the safeguards which you suggest be any simpler in operation than the bringing in of an amending Act and passing it in the usual way?—There are so many Acts under which statutory powers are exercised that to deal with each subject, Act by Act, would mean an enormous amount of legislation.

1900. Could they not be grouped in a schedule and the whole thing passed in one Act?—I think there is much to be said in favour of a schedule.

1901. Would not be a simpler way of providing the safeguards which you have suggested?—The simpler way undoubtedly would be the shorter cut, and it might be that a schedule would be a way of achieving the end more satisfactory to the public generally.

1902. So that on the whole you would prefer the latter course?—I should like to hear both proposals discussed.

1903. You said that under present arrangements some portions of the work of the Board of Revenue are likely to merge in the Bengal Secretariat?—I do not think that is likely to happen. I cannot foresee what is going to happen, but the tendency is towards amalgamation.

1904. Would that be a desirable result?—Yes.

1905. The Board of Revenue is to some extent a separate and independent body?—Yes.

1906. Would it be desirable that some portion of the work of that independent body should merge in the Bengal Secretariat?—I do not think it is desirable that important work at present done by the members should in future be done by Secretaries.

1907. That work you would keep separate?—There should be safeguards.

1908. At any rate, if the work of the Board of Revenue, or a portion of it, did disappear, would you think it desirable that the members of the Board should perform other functions and become colleagues of the Lieutenant-Governor, not only for the purposes of administrative purposes but with respect to all kinds of administration?—It is advisable that they should be consulted so far as they have time to spare from their revenue duties, and in fact it is the practice in Bengal to consult them outside their revenue work.

1909. But that is only done occasionally?—It is only done occasionally.

1910. Would you like it to be made a rule that they should be consulted in all important matters?—No, I would not make it a rule.

1911. Or that they should become members of the Lieutenant-Governor's Executive Council?—I would in no case delegate to the discretion of the Lieutenant-Governor.

1912. Is there any portion of the District Officer's work for which the advice of a formally constituted Council would be valuable to him?—Outside the District Board and the municipal authority, I would say that there is no matter in which an Advisory Council could not give useful advice; an Advisory Council properly constituted could often give valuable advice.

1913. So that to that extent you have no objection to the formation of an Advisory Council?—There might be, and I think there would be, counter-balancing disadvantages in the case of the District Officer at present acting without the help of the District Board and Municipal Commissioners.
Head of the Department or by the Commissioner himself; that is to say, if the Commissioner were in charge, he would take care that that would be done.

1901. (Sir Frederic Lely.) You say it would “practically” result—do you mean generally it would result?—Yes, generally.

1902. Are railway administrative matters of the utmost importance in Bengal?—Yes, and the drainage question is of great importance.

1903. Would it be too much to say that drainage is even more important than irrigation in Bengal?—It is quite within the mark to say that.

1904. Supposing it is alleged that a railway has blocked the waterway, and that the country has become waterlogged, and that a village, or more than one village, has been deprived of its supply, what steps would be taken to enquire into and remedy it?—It would first come to the notice of the District Officer, and he would make representations to the local railway official, who might, or might not, be sympathetic and take action; but if no action were taken, then the District Officer would represent the state of things to the Commissioner of the division, who perhaps would write to a higher railway official.

1905. Has the Commissioner no power to order a railway company to take action?—He has no power to give orders to railway authorities; he would probably refer the matter to Government or to the Consulting Engineers, if the Agent or Manager of a railway would not take such action as he considered reasonable.

1906. In such an important matter as that ought not the Commissioner to have power to order an enquiry at once?—I think that the Commissioner of a division ought to have that power.

1907. But, as a matter of fact, he has none?—He would have the power to direct the Public Works Superintendent or the Inspector of Local Works to make enquiries, but he would have no power to direct the railway authorities to take any part in those enquiries. Of course he might order an enquiry independently of the railway authorities, but that would be undesirable. Even if an enquiry is held, the civil officers and the railway authorities might, perhaps, still be at issue, and then the matter would go to the Bengal Government, and finally the Bengal Government would represent the state of things to the Government of India, who would send down one of their Consulting Engineers to the place.

1908. Would all that take place before an enquiry was even set on foot, so far as the railway authorities were concerned?—Yes.

1909. And meanwhile probably the people would be dying of malaria and their crops would be ruined?—Yes.

1910. Has the Railway Board no authority to intervene in a matter like that, and summarily dispose of it?—The Railway Board has come into existence and has been in existence now for many years, and it has power to direct the railway authorities to take action in such matters.

1911. Does the Railway Board ever order an enquiry?—Yes, but it is not the practice to order an enquiry by a Railway Board, but if the Commissioner of Patna I have been in close touch with matters going on; but the position is perhaps more isolated than it should be.

1912. Your connection with the Public Works officials was possibly more in the way of personal friendship?—To a great extent, one gets over any defect in official rules by semi-official correspondence.

1913. What means of travelling has an officer in order to settle a question of appointment to a particular district or division?—I think so; it should be known to the Chief Secretary.

1914. Beyond requiring a man to pass an examination, does Government take any measures whatever to encourage or to urge men to learn the language?—Apart from examinations and apart from degrees of honour, which are examinations, the fact that a man can speak a language fluently and make a speech if necessary in it, would weigh to some extent in the question of appointment to a particular district or division; it would be borne in mind that he was a good linguist.

1915. Would it be so very much out of the ordinary that the fact could not escape notice?—I am afraid it is a little out of the ordinary for a European officer to be able to make a set speech in Bengali or Hindustani in this province.

1916. Ordinarily a man would not fail by acquiring a good knowledge of the language, to get on better with the Government?—I think it is recognised that a man who speaks one or more of the languages of the province is more useful than a man who cannot.

1917. But is it known to Government that he can?—I think so; it should be known to the Chief Secretary.

1918. In the course of 10 years you were employed in eight districts?—Yes, that is about right.

1919. Were any transfers made at your own request?—I do not think I have ever been transferred at my own request.

1920. (Chairman.) What is your opinion generally as to the administration of sub-divisions?—It has been stated that in order to bring the Government officials more into contact with the people in Bengal the sub-divisions should be made smaller, while other people say it would be better to appoint a subordinate officer to one or more thanas to act as a go-between between the Sub-Divisional Officer and the people; which course would you think most advisable?—I should begin by strengthening the sub-divisional administration.

1921. Is there any difficulty in getting carts?—Yes, it is becoming more difficult.

1922. Has it been found that some gentle coercion has been used sometimes to obtain them?—Yes, I should say a good deal.

1923. Is that felt to be a considerable burden on the people?—Yes, even when they are paid the full sale price.

1924. Which is sometimes doubtful?—An officer must give his personal attention to paying for his transport or the people may not be paid.

1925. On the whole, then, a touring officer is not an unmitigated blessing to the people?—He is sometimes very hard.

1926. It is not enough to pass an order that a District Officer must be away from his house so many days in the year, but if he is to be of any advantage to the people, it would have to be arranged that he should only live in central camps and avoid small villages; are rules of that kind necessary?—The difficulty is not so acute that we need pass orders that a camping officer should only go to central camps; that would be a great discouragement to efficient camping, and I would let an officer go where he thought proper.

1927. If camping is attended with certain evils would it not be better to limit the touring to such time as would bring an officer into contact with every part of his district once a year?—That would be destrable.

1928. All persons have not the gift of tongues, but everyone can learn a language if he takes the trouble?—Not always so as to be able to speak intelligibly to the people.

1929. Are some Englishmen as bad as that?—I knew an officer who was a learned scholar and wrote grammars of Indian languages, but who at the end of his service could not converse in such a way that the village people could understand him.

1930. Beyond requiring a man to pass an examination, does Government take any measures whatever to encourage or to urge men to learn the language?—Apart from examinations and apart from degrees of honour, which are examinations, the fact that a man can speak a language fluently and make a speech if necessary in it, would weigh to some extent in the question of appointment to a particular district or division; it would be borne in mind that he was a good linguist.

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1939. Are the railway difficulties to which you have referred of frequent occurrence?—It is eight years since I left district work, but I can remember the time when all the District Officers in Bihar were dissatisfied with the work of the railway, and when it was necessary for the Government of India to send its Consulting Engineer in order to settle a modus vivendi with the railway authorities.

1940. Was that during a period of rapid railway construction?—Yes, railway construction was being pushed forward rapidly at the time.
19043. And that having ceased, have the cases also ceased?—There is still a good deal of misunderstanding between Railway Officers and Civil Officers with regard to the acquisition of land; the Railway Officers take possession before the Civil Officers think that they are legally justified in doing so.

19044. Is it sometimes the case that an officer may receive a reward for acquiring a knowledge of a language in which he had become proficient?—Yes.

19045. There are a good many outlying districts. Are rewards given for learning the language in which he had received a reward for learning?—We have two main languages, and it would be unlikely that an officer, having taken a degree of proficiency in a Bengal district, would be moved to Bihar and remain there for the rest of his service and never return to Bengal. Of course, it might happen that after taking a degree he might be removed to a district where the language in which he had become proficient might not be spoken.

19046. (Chairman.) You are the Vice-Chairman of the Patna municipality?—Yes.

The tendency of the Imperial Secretariat is to consider matters too much from a purely departmental standpoint, and the Government of India is too impersonal and too much dominated by considerations of revenue.

It is desirable to give communal Governments to develop their administrations on their own lines, adopting at their discretion such suggestions of reform brought to their notice from other provinces as they may suit the requirements of their own provinces.

I do not advocate any curtailment of the right of appeal, nor is it desirable that the appeals, when preferred, should be accompanied by a certificate from the authority passing the order appealed against. There should be no right of appeal in cases of officers drawing salaries below Rs. 200 per mensem.

Commissioners and Collectors should control to a greater extent than at present the expenditure in their districts and districts by allowing the Commissioners an allotment by provincial grants by percentage, and by authorizing them to part with a certain percentage of this allotment in favour of the Collectors of the districts subordinate to them.

The influence of the Commissioner is sufficiently strong in matters other than land revenue, and due weight is given to his views in matters connected with the police and the administration of criminal justice, though such is not the case in matters connected with excise, agriculture, and the administration of civil justice.

Executive officers, specially the non-Indian officers, have not sufficient opportunities for personal contact with the people. The existing obstacles are overwork and difference in social customs. To remove these obstacles I should suggest a reduction in the Executive Officer's work and the diffusion of cheap and popular education among the people.

The transfers of officers are unnecessarily frequent. They can be reduced if the Commissioners and the Collectors were given a voice in the matter.

Municipalities should have elected Chairmen, and their present functions might be suitably extended.

I am in favour of the creation of Administrative Councils to assist Divisional and District Officers, the Divisional Councils to consist of District Officers and one representative selected from each district, and the

District Councils of Sub-Divisional Officers and one representative from every sub-division. The term of office of the Councillors to be three years. Their responsibilities should be in respect of finances, schemes of sanitation, and matters generally affecting the welfare of the people.

It would not be expedient to invest District Boards with powers of supervision and control over smaller municipalities.

It is desirable to give village communities greater powers in the disposal of local affairs relating to revenue and police, petty criminal cases, and sanitary and educational matters.

19047. Is Patna a very large and important city?—It is rather an old city than a wealthy one. Its population is over 150,000.

19048. You do not advocate any curtailment of the right of appeal, but you suggest that officers drawing less than Rs. 200 per mensem should have no right of appeal; will you tell us what you mean?—I think the Lieutenant-Governor has sufficient experience and a sufficiently high position to be able to have control of officers drawing less than Rs. 200.

19049. Would you give municipal servants any right of appeal beyond the municipality itself?—The responsible officers such as the Secretary should have the existing right of appeal, but the subordinates should only have the right of appeal up to the Chairman of the municipality.

19050. Would the stoppage of appeal at that point create discontent?—I think not.

19051. Have you had any other knowledge of Government beyond that of being Vice-Chairman of the municipality?—No, I have been Vice-Chairman for ten years.

19052. Are the Executive Officers of Government at all difficult of access?—I think so.

19053. Is it equally difficult for the native population to have access to Indian Collectors or Deputy Collectors?—I have no personal knowledge, but I think it is.

19054. Both on the side of Indians and Europeans is there a desire to have closer intercourse?—Yes. The principal obstacles in the way are social customs.

19055. Are there an insurmountable barrier?—Not insurmountable, but it will be so long as the caste system—the purdah system and so on—continues. That is likely to last a long time.
1906. Is the Chairman of the Patna municipality appointed or elected? — He is appointed. The present practice in Bengal varies.

1907. Is the Vice-Chairman elected? — Yes, I was elected.

1908. What are your duties as Vice-Chairman? — To prepare the budget in consultation with the Chairman. Under the Municipal Act all the executive powers are vested in the Chairman, and the Vice-Chairman has no original powers; the Chairman delegates his powers to the Vice-Chairman. The budget is first submitted to the Finance Committee; it is passed, and then it goes to the General Meeting.

1909. How long before the General Meeting do the members of the municipality see the budget? — Copies of the budget are circulated along with the notice for the meeting; it has previously been examined by the Finance Committee; after that it is put up before the General Meeting and finally sanctioned.

1910. Is there much discussion on the budget? — No, because the people are not very advanced; they do not take much interest.

1911. Do you have other committees? — Yes, a Sanitary Committee, and so on; the Committee work is generally done by the Vice-Chairman. He acts as Chairman of the various sub-committees.

1912. Is that a good system? — Yes; I do not think it is necessary to have different Chairmen for these sub-committees because there is a danger of friction between the different Chairmen.

1913. Where does the income of the municipality come from? — Tax on holdings, animals, vehicles, ferries, pounds, and so on.


1915. In the matter of education? — No. When we ask for a grant the Government nearly always give us it; for instance, on the last occasion there was a deficit of Rs. 22,000 and we asked Government for a contribution, and Rs. 17,000 was granted to us.

1916. Do you raise your own loans? — No; we have borrowed from Government on two or three occasions.

1917. Does that system work well? — Yes.

1918. Do you say that the functions of the municipality might be suitably extended; in what direction? — In the financial direction; I think the municipality should have more control over its finances. In primary education, the Government asks us to contribute so much. In just the same way the Government asks us to contribute so much to hospitals and so on, on which account we have freedom of action in controlling our finances. With reference to the lighting of streets and so forth, we have, however, a freedom of action.

1919. Does Government lay down that upon lighting and education you must spend so much? — On education, but not on lighting.

1920. Does it leave you free to spend that as you like? — Not on education.

1921. What you want is not only freedom as to detail but as to the whole expenditure? — Yes; in Patna we have to pay Rs. 12,000 towards dispensaries and Rs. 5,000 go to primary education. We had only left some Rs. 20,000 for roads. We could not do anything with Rs. 20,000, and the first duty of the municipality is to have the lighting properly done and the drains properly cleaned.

1922. Did Government order you to spend so much on sanitation? — Upon dispensaries; it did not say anything about sanitation.

1923. Is it within your power to raise a greater amount of money? — The municipality has only the power of enhancing taxation, but on account of the condition of the people we cannot do it.

1924. Would it have made you unpopular to raise greater taxes? — Yes.

1925. Did you want to spend less upon education in order that you might spend more on roads? — Roads must be the first consideration.

1926. Who controls the primary schools in Patna? — The District Magistrate.

1927. Has the municipality nothing to do with them? — It makes a grant of Rs. 3,000 to the inspector of schools; that is all. That is spent upon the pay of teachers and salaries.

1928. Is there a committee of the municipality which goes round the schools? — No; I go round at times when I have time — very seldom. My chief point is this: the roads, drains, and lighting, and all things connected with local sanitation, should be the first consideration.

1929. You have nothing to do with the middle schools or secondary schools? — No.

1930. When you say that their functions should be extended, is it in order that you might be able to spend your money as you like? — Yes.

1931. Have you any knowledge of the interior of the district? — Not much. I sometimes go and see the place where I have property, but beyond that I have not much knowledge of the mystres.

1932. You tell us that there might be an Administrative Council to assist the District Officer; have you ever seen the work of a District Officer? — Especially in matters of sanitation I wish that the people should have more voice.

1933. You are speaking not so much of the work of a District Officer as the general principles which you think ought to be applied? — Quite so.

1934. You are speaking of a District Officer. — Why do you say that the Commissioner ought to have more authority in matters connected with excise? — Because I do not find him having any voice in the matter. I think he should have a voice.

1935. Are you aware of any particular injury which has been caused to the people, or to the Government, by having not having sufficient voice? — I cannot say that I am.

1936. You say that the municipality should have an elected Chairman; would you give Government any power of approval of the appointment of the Chairman? — Not necessarily.

1937. Do you make that statement with reservations? — Yes. In some cases I think that Government should retain the power of approval.

1938. Should the budget be sent up for the sanction of Government? — I do not think so.

1939. Suppose the municipality wished to undertake some large work costing Rs. 50,000, or a lakh of rupees, should Government exercise any control in that matter of there should Government give any discretion to the municipality? — It greatly depends on the character of the municipality.

1940. I am speaking of the best class of municipalities; are there municipalities which might be trusted with that discretion? — If the people are well advanced. I cannot say that there are any such.

1941. Your municipality of Patna is an average municipality; would you give a municipality like Patna the power to grant pensions? — No.

1942. Would you give them power to levy a new tax without the sanction of Government? — No.

1943. Would you have the members of the municipality entirely elected? — Speaking from my experience of Patna, I would not.

1944. Supposing the municipality neglected its duty or committed any serious default, would you give Government power to intervene and suspend it, or to order it to do its duty? — Yes.

1945. Then, generally, you think that very substantial control should still be exercised by Government even in the better class of municipalities? — At present I have not been asked that, theoretically, they should be as free as possible.

1946. But with a view to the further education of the people, is any further extension of the powers of the municipality possible now? — Yes.

1947. You do not wish to add to what you have said already? — No. For instance, in the Act it says that the Chairman is to have all the powers unless be
ROYAL COMMISSION UPON DECENTRALIZATION.

1910. I understand that the municipality of Patna has incurred two loans; what was the amount?—The first loan was 3 lakhs; then there was another loan of, approximately, Rs. 50,000. We are repaying these loans in instalments by a sinking fund; it will take some 16 or 18 years to clear the loans off. I do not remember the exact amount of these loans. I do not think it was such as to hamper us.

1911. Mr. Dutt.) What is the annual income of your municipality?—Rs. 1,50,000. After paying all expenses we have a balance of about Rs. 12,500 left.

1912. Is not Patna the biggest town in Bengal, next to Calcutta, and much above the average municipality in income and population?—Yes.

1913. There is a section in the Act by which a municipality can impose certain taxes with the sanction of the Government. Have you imposed all those taxes in Patna?—No, there have been no additional taxes.

1914. How many members, besides yourself, have you got on the Finance Committee?—I think four; they are all non-officials.

1915. Is the main duty of the Finance Committee to prepare the budget?—Yes, and estimates of the cost of drainage, culverts, and so on. When an estimate is made, it is put up before the Finance Committee; then it goes to the General Meeting.

1916. What was the purpose of your loans of 3 lakhs and Rs. 50,000?—They were for the construction and flushing of drains. The scheme is not quite complete.

1917. You say that the district Administrative Councils of Bihar consist of the Sub-Divisional Officers and one of each representative from each sub-division; in that case would it be possible for it to sit and work regularly at the headquarters of the district?—There would be some difficulty.

1918. If you wanted to have a working Council at the headquarters of a district, you would have to modify your proposals so that the members could come once a week or once a month to do the work at headquarters?—That is so.

1919. In Bihar are the chaukidari unions in working order?—I have no personal knowledge; I speak from general knowledge.

1920. (Mr. Hichens.) When you send your budget up to the Divisional Commissioner, does he make many alterations in it?—Not many.

1921. Can you think of many instances where he has made alterations which you objected to?—There was one in regard to the appointment of Secretary. That was not an alteration in the budget.

1922. You say that you have got to spend Rs. 3,000 on education; who puts that into the budget?—I put it in as a lump sum. The budget is made by the school authorities, and comes to me through the Magistrate; under the orders of the Government so much per cent. of the municipal revenues must be given to education.

1923. Is that in the Act?—I think not; it is an executive order; every year the school authorities submit the budget to me and I put down that sum.

1924. (Mr. Meyer.) What is the procedure as to the appointment of the municipal servants?—The Chairman appoints. Up to Rs. 50 a month the Chairman appoints himself; beyond that the power is with the Municipal Commissioners as a body.

1925. Does the power of punishment and dismissal rest with the body that appoints?—With regard to appointments and dismissals, within a certain amount the Chairman has the power; beyond that Municipal Commissioners have the power.

1926. If a man on Rs. 50 is to be punished, is the punishment inflicted by the Chairman or by the Council collectively?—The Chairman can suspend all officers generally.

1927. But the dismissal would rest with the Council?—Yes, up to a limit; I cannot give you the exact amount; I think the Chairman cannot appoint above Rs. 50, and he cannot dismiss above Rs. 20. The limits are not the same.

1928. Is the Chairman of the Patna municipality the Collector?—Yes.

1929. You say it is desirable to allow Commissioners and Collectors to control to a greater extent than at present the expenditures in their divisions and districts by allowing the Commissioners an allotment by provincial grants by percentage. What do you mean by that?—I have no personal knowledge of it, but from my general knowledge the District Officer should have a certain amount allotted to him and have complete freedom with regard to that.

1930. But what do you mean by percentage?—I have not gone into the details.

1931. You mean that the Local Government should take the provincial revenue raised in a division and say, 'We will take a certain amount of revenue for headquarters, but the rest shall be left to the Collector to deal with'—Yes.

1932. How do you propose that the Commissioners shall intervene in details of civil justice?—I do not propose it. I simply state the facts.

1933. You say, Transfers can be reduced if the Divisional Commissioners and Collectors were given a voice in the matter. Do you mean that the Commissioner should transfer Deputy Collectors within his division?—He may transfer, or at least have a voice in the matter.

1934. You have spoken about the pressure put upon your municipality to devote money to education and dispensaries, and so forth; is there any general rule that a municipality must give a percentage of its revenue to these matters, or is it what the Divisional Commissioner thinks appropriate?—I am not quite sure about that; I think there is no general rule. It is under the orders of the Government, not the orders of the Commissioner.

1935. I understand your complaint is that you are made to spend more on dispensaries and schools, and so on, than you think you should do; does that arise from the Commissioner's alterations of your budget? It is not that; under the orders of the Government we have to spend so much on primary education and so much on dispensaries; upon those orders we frame the budget.

1936. Are those general orders in the Municipal Act?—I think they are in the general orders. They apply not merely to Patna but to every municipality in the province.

1937. What power have you with regard to the re-allotment of expenditure from one head to another within the year; can you transfer from one major head to another?—No, without the sanction of the Commissioner.

1938. Can you transfer between sub-heads within one major head?—I think we have to go to the Commissioner even then.

1939. Is it necessary that you should go up for that sanction?—I think so.

1940. Do you pass many bye-laws?—Not many. They go to Government.}

1941. Might the Commissioner deal with them finally?—I think so.

1942. Would you be in favour generally of giving powers into the hands of the Commissioner with regard to the normal work of the municipality?—It is a question of details; in some instances I would give the Commissioner power of control.

1943. Have you had much experience of village Communities?—No, I speak from general knowledge.

1944. Would you give greater powers to all village Communities or only to selected village Communities?—Only to selected village Communities.

1945. In your part of the country, are there many small proprietors holding estates, say, that pay an assessment to Government individually of less than Rs. 50?—There are many such.

1946. Do they pay their land revenue at the district headquarters?—Yes.
19137. Would they prefer if they could settle their payments locally?—They would like it, but the big associations would not like it.

19138. (Sir, Steeving Edgerley.) Has the Chairman delegated to you all his powers?—All excepting the power of appointment and dismissal, and as to contracts above Rs. 100, the chairman keeps the general powers of supervision.

19139. Otherwise, you are practically Chairman, subject to those limitations?—Subject to those limitations of course, it depends upon the individual Chairman how much he interferes.

19140. Why should the Commissioner sanction re-appropriations within the budget?—So that he should have full knowledge of matters of other matters? The Municipal Commissioners may not make mistakes.

19141. You do not think they are fit to be trusted to re-appropriate within the budget?—It is not a question of trusting; they would make mistakes. I am speaking of Patna.

19142. Would they not make fewer mistakes as they learn?—It is not a very serious question.

Adjourned.

(The witness withdrew.)

THIRTY-EIGHTH DAY—(continued).

CALCUTTA, Monday, 3rd February, 1908.

PRESENT:

C. E. H. Hobhouse, Esq., M.P., Under-Secretary of State for India, Chairman.


Sir Steeving Edgerley, K.C.V.O., C.I.E., I.C.S.

W. S. Meyer, Esq., C.I.E.

R. C. Dutt, Esq., C.I.E.

W. L. Hichens, Esq.

BASU AMBICA CHARAN MAZUMDAR was called and examined.

19143. (Chairman.) What is your profession?—I am a pleader and a landholder. I reside at Faridpur. I have been Chairman of the Faridpur District Board for about 17 years; before that I was Vice-Chairman of the District Road Cess Committee, and I was a member of the Bengal Legislative Council. No larger powers, relating to either financial or administrative policy, should be given to provincial Governments, particularly to that of Bengal, nor should the control exercised over them by the Supreme Government be either removed or relaxed. The Government of the country is bureaucratic in its character, and so long as the people have little or no voice in the administration, the decentralization of Local Governments, however agreeable it may be for the ease and convenience with which affairs may be carried on in the provinces, can never be good for the people. Decentralization ought to begin from the bottom and not from the top, so as to afford a proper training both for the people as well as the officials and furnish a popular and substantial basis for independent local administrations, and the District Boards and the municipalities ought to form the ground-work in any such scheme. Speaking of the Governments of Bengal and Eastern Bengal and Assam, their financial policy should be subject to the control of the Imperial Government so long as these Governments are not constituted on a popular representative basis. It is hardly possible to effect a complete separation between the provinces and the Collector, and these may be dispensed with, but it may be possible to make over certain sources of revenues with their improvements entirely to Local Governments and any others as wholly imperial. But even in these cases the policy of the Local Governments should be laid down and controlled by the Imperial Government. It is not desirable to invest Local Governments with power to borrow in the market. Whatever advantage it may secure to them is likely to be lost in the heavier rate of interest.

There should be a pecuniary limit to the power of the provincial Governments in creating new appointments which may not exceed Rs. 100. But all new appointments above that and all enhancement of salaries should be subject to the sanction of the Imperial Government.

The general lines of policy laid down by the Government of India should be applied to local conditions by that Government only, and when so applied the Local Government concerned may be required to see that the policy is properly carried out. The enlargement of the powers of Local Governments in this direction has not been productive of happy results in other Bengal or Eastern Bengal and Assam. If the Governments in Bengal can be made to conform in their constitution to the Government in Bombay a general Act of Delegation, such as Act V. of 1865 in regard to the Commissioner in Sindh, may with advantage be availed of to relieve the Local Government of much of the administrative details now imposed upon it.

I do not understand how the Directors and Inspectors-General recently created under the Government of India are necessary adjuncts to the administration. If they are to exist and become useful the Local Governments ought to be relieved of the departments for which they are created.

I am not aware of a single instance in which any popular measure of reform has been initiated by the Local Government of Bengal. On the contrary, instances are not wanting where retrograde measures have had their origin in that Government. All important administrative reforms have generally emanated from the Government of India.

I am not at all in favour of curtailing the right of appeal either in respect of administrative action or against orders affecting officers of Government personally. It would not be desirable either to limit the number of such appeals, as a safeguard, or to make them contingent upon certificates granted by officers whose orders may be appealed against. Any curtailment of this right of appeal, in the interest of the Public Service, is undesirable.

The triple authority of the Board of Revenue, the Financial and the Administrative, with the Collector as the head, is unnecessary. In Bombay and Madras there are only two. The office of the Commissioners in Bengal is very much like a post-office, and the post-office, and this office is unnecessary. The Commissioners are primarily Revenue Officers and a good deal of complication has already been introduced by vesting them with some sort of supervision over judicial and other matters. They should be relieved of these burdens.

Collectors should be applied to hand to hand to transfer from one head to another in their sanctioned budget estimates, and to employ temporary hands on urgent occasions. Another Benga is the landowner's right and obligation.

The new Court of Wards Act has already armed the Courts with extraordinary powers, and these powers are distributed between the Collector.
Commissioner and the Board of Revenue. No estates of any disqualified proprietor other than a minor shall be retained, or the establishment of manage­ment by any Court of Wells until the matter is fully heard and finally decided by the Board of Revenue as a result of proceeding like resumption and settlement proceedings.

The influence of provincial Governments is distinctly in the direction of excessive rigidity and uniformity. Some circulars go so far as to prescribe hard and fast rules as to the exact number of nils, nib-holders, plows and other objectionable lines to be allowed per man; while the returns do not exclude even separate statements for the number of snakes and tigers killed in a year, together with the necessary explanation for their decrease or increase. With the exception of the Accounts Department most of the bureaux are given greater time and facilities, and required more to attend to the real improvement of the districts with reference to their local hard-and-fast requirements.

Local Governments in an elaborate system of administration like ours cannot but be impersonal. The tours of Lieutenant-Governors are mostly given to the purpose of examining the quality of candidates for appointment or for promotions. They have seldom any opportunity, or probably even any inclination, for mixing with the people or of ascertaining the views of the public. Public opinion is generally discounted and any concession to non-official views is looked upon with disfavour. There is too much of contempt on the one hand and too much distrust on the other. The Local Governments are, of course, too much dominated by considerations of revenue.

The influence of the Commission in matters appertaining to departments other than land revenue, and their camping-places are nearly the same every year and are generally the sub-divisional headquarters and the police-stations. In the third place the officers are generally exclusive and are too much surrounded by the police and the officials. European officers do not possess sufficient knowledge of the vernacular and do not care to study the manners and customs of the people. The Sub-divisional Officers, in their tours, are merely Criminal Courts, and in whole or in part, in cases, their witnesses and legal advisers, from one quarter to another and generally at enormous expense and without perceivable inconvenience to all but the offices themselves.

The Deputy Magistrates and Deputy Collectors are very hard worked. It is too much to hope that they are given them working even up to 8 P.M. They are sometimes pressed to work also on holidays. Their number ought to be increased.

It is very undesirable that junior officers of a few years' standing should be placed in charge of districts. Both the Collectors as well as the District Judges should be officers of at least ten years' experience and training in the service. No hard-and-fast rule can be laid down for the transfers of Executive Officers. The ordinary rule of three years ought to be quite enough.

The Presidency Municipalities should be made essentially representative and popular institutions. The best intellects in the country, as well as the strongest public opinion, are available in the Presidency towns, and these should be largely availed of where the interest of the people is directly and so largely concerned. The district municipalities which are practically the only self-governing bodies in the province, have had sufficient trial for more than 22 years, and it is now time to be freed from their leading strings. Their budgets are too much interfered with by the Commissioners, whose sanction is necessary even for trifling expenditures. The leasehold mortgages should be removed, and with only such supervision as may be necessary by the Civil and a Board of Government, the single Board has yet been allowed to exercise this privilege. Out of a total number of 105 Local Boards in Bengal, no less than 50 have been gradually officialised by making Sub-divisional Officers ex-officio members and thereby thrusting upon them the Chairmen upon the Local Boards. Then the rules, or model rules as they are called, dictated by Government, have made large encroachments on the sphere of action of the Local Governments and are often so much at variance with the wishes of the Committee, and, for many of the members are elected. Famine, agricultural loans, sanitation, department of the Collector and the Commissioner. The Road Cess which is the principal source of their revenue is not available to them, more than 20 per cent. being deducted for collection charges over which they have neither any check nor control. The District Boards are entitled to a fair share of the Public Works Cess for famine relief, sanitation and other works of public utility. The Local Boards have rarely been as little complained of want of capacity and efficiency; but it seems not to be remembered that very little power and very little resources are given to them for the display of their energies. Their remit estimates are subject to the approval by the District Engineer and the sanction of the Local Examiner of Works before any work can be undertaken. Their allotments from the District Board are miserable, and they have absolutely no freedom of action.

The function of these bodies should be extended, their number increased, and their powers and resources increased, which, in the case of the District Boards with powers of supervision or control over municipalities of any description. Their treatment increased. There are still many towns and important centres of business where there are no municipalities, and the establishment of such municipalities would not only be a remedy against the growing insanitation and mortality. In 1866 there were 138 municipalities established in Bengal, and the total number of municipalities rose to 52 in 1905. The Sanitary Board established by Government exists practically for these municipalities, and the number of such municipalities rose to 52 in 1905. The Sanitary Board established by Government exists practically for these municipalities, and the number of such municipalities rose to 52 in 1905. The Sanitary Board established by Government exists practically for these municipalities, and the number of such municipalities rose to 52 in 1905.
of the Local Boards is an object-lesson which should never be lost sight of, and to allow these official Boards to extend their influence to municipalities would be to swallow them also.

Village communities in Bengal have practically died out. New agents should be made to develop the village unions, the statutory provision for which stands almost a dead letter so far as most of the districts are concerned. I would not allow these bodies any power of disposal of petty criminal and civil cases until they are sufficiently strong.

1914. You think that no estate of a person other than a minor should be taken over by the Court of Wards until the matter has been decided by the Board of Revenue as a judicial proceeding. Is there some difference in taking it over without a judicial proceeding?—Yes; these estates are mostly taken over by the Board without giving a full hearing to the parties concerned, and it often leads to much inconvenience and injustice. It is particularly so under the new Act that has been passed by the Bengal Council, which has armed the Court of Wards with immense authority, not only to take over estates, but also to retain estates after the disinfe Time has ceased.

1915. You mean the disinqualification of age or bankruptcy?—Anything. The parties should have a full hearing as in a judicial proceeding as to the taking over of estates.

1916. We have had evidence to the effect that greater freedom should be given to the Collector or the Deputy Commissioner in the management of Court of Ward estates; are you in agreement with that?—I am not. I do not think the management of estates by Court of Wards has proved beneficial in many cases.

1917. But if the management of the Court of Wards is to continue, should not the chief officer in the district have greater freedom in dealing with the estate administratively?—No.

1918. Every small expenditure ought still to go up to the Board of Revenue?—Yes.

1919. You tell us that, with the exception of the Accounts Department, most of the business of the Collector or the District Board is rendered simple; why do you except the Accounts Department?—Because the accounts have to be strictly scrutinised, and the Accountant-General ought to have a strict hand over the expenditure; the account rules should not be relaxed.

1920. You think they are adequate and should not be dispensed with?—Just so.

1921. What duration of time ought officers to stay in their districts?—Not more than three years; no hard-and-fast rule can be laid down; sometimes it may be necessary to change officers, and sometimes it would be advisable to allow them to continue; it must depend on how the officer manages the district; if he manages it properly it will be to the interests of the district to keep him; if he does not manage properly, the sooner he is relieved the better.

1922. Should he stay longer than three years?—If necessary, say, up to five years. Not longer, because there may be personal likes and dislikes, and so forth.

1923. Have municipalities as full powers as they can usefully employ?—They should have a much greater freedom than they have. The municipalities have shown very good results in the last twenty years, and greater powers and greater freedom should be given to them, as regards their budget, and also in connection with certain matters of improvement. At present nothing that they do has to be sanctioned by the Commissioner, and even the Collector is authorised in certain cases to interfere in their work; they ought to be free from this control.

1924. As Chairman of the Faridpur municipality, have you been very much hampered by the action of the Commissioner or the Collector?—Yes, as regards the latter; I have not been very much interfered with by the Collector, but the Commissioner's interference with the budget has been sometimes found an obstacle. Suppose, for instance, a man has to be granted a grain compensation allowance of eight annas a month, or any petty charge of that sort, that must be sanctioned by the Control. The Commissioner interferes too largely with the minor details of the budget.

1925. With regard to the larger heads of the budget, say, the allotment for education or sanitation or roads, should the municipality have a perfectly free hand?—There would be no harm in giving them such freedom.

1926. Does Government make any contribution to the expenses of the municipality of Faridpur?—Not really, but sometimes when an application is made for a grant, it is given for some special object.

1927. Apart from extraordinary expenditure you have to find the money entirely yourselves?—Yes.

1928. Suppose all Government control over the budget was withdrawn, would the municipality be prepared to accept full responsibility for its actions?—I think so.

1929. Suppose, for instance, the municipality became very extravagant?—There would be sufficient check as to that; there would be the check of the Examiner of Accounts, and that ought to be sufficient: he ought to examine the accounts to prevent defalcation or embezzlement.

1930. But apart from defalcation or embezzlement, suppose there was such extravagance that the municipality became bankrupt; should the Government have no liability in that respect?—In extreme cases they might have.

1931. If the Government is to have no control over borrowing, why should there be any liability on that account?—There is a provision in the law that if a municipality mismanages, its powers may be withdrawn: that is sufficient.

1932. Collectors and the authorities have the knowledge that the municipality was overspending?—There is the annual report and the Sanitary Commissioner who examines that work.

1933. He does not examine the accounts?—Yes, he sometimes sees the accounts so far as sanitary matters are concerned.

1934. But you want to withdraw all the accounts from Government control?—No, I want the inspection of the Sanitary Commissioner; he exists for the municipality; if the Sanitary Commissioner and the Examiner of Local Funds Accounts remain, they can exercise all necessary check on the municipalities.

1935. The examination of accounts now is only to see that such money as the municipality requires is expended?—Not only that; the Examiner is also allowed to take objections to expenditure which is not under the proper heads and so forth; he would be entitled to see to that.

1936. Would you keep the check of the Examiner upon the amount expended?—To the extent of the budget; if the expenditure exceeded the budget he would be entitled to make an objection as he always does.

1937. You would not allow any objection to the amount spent within the budget?—No, and that is not necessary.

1938. Do you desire that there should be a complete separation between the Collector and the District Board?—Not a complete separation at the present moment. The Chairman of the District Board might be a non-official gentleman now, the Collector having some sort of supervision over the District Board just to see that they do not go wrong at the beginning.

1939. How would he obtain that supervision?—The Collector would receive reports from the Chairman of the District Board, and he would scrutinise their work.

1940. What would be the good of his scrutinising their work if he had no check upon them?—Certain powers might be given to him just to direct their work.

1941. Suppose they refused to accept his directions?—But the Legislature can make it compulsory upon them. Even now in the case of the municipalities there is a provision that the Magistrate may interfere in certain actions of the municipality; in the same way the Magistrate might be empowered to interfere in certain respects with the District Boards.

1942. You want to see the Collector taken away from the Chairmanship of the Board, but to retain his control?—The control over it, but sufficient supervision over it—of course, some control also with it.
1917a. Does he exercise much more than that now?—Yes, he practically rules the District Board now.

1917b. Does not the Vice-Chairman of the District Board prepare the budget?—Yes, but he is merely a clerk, if he is a non-official.

1917c. To be paid for it?—No.

1917d. Will a man become merely a clerk without pay?—Certainly; if he had some responsible powers given to him it would be different.

1918a. You desire us to think that at the present moment a non-official, unpaid, who acts as a Vice-Chairman, and who in many cases has large powers delegated to him by the Chairman, is merely a clerk?—I doubt if there are many cases where a non-official Vice-Chairman has large powers delegated to him; it is only in cases where the Vice-Chairman happens to be an official that the Chairman delegates his powers. In the case of a non-official Vice-Chairman there is seldom any such delegation by the Chairman. The Act provision, bye-laws and rules to be framed by the Board itself, but the Government has chosen to frame a set of rules called model rules which have practically superseded the Act itself.

1919. We are talking about the Vice-Chairman; do you mean in which cases have been delegated to him by the Chairman are not real ones—only shams one?—Certainly, that is what I say.

1920. So that when a Vice-Chairman tells us that he prepares the budget, he does not prepare it really—he is only acting as a clerk?—I should think so.

1921. (Sir Steigyn Edgerley.) You think that the smaller Boards ought to have more powers and more resources. What powers might be added?—They ought to be given freedom of action with regard to their works; all their works are now subject to the previous sanction of the District Engineer.

1922. You do not mean a larger sphere of action, but more power within the sphere of action which they already have?—Yes.

1923. And more money for the same objects?—Yes.

1924. You do not approve of any delegation at all from the Government of India to the Local Government at present?—I do not.

1925. You say "If the Government of Bengal can be made to conform in their constitution to the Government of Bombay, a mere ex-officio member of a Local Board, such as Act V. of 1868 in regard to the Commissioner in Sind, may with advantage be availed of." Does that mean that you do not like the form of Government in Bengal?—That is exactly what I mean; it seems to me that the form of Government in Bengal ought to be altered, if any reform is to be introduced.

1926. Do you mean that there is a lack of continuity?—Yes.

1927. In that case you do not feel the same confidence as you would in a Council Government?—That is so.

1928. (Mr. Meyer.) Are not some of the municipalities in Bengal really of a very petty description?—Yes, of the number of municipalities in the larger towns or every municipality?—All these municipalities have not got all the powers provided by the Act; it is only parts of the Act that are introduced in certain municipalities; the inferior ones have only limited functions.

1929. When you that the municipalities should have larger powers in regard to their budgets and so on, do you mean in municipalities of the larger towns or every municipality?—I spoke of every municipality.

1930. Have you to go up to the Collector to consult everybody he chose?—No.

1931. Even from one class of medical expenditure to another class of medical expenditure?—Yes, that has to be reported for special sanction.

1932. You say you want some further powers for the Sanitary Commissioners?—Yes, the Sanitary Commissioner is concerned about is whether the town is clean, and whether the drains are effective and so forth?—He constitutes the bulk of the work of the municipality.

1933. He is not concerned with the amount of money?—He is with the same object?—He is concerned with the amount of money in this way; when he finds that a town is not in good condition so far as sanitation is concerned he makes proposals and sometimes instructs the municipality to make larger allotments sometimes he suggests certain improvements which will necessitate larger allotments in the budget.

1934. If the Government lends you money to carry out a drainage scheme, is it not interested in seeing that you are managing your affairs economically?—Yes, but the number of municipalities is very small.

1935. You say that Sub-Divisional Officers have been made ex-officio members of the Local Boards; are they made Chairmen?—It happens in this way; the ex-officio member of a Local Board necessarily becomes the Chairman, because of his position, and nobody would venture to throw him out.

1936. Do you think that once he gets into the Board, the other members are so frightened of him that they will not turn him out?—Certainly they are.

1937. (Mr. Hickens.) You are not in favour of granting larger powers either financial or administrative to the provincial Governments?—My view is that the partition should be modified, repressive measures withdrawn, and confidence restored. Further the heads of the administration should not be recruited from the Civil Service. If, without effecting these improvements, greater powers were given to the Local Government, it would be very unpopular.

1938. You think there should be control from above, unless there is more control from below?—Yes.

1939. Your opinion is that unless Advisory Councils are to be elected you would rather have none at all?—That is so. Unless elected, they would be simply not only useless, but they might be positively harmful. The Advisory Councillors, who were to be recruited for example from a darbar list and so forth, would be persons whom the Collectors might like; they would not be representative men, and they would not have the courage to voice forth representative opinions.

1940. You mean that people selected or nominated would not really carry the confidence of the people?—No.

1941. And there would be no security that the advice that they were giving was the advice which the people would like them to give?—Selection and nomination have always proved in this country to be a failure; because selections are made mostly from men who are somewhat in favour with the local authorities. Proper representative men never go in by selection or nomination by Government.

1942. Otherwise, assuming they were not all to be elected, you think it would be better to give the Collector discretion to consult everybody he chose?—That would be practically useless; he would only choose to consult those about him; that would not be going down to the representative men at all.

1943. If there were an Advisory Council, would the people from a distance come frequently to the meetings?—I think they would; if their voice had weight and carried with it some responsibility, they would attend the meetings, but if they are to be treated as nothing, then they will not be tempted at all to do so.

1944. You want to give further power to the District Board; is that also conditional on their being entirely elected?—At least two-thirds of the members of the District Board ought to be elected.
MINUTES OF EVIDENCE:

Babu Ambedkar
Charan Manjumdar
3 Feb. 1908.

19206. You would be satisfied with that?—Yes, for the present.

19209. (Mr. Dutt.) You are acquainted with the provisions of Act V. of 1878, with regard to Sind?—Yes.

19210. That would empower the Bengal Government to delegate to subordinate officers any powers now vested in the Government by law.—I mean delegation of powers in certain tracts. As the Government has fully delegated certain functions to the Commissioner in Sind, so, if the Government of Bengal could be made to conform to the Government of Bombay, a Governor in Council, then, in Orissa or Chota Nagpur or Assam, there might be Commissioners like the Commissioners in Sind, and powers might be delegated to them.

19211. You do not want a general power of delegation?—Certainly not.

19212. You would only empower the Bengal Government to delegate its powers to the Commissioners of certain backward tracts?—Yes.

19213. That is not a general Act of delegation; a general Act of delegation means an Act which would empower the Bengal Government to delegate any of its powers to any of its subordinate officers?—In that case, I misunderstood it. I mean, powers of delegation as given to the Commissioner in Sind by that Act, to be given by the Government of Bengal to certain backward tracts.

19214. Is it not desirable that the annual budget of each municipality should be sanctioned by some other authority than the Municipal Commissioners?—Of course. It might go to the Commissioner, but he ought to see only the major heads.

19215. You do not object to the budget going to the Commissioner for his sanction?—No, but he should not interfere with the minor details and so forth.

19216. What would be the good of the Commissioner sanctioning the budget if he had no power to interfere with the items?—It would have a salutary effect in the way of a check, because of the very idea that the budget would go before a person who might express censure. He might be able to refer it to Government, or to talk about the items of the budget in the annual report; that would have a salutary effect as a check.

19217. You would not give the Commissioner power to make any alteration in the budget before sanctioning it?—I would give him power to object to the major heads, not the minor heads. He should not directly alter the budget, but he might return the budget to allow the municipality an opportunity of reconsidering it.

19218. Suppose they did not accept the Divisional Commissioner's alterations?—In that case, the matter ought to go up to Government.

19219. Except in the matter of the budget, in which you say that very often small items have been altered, have you had, generally speaking, a free hand in your municipality?—Generally speaking, I have.

19220. While your Vice-Chairman is also a non-official man?—Yes. I have found no friction. I have worked with an official Vice-Chairman, as well as a non-official Vice-Chairman, and I have found no friction.

19221. Are the resources of the municipality generally sufficient for the current expenditure of the municipality?—Extremely insufficient.

19222. How would you remedy it?—The municipality might be strengthened by grants from the provincial revenues, as the District Boards are.

19223. Should such contributions be general, or for specific objects, such as sanitary improvements and so forth?—It would be better to leave it to the Commissioners to decide in what way they would spend their money.

19224. But should not the Government give grants for specific objects?—Certainly, but it would be much better if the Government drew the attention of the Commissioners to the particular objects they thought it desirable to attend to, and then left it to the Commissioners.

19225. Say that District Boards are unable to execute any work the estimate for which exceeds Rs. 500; is that according to a recent order?—Yes, according to the certain Act which was made five years ago, formerly it was not so. Previously district Boards could execute works up to Rs. 1,500 without the sanction of the Divisional Commissioner; that is the order of progress through which we have passed during the last 20 years of local self-government.

19226. Does that hamper you in your work?—Most certainly it hampers us.

19227. You say the Road Cess is the principal source of income of the District Boards, and that more than 20 per cent. is deducted for collection charges. Are you quite sure of the amount?—I think that is fairly correct. Speaking for my own district, the Road Cess amounts to about Rs. 90,000, and every year a part of the amount slip goes from the Cess Deputy Collector, showing that so much is available for the purposes of the District Board and that amount does not exceed Rs. 70,000.

19228. But you are not quite sure of the percentage that is deducted?—I think it must be something from 15 to 20 per cent.

19229. Are you sure you do not include in that the cost of establishment?—Certainly, the Deputy Collectors and everything.

19230. Do you not include in that the cost of the District Board establishment?—No; formerly under the District Road Cess Committee, which was in existence before the Local Self-Government Act was introduced, the collections were in the hands of the Committee; a number of peons were maintained for collection purposes, and they were selected altogether from the hands of the Board, and the Road Cess and Public Works Cess are both collected by one Deputy Collector; Government make a deduction for the Road Cess collection charges, and then give the Board an allotment of so much every year.

19231. You cannot tell me the exact percentage?—No.

19232. You think that if a fair share of the Public Works Cess was added to the income of the District Board, there would be few useful bodies and could undertake useful work?—Certainly. One of the objects for which the Public Works Cess was imposed was really for famine, and the District Board is now required to provide for famine relief, so that they are legitimately entitled to it.

19233. You say you are satisfied if two-thirds of the members of the Advisory Councils were elected and one-third nominated?—Yes.

19234. With regard to village unions, you think that if they were put on a proper basis and better men were selected they would be useful to the country. Would you allow them power to deal with small civil and criminal cases?—Not at present; they are not fit for it. At present I would simply entrust them with powers in regard to sanitation and such like matters.

19235. (Sir Frederic Lely.) Would you allow the municipality power to levy new taxes without the consent of the Government?—No.

19236. Would you require the sanction of a superior authority for the granting of pensions?—Yes.

19237. You wish municipalities to elect their own Chairman? Would you make that subject to the confirmation of Government?—I do not see why it should be.

19238. Under the present law, the approval of Government is required; would you maintain that?—As a matter of fact Government confirms every nomination that is made. It is not a very large matter; if the Government thinks that, for the sake of safety, the election should be subject to its confirmation, I do not see any objection to it.

19239. Would you give the Government or the Commissioner power to order the municipality to perform the duties in any matter in which it has taken away default?—The Government might have that power, but I would object to the Commissioner having it.

19240. On what ground do you say that?—The tendency of the Commissioner to interfere with municipal work has been very obstructive. The people have great confidence in the Commissioners; they have greater confidence in the Government of India than in the Local Governments.

19241. Have you any special reason for saying that, or is it only the result of your experience?—It is the result of my experience: the higher you mount the purer the atmosphere; there is greater freedom from local prejudices, the higher you mount.

19242. Then generally, you would retain a great deal of control, but you would vest it in higher authorities?—Just so.

(The witness withdraws.)
APPENDICES.

I. Memorandum showing the organisation of the Government of Bengal, filed by the Hon. Mr. E. A. Gait, Chief Secretary.

II. Letter from the Chief Secretary to the Government of Bengal, to the Secretary to the Royal Commission on Decentralization No. 1550, dated the 16th March 1908, with enclosures.
APPENDIX I.

MEMORANDUM SHOWING THE ORGANISATION OF THE GOVERNMENT OF BENGAL.

Filed by the Hon. Mr. E. A. Gait, Chief Secretary.

Bengal Government.—The Head of the Government of Bengal is the Lieutenant-Governor. He is assisted in the discharge of his duties by five Secretaries, who are in charge of the following Departments:—

(1) Chief Secretary ... Political (including Police), Appointment and Revenue Departments.
(2) Judicial Secretary ... Judicial and General (including Education) Departments.
(3) Financial Secretary ... Financial and Municipal Departments.
(4) Public Works Secretary ... Roads and Buildings.
(5) Public Works Secretary ... Irrigation, Marine and Railways.

The two Public Works Secretaries also have administrative duties as Chief Engineers. There is an Under-Secretary in each Department.

Cases of a routine nature are disposed of by the Under-Secretaries in the different departments. Other relatively unimportant cases where the proper course is clear, are disposed of by the Secretaries. It is, however, a rule of business that all communications to and from the Government of India, all circulars and other instructions of a general nature, and all cases in which it is proposed to pass orders contrary to the recommendations of a Commissioner of a Division or the Head of a Department must be submitted for the approval of the Government before they are issued.

The Board of Revenue.—The control of all matters connected with the collection of revenue and the administration of the land is vested in the Board of Revenue, which was constituted under a proclamation, dated the 18th January, 1862, by the Governor-General in Council, which extended to this province the provisions of the India Councils Act, 1861. The number of Members of Council was originally twelve, but it has been raised to twenty under the India Councils Act, 1892. By regulations made under the Act, it has been provided that, of the twenty members, not more than ten shall be officials. Of the non-official members seven are nominated by the Lieutenant-Governor on the recommendation of certain local bodies and associations, and three at his own discretion.

The work of Commissioners is both administrative and judicial. In almost all matters especially in the Revenue Department, they exercise a general superintendence and control over the proceedings of District Officers. They exercise this control, partly by means of returns and the necessity which exists of obtaining their sanction in various matters, and partly by periodic inspections and local tours. Where they have not authority to dispose of matters themselves, they refer them for the orders of higher authority. All reports called for by Government or the Board are obtained through them, and in submitting the District Officers’ reports, it is their duty to sift, check, and collate them, to amplify, where necessary and to furnish their views.

The judicial work of Commissioners consists in hearing appeals from the decisions of subordinate officers in cases relating to settlements, partitions, certificate of sale, and other cases of a revenue nature, in the exercise of powers vested in them by law. They also hear appeals of an executive nature, e.g., from minor courts of first instance, or other punishments. In certain divisions, they have to perform political, civil and criminal work.
ROYAL COMMISSION UPON DECENTRALIZATION.

In revenue matters, except famine and forests, the Commissioners are subject to the orders of the Board of Revenue. In other matters, they deal with the Government direct.

Apart from their special duties, the Commissioners are recognized as the local representatives of Government. They are expected to intervene in all matters where prompt action is needed, even when they have no concern with them in the ordinary course of their duties, e.g., in a dispute between two departments, or where the conduct of an officer is likely to cause scandal. The amount of work a Commissioner has to do depends largely on his activity and his methods, and on the time he has been in his division.

**District Officers.**—Under the Commissioner is the District Officer. There are 34 districts in Bengal. The largest is Darbhanga, with a population of close upon three millions. As Magistrate of the District, the District Officer is required to supervise the work of all the subordinate Magistrates. He seldom tries cases himself, and his judicial work is confined almost entirely to the hearing of applications for revision and of appeals in petty cases disposed of by Magistrates of the second or third class. He exercises the power vested in him under the Criminal Procedure Code, and is responsible for peace and good order in his district.

In the Non-Regulation districts, the District Officer still possesses the powers of a Subordinate Judge, but, except in one district, whole time Subordinate Judges have now been appointed, and the District Officer seldom does any civil judicial work himself, other than work of a purely routine nature.

The District Magistrate is Head of the Police. In this capacity, he exercises control over the investigation of important cases before they come to trial. The Superintendent of Police is required to obtain his approval to all orders of an important nature, except such as relate solely to discipline and other technical subjects; and correspondence between the Superintendent of Police and the Deputy Inspector General passes through him. Appeals against orders of dismissal and punishment lie to him.

In his capacity as Collector the District Officer deals with all revenue matters affecting his district, including the collection of the land revenue, the partition of estates, the assessment of income-tax, excise, stamps, &c. &c.

The District Officer is ex-officio Registrar and ex-officio Chairman of the District Board. In the latter capacity, he has control over primary education and is charged with the execution and administration of all local Public Works. He is also sometimes Chairman of the municipality at his district headquarters.

APPENDIX II.

No. 1550, dated Calcutta, the 18th March, 1908.

From—E. A. GAIT, Esq., C.I.E., I.G.S., Chief Secretary to the Government of Bengal, Revenue Department,

To—the Secretary to the Royal Commission on Decentralization.

I am directed to submit, for the consideration of the Royal Commission on Decentralization, the following expression of the views of this Government as to practical measures of devolution which it is prepared to recommend in the direction of—(a) giving larger powers to the Local Government itself, and (b) similarly enlarging the powers of the Board of Revenue, the Heads of Departments, and Commissioners and Collectors; and as regards the desirability of giving larger powers to District Boards and municipalities.

2. In regard to the powers of the Local Government itself, the most important direction in which the principle of devolution can be given effect to is, no doubt, that of financial control. The details of this control are contained chiefly in the several codes issued under the authority of the Government of India, such as the Civil Service Regulations, Civil Account Code, Public Works Department Code, &c. &c. While this Government fully realizes the paramount importance of rigid scrutiny and strict control of all proposals for increase of recurring expenditure, there are many respects in which the existing Regulations are too rigid. As matters stand, the Head of the Local Government may incur an expenditure up to 10 lakhs of rupees on a particular work; but he is prohibited from spending a single extra rupee on salaries or allowances, where this raises the charge beyond a certain small limit. The rule is, of course, a good one; but cases often occur in which exceptions have to be made; and I am bound to submit, assured that in all such cases a reference has to be made to the Government of India.

3. Sir Andrew Fraser is in full sympathy with the views put forward by Sir S. Edgerley at the meeting of the Supreme Council held on the 27th March last, viz., that all Local Governments should have wider discretion than at present as to the disposal of their funds. The objections to this course are either of an infringement by past action of financial rules of control, or of cases that do not involve a new principle of administration or sanction to fresh expenditures beyond such limits as may be imposed from time to time, provided that in financial matters the head Accounts Officer of the province concurs in the proposed disposal as reasonable, and as being such as his experience leads him to consider would be likely to be sanctioned by the Government of India. Periodical statements of all such cases should be submitted to the Government of India in the Financial Department.

4. In the interests of good administration it is essential that everything possible should be done to restore the local officers to the position which they held before the days of telegraphs and returns, when they were far less burdened with routine work, their powers were less restricted, and the people were accustomed to regard their orders as finally disposing of the questions coming before them. The system of administration which has grown up gradually in recent years makes it necessary for a District Officer to devote so much of his time to correspondence, registers and returns, all of which are in English, that he has no longer the leisure to master the local dialects or go about amongst the people as his predecessors did. The result is that he and the people have, to a great extent, got out of touch, and the old conditions of mutual confidence and liking have largely disappeared. The Lieutenant-Governor fears that the average District Officer of to-day knows less of the real life of the people—of their character, interests, and aspirations—than did his predecessors of half a century back.

5. The evil has been accentuated by the more frequent transfers of recent years. These are due partly to the shortening of the journey to Europe, and partly to the growth of special departments, such as the Settlement Department, for which officers have to be carefully selected. It is also due in this province (as will be pointed out immediately) to the staff being inadequate. The objection to frequent transfers is manifold. Nothing tends to reduce the authority of the Head of the district, or to diminish his interest in it, more than the knowledge that his term of office there is not likely to last more than a very limited time.

He
never gets to know the zamindars or to acquire any influence with them. Such influence can be acquired only through a system of long-continued intercourse. As matters stand, it is scarcely worth a superficial zamindar's while to cultivate good relations with his Collector. For the greater part of his time he has to get to know him, the Collector is too often transferred and is replaced by a new officer, with whom the process has to begin over again. It is impossible for a District Officer to exercise the same influence for good that his predecessors did. His wishes and orders will receive apparent attention so long as he is on the spot, but the moment he is transferred, they will be disregarded and forgotten. This happens not only in respect of semi-private matters, such as the relations between a zamindar and his raiyats, but also in respect of the working of the District Boards and municipalities, and even in the Collector's own office. Much power thus falls into the hands of, and is abused by, the Joint-Magistrate. When an officer is wanted for transfers between different language areas.

6. It is, perhaps, unnecessary to enlarge any further on the evils attendant on frequent transfers. These evils are admitted. The difficulty is to find a remedy. One difficulty in the way of a remedy is the necessity for officers to be transferred in order to provide the necessary experience for those who may come to take the place of the retiring officers. It is recommended that the time of such transfers be lengthened so as to provide the necessary experience. Time varies with the individual officer. It is, however, desirable that the minimum time for an officer to be transferred should be at least two years.

7. In dealing with this question of decentralization, it is necessary to start with some definite principle. The present system of control is largely one of control by means of periodic or special returns and reports. It is impossible to effect a really extensive measure of decentralization unless some radical change is made in this system. It seems to Sir Andrew Fraser that it should be recognized that the work of Commissioners and District Officers should be watched and controlled by personal inspection on the spot rather than by the examination of reports and returns at headquarters. Reports and returns are apt to be misleading; and they often fail to give an adequate idea of the work that has been done. It should be our aim to allow the local officers to work more on their own responsibility than they do at present. If this principle were recognized, many of the reports and returns which are now called for might be abolished. In particular, the questions of prohibition and excise, in their most minute details, should be entrusted to the local joint officers as far as possible. As has been shown above, the present generation of civilians are, generally speaking, far less familiar with the language of the people than were their predecessors in the days when work was lighter and the bulk of it was conducted in the vernacular. The Lieutenant-Governor has already under consideration the question of taking steps to remedy this defect, but the matter is one deserving of special mention in the present connection. In Sir Andrew Fraser's opinion, a man ought not to be placed in charge of a district who is unable to converse freely with the people. Moreover, in districts of Bengal where there is great diversity of language, arrangements should be made, so far as possible, to prevent transfers between different language areas.

8. If the principle referred to in the last paragraph were recognized, it would be necessary, at the same time to give full power to the Local Government to pass over officers regarded by it as unfit to hold the appointment of Commissioner or Collector, as the case might be, without being called upon to give detailed reasons for its decision. It would be absolutely necessary that the officers entrusted with these important duties should be in every way fully qualified to perform them, and that they should remain in whom the Local Government is able to repose its confidence. If, therefore, a Local Government is of opinion that a particular officer is not suited for a Commissioner's post, or for the charge of a district, the expression of that opinion should be sufficient without any detailed reasons being required. An inferior officer often succeeds in rubbing along without doing anything calling for serious animadversion, while officers who, in general, are thoroughly capable and entirely reliable, are apt at times to do things which lay them open to censure. In this connection, I am to invite attention to the following remarks made by the Joint Commissioners of 1878-1880 on page 101 of their report:

"The only certain way of avoiding the risk of administrative failure with consequent discredit to Government and probable calamity to the people in case of difficulty is to adopt proved capacity as the sole qualification for official advancement."

The Commissioners recommend a system by which those members of the service whose unfitness for further promotion had been adequately established might be compelled to leave it on such terms of pension as would reconcile them to retirement at an earlier period than that prescribed by the ordinary rules. Sir Andrew Fraser is of opinion that this matter merits the fullest and most sympathetic consideration at the hands of the Royal Commission.

9. Another matter which deserves careful consideration is the question of language qualifications. As noted above, the present generation of civilians are, generally speaking, less familiar with the language of the people than were their predecessors in the days when work was lighter and the bulk of it was conducted in the vernacular. The Lieutenant-Governor has already under consideration the question of taking steps to remedy this defect, but the matter is one deserving of special mention in the present connection. In Sir Andrew Fraser's opinion, a man ought not to be placed in charge of a district who is unable to converse freely with the people. Moreover, in districts of Bengal where there is great diversity of language, arrangements should be made, so far as possible, to prevent transfers between different language areas.
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ROYAL COMMISSION UPON DECENTRALIZATION.

11. There is, however, another direction in which the Indian people manifestly expect opportunity to be taken to introduce a beneficial reform. Soon after his appointment as Lieutenant-Governor, the present one, placed at the disposal of Commissioners of divisions from which they might make grants on the spot, for purifying a public nature, or to remedy small defects brought to their notice at time of inspection, thereby avoiding much correspondence and delay. During each of the last three years, each Commissioner has received as average allotment of about ten thousand rupees for the above purpose. This measure has worked very satisfactorily. It has avoided correspondence regarding small matters, and it has added to the prestige of the Commissioners. His Honour thinks that the same system might well be extended to District Officers. The position of these officers in financial matters is at present somewhat anomalous. They have wide and important powers to punish and correct, and many responsibilities towards the people committed to their care, but they have no fund from which they can make even a small grant to individuals in distress or to any institution that they visit. The Lieutenant-Governor thinks that it would be an excellent thing if, say, two thousand rupees a year were placed at the disposal of each District Officer for expenditure by him as he may think fit subordinate to the control of the District credit officer beyond the receipt of the payee and a certificate signed by the District Officer that the money had been spent in the public interest.

12. There has for many years past been a marked tendency towards "departmentalism." This is, no doubt, a natural result of administrative development and a desire for greater efficiency and uniformity in special branches of Government. There are numerous matters of a more or less technical nature in which the supervision of a Departmental Head with special experience is desirable, but the result of the above tendency has frequently been to dissociate the work of these special departments from the control of the local officers, and to establish separate staffs in each district who do not always realize the importance of working in concord. The proper person to correct evils that may arise from this condition of things is the Commissioner of the division. It should be definitely understood that this officer has authority to take cognizance of any irregularities, disputes or other matters calling for remedy that may come to his notice, and either deal with them himself or advise the departmental authorities as to how they should be dealt with.

13. Sir Andrew Fraser has long been of opinion that more might be done in many provinces to bring the Heads of Departments into closer touch with the Government. From the practice of sending petitions sent up by them to be examined at length in the Secretariat, noted on, adversely criticized, and either recommended for further consideration, or with a view to secure the best arrangement would be to consult the gentlemen whose names are entered in the Darbar List of the different districts, or such of them as are shown in the notes of previous District Officers to be worthy of this mark of confidence.

14. There can be no doubt that much benefit is to be derived from personal discussion, neither with Heads of Departments, but also with other officers of standing; and it was the recognition of this fact which led Sir Andrew Fraser to desire to draw special attention to the importance which he attaches to Commissioners and District Officers conversing freely with Indian gentlemen and consulting them in regard to administrative problems, especially such as involve considerations of a social, religious or racial character, or in the disposal of which local knowledge is of special value. Such intercourse is beneficial, not only because of its direct results in ensuring adequate consideration of the subject at issue from the point of view of the people themselves but also because of the sympathy and confidence which it cannot fail to engender between the rulers and the ruled. The Lieutenant-Governor is convinced that much of the present " unrest " and mutual misunderstanding is due to the absence of anything like free intercourse between officials and non-officials, and that it would to a great extent be removed if the system here advocated were adopted. Many good officers do seek the advice and help of Indian gentlemen, but the Lieutenant-Governor would like to see the practice established on a firm and recognized basis. It does not seem desirable at present to establish districts or " Advisory Councils." For the purpose in view, the best arrangement would be to consult the gentlemen whose names are entered in the Darbar List of the different districts, or such of them as are shown in the notes of previous District Officers to be worthy of this mark of confidence.

15. As regards the desirability of giving large powers to District and Local Boards and municipalities, I am to say that these Bodies should be employed as fully as possible; but it must be left to experience to say, from time to time, what advance can be made in this respect. It is in the districts, in the work of Local Boards and municipalities, that Government first requires the co-operation of the people; and it is there that real education in self-government must be given. It is the men who do work in the interior who are best fitted to take a worthy place in the Provincial and Imperial Councils. The difficulty that has hitherto been experienced in obtaining the co-operation of these bodies truly representative persons. This difficulty has been less real in regard to District Boards. In that case, in the latter, with a view to securing due representation of the people, election has been largely supplemented by nomination. But the people themselves took real interest in Local Self-Government, there would be little difficulty in securing true representation by election. As such interest develops, the local bodies would be able to give more and more power to local bodies. On the other hand, the grant of such powers increases the interest, so that a wise devolution by Government of power to these bodies and the growing interest on the part of the people act and react on one another. On the other hand, it would be most dangerous to local interest to give power rashly and prematurely. It is safe to say that as much power as can be given should be given, for the co-operation of the people is of great importance; but how this principle should be applied must be left to the teaching of experience.

17. I am to enclose herewith two lists of matters in respect of which the Lieutenant-Governor thinks that additional powers should be delegated to the Local Government and officers of Heads of Departments subordinate to it. List I contains proposals for the delegation of powers which require the sanction of either the Government of India, or the Secretary of State for India, whether the delegation be from the Government of India, or the Secretary of State for India, or the Local Government, or from the Government to a subordinate authority. List II, contains all other proposals for delegation, arranged
under the same four heads, which can be made without reference to higher authority.

18. In connection with the above lists I am to point out that it is impossible at one time to foresee all questions that may arise, and there must be many other directions in which the principle of decentralization can be advanced. New questions, moreover, will come up as conditions change; and every year new suggestions may present themselves. It is important that a system should be devised by which the general principles of decentralization that may now be determined upon shall continue to be given effect to in future years. It would be well, as was suggested by Sir Steyning Edgerley, if a general Act were passed empowering the Government of India and the Local Governments to delegate their statutory powers to such subordinate officers as may seem proper from time to time.

19. With reference to List I., it will be noticed that in several cases the delegation of further powers to the Local Government will depend upon whether wider powers are to be given to my Government of India. The Lieutenant-Governor assumes that the question of increasing the powers of the Supreme Government in respect of financial control will also come within the scope of the Royal Commission's inquiries.

20. The question of delegating larger powers to the Board of Revenue, Commissioners and District Officers has already been under consideration in this province. When Sir Andrew Fraser came to Bengal this question was one of the first that occupied his attention, and a large measure of delegation has already been effected.
## LIST I.

PROPOSALS FOR DELEGATION OF POWERS TO THE LOCAL GOVERNMENT, BOARD OF REVENUE, COMMISSIONERS OF DIVISIONS AND HEADS OF DEPARTMENTS.

(a)—The amendment of existing Laws either of the Imperial or Provincial Councils.

<table>
<thead>
<tr>
<th>Nature of Power</th>
<th>Department or Branch</th>
<th>Existing authority or rule governing its exercise</th>
<th>Proposed delegation—</th>
<th>Recommendations.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisation of land</td>
<td>Political (Police), Revenue, Medical, Local Self-Government, General</td>
<td>Sections 4, 6 and 17 of Act I of 1894.</td>
<td>Local Government ... Commissioners of Divisions</td>
<td>Powers under sections 4 and 6 may be delegated to Commissioners except where for other reasons the sanction of Government is required, e.g., where the total cost of the scheme requires the sanction of Government (i.e., when over Rs. 5,000 for any Government work, Rs. 10,000 for any municipal work, and Rs. 25,000 for any District Board work). Powers under section 17 (1) and (2) may also be delegated to Commissioners.</td>
</tr>
<tr>
<td>Annualment of sale of estates</td>
<td>Revenue</td>
<td>Act XI of 1859, section 26</td>
<td>Ditto</td>
<td>Board of Revenue</td>
</tr>
<tr>
<td>Vesting with powers under section 3, Act I of 1894.</td>
<td>Appointment</td>
<td>Act I of 1894, section 3</td>
<td>Ditto</td>
<td>Commissioners of Divisions</td>
</tr>
<tr>
<td>Application for licenses from masters of vessels.</td>
<td>General (Emigration)</td>
<td>Sections 54 and 56 of Act XXI of 1883, and Rule 124 of the Rules under it.</td>
<td>Ditto</td>
<td>Protector of Emigrants, Calcutta</td>
</tr>
<tr>
<td>Powers under the law</td>
<td>Judicial</td>
<td>Section 7, Regulation VII of 1799.</td>
<td>Ditto</td>
<td>District Judges</td>
</tr>
<tr>
<td>Deportation of European Vagrants</td>
<td>Ditto</td>
<td>European Vagrancy Act of 1874.</td>
<td>Ditto</td>
<td>Commissioner of Police, Calcutta</td>
</tr>
<tr>
<td>Appointment of Honorary Magistrates.</td>
<td>Ditto</td>
<td>Section 14, Criminal Procedure Code.</td>
<td>Ditto</td>
<td>Commissioners of Divisions</td>
</tr>
<tr>
<td>Investment of powers of Honorary Magistrates.</td>
<td>Ditto</td>
<td>Section 14 (1), Criminal Procedure Code.</td>
<td>Ditto</td>
<td>Ditto.</td>
</tr>
<tr>
<td>Removal to, and detention in, asylums of criminal lunatics.</td>
<td>Ditto</td>
<td>Sections 466 (2) and 471, Criminal Procedure Code.</td>
<td>Ditto</td>
<td>Ditto.</td>
</tr>
<tr>
<td>Reports as to state of mind of criminal lunatics.</td>
<td>Ditto</td>
<td>Section 472, Criminal Procedure Code.</td>
<td>Ditto</td>
<td>District Magistrate or Surgeon Concerned.</td>
</tr>
<tr>
<td>Nature of Power</td>
<td>Department or Branch</td>
<td>Existing authority or role governing its exercise</td>
<td>Proposed Delegation</td>
<td>Recommendations</td>
</tr>
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<tr>
<td>Removal of criminal lunatics to jails.</td>
<td>Judicial</td>
<td>Section 30 (2) of the Prisons Act III of 1900</td>
<td>Local Government ... Superintendent of the Asylum.</td>
<td></td>
</tr>
<tr>
<td>Removal of insane prisoners from jail to Lunatic Asylum.</td>
<td>Ditto</td>
<td>Section 30 (1) of Act III of 1900</td>
<td>Ditto ... Inspector-General of Prisons.</td>
<td></td>
</tr>
<tr>
<td>Transfer and exchange of Ministerial officers of Civil Courts.</td>
<td>Ditto</td>
<td>Section 34 (1), Act XII of 1887</td>
<td>Ditto ... District Judges ... ... ...</td>
<td></td>
</tr>
<tr>
<td>Appointment of Marriage Registrars and Registrars of Births and Deaths.</td>
<td>Appointment</td>
<td>Act XV of 1872 and Act VI of 1886</td>
<td>Ditto ... Inspector-General of Registration</td>
<td></td>
</tr>
<tr>
<td>Appointments to Bengal Councils.</td>
<td>Ditto</td>
<td>Section 45, Indian Councils Act, 1861</td>
<td>Government of India ... Local Government ... ... ...</td>
<td></td>
</tr>
<tr>
<td>Power to assign to any Municipality the functions and powers in respect to the granting, withholding and withdrawal of licenses for the sale of excisable articles.</td>
<td>Separate Revenue Branch (Excise).</td>
<td>Section 30 (2) of the Prisons Act III of 1900</td>
<td>Local Government ... Board of Revenue.</td>
<td></td>
</tr>
<tr>
<td>Power to appoint Income-tax Deputy Collectors and to vest them with the powers of a Collector under the Income-tax Act.</td>
<td>Separate Revenue Branch (Income-tax).</td>
<td>Section 40 of the Income-tax Act, II of 1886</td>
<td>Ditto ... Ditto.</td>
<td></td>
</tr>
<tr>
<td>To grant refund of Customs duty</td>
<td>Municipal</td>
<td>Section 191 of the Sea Customs Act, VIII of 1878</td>
<td>Ditto ... Commissioners of Divisions</td>
<td>May be delegated to Commissioners as proposed in the draft Bill now under consideration.</td>
</tr>
<tr>
<td>Extension of parts of sections of Bengal Municipal Act.</td>
<td>Ditto</td>
<td>Sections 220 and 241, Bengal Municipal Act, III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>Ditto ditto.</td>
</tr>
<tr>
<td>Appointment of Commissioners of Municipalities.</td>
<td>Ditto</td>
<td>Sections 14, 16 and 27A, Bengal Municipal Act, III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>Ditto ditto.</td>
</tr>
<tr>
<td>Approval of election of Chairman</td>
<td>Ditto</td>
<td>Sections 59 (a), Bengal Municipal Act, III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>May be delegated to Commissioners.</td>
</tr>
<tr>
<td>Revision of and exemption from assessment.</td>
<td>Ditto</td>
<td>Sections 111A and 86 and 98, Act III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>May be delegated to Commissioners as proposed in the draft Bill now under consideration.</td>
</tr>
<tr>
<td>Confirmation of bye-laws</td>
<td>Ditto</td>
<td>Sections 301, Act III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>May be delegated to Commissioners.</td>
</tr>
<tr>
<td>Carte and carriage registration and levy of fees.</td>
<td>Ditto</td>
<td>Sections 86 (a), 131 and 142, Act III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>May be delegated to Commissioners as in the case of District Boards.</td>
</tr>
<tr>
<td>Appointment of subordinates on pay of Rs. 200 and upwards.</td>
<td>Ditto</td>
<td>Section 61, Act III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>May be delegated to Commissioners.</td>
</tr>
<tr>
<td>Investment of Municipal Funds Lighting with gas</td>
<td>Ditto</td>
<td>Section 83, Act III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>May be delegated to Commissioners.</td>
</tr>
<tr>
<td>Rules of business ...</td>
<td>Ditto</td>
<td>Section 301A, Act III of 1884</td>
<td>Ditto ... Ditto.</td>
<td>May be delegated to Commissioners as proposed in the draft Bill now under consideration.</td>
</tr>
</tbody>
</table>
Grant of allowances to Chairmen and Vice-Chairmen of Municipalities.
Appointment, resignation and election of members of District and Local Boards.
Appointment and election of Chairmen of Local Boards.

Ditto ............... : Section 59 (o) of the Bengal Municipal Act, III of 1884.
Ditto .. Ditto ...
Local Self-Government Sections 7, 10, 11, 15, 17, and 19, Act III (B.C.) of 1885.
Ditto ... Ditto ...
Ditto ............... Section 25, Act III (B.C.) of 1885.
Ditto ••• Ditto ...

Ditto ............... General (Emigration)...
Rule 121 of Rules under Act XXI of 1883.
Rule 122 of Rules under Act XXI of 1883.
Ditto ..... Ditto ...
Rule 195 of Rules under Act VI of 1901.
Rule 203 of Rules under Act XXI of 1883.
Rule 207 of Rules under Act XXI of 1883.
Ditto ... Ditto ...
Political (Police) Rules under the Indian Arms Act.
Rules under the Indian Arms Act.
Ditto ... Commissioners ...
Ditto ...

(3) The relaxation of rules having the force of law.

Survey of emigrant vessels ... General (Emigration)...
Submission to Local Governments of bonds executed by masters of emigrant vessels licensed to convey emigrants to the Colonies.
Submission of way-bills of steamers conveying emigrants.
Submission of statements showing the disposal of estates of emigrants who died during the voyage from the Colonies.
Exemption from operation of certain sections of the Arms Act.

Ditto .......... Local Government ...
Protector of Emigrants, Calcutta.
Ditto ...
Ditto ...
Ditto ...
Ditto ...
Ditto ...
Ditto ...
Ditto ...

Submission of these statements may be discontinued.
Submission of these statements may be discontinued.
Submission of these statements may be discontinued.
In case of personal exemption in respect of successors to persons previously exempted, power may be delegated to Commissioners.

(4) The relaxation of existing Code issued under the authority of the Government of India.

Grant of certain allowances from District and Local Board Funds.
Grant of honorarium ...
Acceptance of fees ...
House, local and other allowances.

Local Self-Government. Local Government ...
Article 72 (a), Civil Service Regulations.
Separate Revenue, Political (Police), Medical, Revenue, Marine.
Article 79C, and 79, Civil Service Regulations.
Public Works Department (Establishment), Education, ..... Public Works Department Code, Volume I, 1143.
Political (Police), General. Article 74 (1), Civil Service Regulations.
Local Government ... Commissioners of Divisions ...
Secretary of State and Government of India.
Government of India Ditto ...
Ditto ...
Ditto ...
Ditto ...
Ditto ...
Ditto ...
Ditto ...

May be delegated to Commissioners up to Rs. 500 per annum in any one case.
Larger powers may be given to the Local Government, say, up to Rs. 500, under Imperial and Rs. 1,000 under Provincial. It should be for the Local Government to decide whether such an honorarium is or is not a "recurring" honorarium or fee.
The Local Government may be empowered to sanction up to Rs. 1,000.
The Local Government should have power to sanction up to Rs. 2,500 in each case.
The Local Government should have larger powers under this article, say, up to a limit (of pay and allowance) of Rs. 6,000 a year.
<table>
<thead>
<tr>
<th>NATURE OF POWER</th>
<th>Department or Branch</th>
<th>Existing authority or rule governing its exercise</th>
<th>PROPOSED DELEGATION—</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary appointment and deputations.</td>
<td>Separate Revenue, Revenue, Appointment, Public Works Department (Establishment).</td>
<td>Article 78, Civil Service Regulations.</td>
<td>Government of India</td>
<td>Local Government ...</td>
</tr>
<tr>
<td>Deputation of officers</td>
<td>Separate Revenue, Revenue, General (Education).</td>
<td>Ditto</td>
<td>Local Government</td>
<td>Board of Revenue, Commissioners of Divisions and Heads of Departments.</td>
</tr>
<tr>
<td></td>
<td>Ditto</td>
<td>Article 77 to 79 of the Civil Service Regulations.</td>
<td>Ditto</td>
<td>Commissioners of Divisions and Inspector-General of Civil Hospitals.</td>
</tr>
<tr>
<td>Charge allowance</td>
<td>Separate Revenue, Appointment, General (Education).</td>
<td>Articles 161 and 95, Civil Service Regulations.</td>
<td>Ditto</td>
<td>Commissioners, Heads of Departments, District Officers, and Board of Revenue.</td>
</tr>
<tr>
<td>To sanction extension of joining time under article 180, Civil Service Regulations, up to a maximum of 30 days.</td>
<td>Separate Revenue, Public Works Department (Establishment).</td>
<td>Article 180, Civil Service Regulations.</td>
<td>Government of India</td>
<td>Local Government ...</td>
</tr>
<tr>
<td>Counting of temporary service towards pension.</td>
<td>Finance</td>
<td>Article 368, Civil Service Regulations.</td>
<td>Local Government</td>
<td>Commissioners.</td>
</tr>
<tr>
<td>To sanction condonation of interruptions and deficiencies in service when the pay of the officer at the date of retirement does not exceed Rs. 50 per mensem.</td>
<td>Local Self-Government</td>
<td>Article 521, Civil Service Regulations.</td>
<td>Ditto</td>
<td>Ditto.</td>
</tr>
<tr>
<td>Re-employment of pensioners</td>
<td>Finance, Separate Revenue, Local Self-Government, Revenue.</td>
<td>Article 524, Civil Service Regulations.</td>
<td>Ditto</td>
<td>Commissioners of Divisions and Heads of Departments.</td>
</tr>
<tr>
<td>Employment of pensioners</td>
<td>Appointment, Political Revenue.</td>
<td>Article 753 (iii), Civil Service Regulations.</td>
<td>Government of India</td>
<td>Local Government ...</td>
</tr>
<tr>
<td>Deputation to foreign service of an officer not having 10 years' qualifying service.</td>
<td>Local Self-Government</td>
<td>Article 814, Civil Service Regulations.</td>
<td>Local Government</td>
<td>Commissioners.</td>
</tr>
<tr>
<td>Grant of travelling allowances to District Board employees.</td>
<td>Local Self-Government</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Power may be given to the Local Government to depute in all cases if the pay or pay and allowances do not exceed Rs. 500 per mensem, and up to 12 months if they exceed that amount, subject to the provisions of Article 77A, Civil Service Regulations.

Powers may be delegated to the Board, Commissioners and Heads of Departments up to a limit of six months in respect of officers whose pay and allowances do not exceed Rs. 250 per mensem.

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<table>
<thead>
<tr>
<th>Leave of officers</th>
<th>...</th>
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<tbody>
<tr>
<td>Sanction to pension admissible under the rules to officers whose pay does not exceed Rs. 50 at date of retirement.</td>
<td>...</td>
</tr>
<tr>
<td>Further power to sanction special pensions and gratuities under Article 924, Civil Service Regulations.</td>
<td>...</td>
</tr>
<tr>
<td>Travelling allowances, carriage conveyance and horse allowances.</td>
<td>...</td>
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<tr>
<td>Exemption from ten days' rule ...</td>
<td>...</td>
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<tr>
<td>Investigation of claims to arrears of pay.</td>
<td>...</td>
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<tr>
<td>Employment of daftaris in the Registration Office.</td>
<td>...</td>
</tr>
<tr>
<td>Employment of petty establishment in circuit-houses.</td>
<td>...</td>
</tr>
<tr>
<td>Entertainment of temporary establishment.</td>
<td>...</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenue, General (Registration), Political (Police).</th>
<th>Articles 825 and 841, Civil Service Regulations.</th>
<th>Ditto</th>
<th>Board of Revenue, Commissioners of Divisions, and Heads of Departments.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointment.— (1) Deputy Magistrates.</td>
<td>Articles 841 (a) and 825 of the Civil Service Regulations.</td>
<td>Ditto</td>
<td>Commissioners of Divisions.</td>
</tr>
<tr>
<td>(2) Provincial Judicial officers.</td>
<td>Ditto</td>
<td>High Court</td>
<td>...</td>
</tr>
<tr>
<td>(3) Provincial Educational officers.</td>
<td>Ditto</td>
<td>Director of Public Instruction</td>
<td>...</td>
</tr>
<tr>
<td>(4) Police officers, Assistant and Deputy Superintendents.</td>
<td>Ditto</td>
<td>Inspector-General of Police</td>
<td>...</td>
</tr>
<tr>
<td>(5) Chaplains of the Church of England.</td>
<td>Articles 846 and 849, Civil Service Regulations.</td>
<td>Ditto</td>
<td>Lord Bishop</td>
</tr>
<tr>
<td>Finance</td>
<td>Article 918, Civil Service Regulations.</td>
<td>Secretary of State and Government of India</td>
<td>...</td>
</tr>
<tr>
<td>Ditto</td>
<td>Various articles of Part XI of Civil Service Regulations.</td>
<td>Government of India</td>
<td>...</td>
</tr>
<tr>
<td>Ditto</td>
<td>Article 1056, Civil Service Regulations.</td>
<td>Local Government</td>
<td>...</td>
</tr>
<tr>
<td>Ditto</td>
<td>Article 924, Civil Service Regulations.</td>
<td>Heads of Departments and Commissioners.</td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td>Local Government</td>
<td>Ditto</td>
<td>Commissioners, Heads of Departments, and District Judges.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Ditto</td>
<td>ditto</td>
<td>Ditto</td>
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<tr>
<td>Ditto</td>
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<tr>
<td>Ditto</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
</tbody>
</table>

May be delegated to the Board, and Commissioners and Heads of Departments in cases in which local arrangements can be made without reference to Government and subject to the report of the Accountant-General, Bengal, and, if Gazette notification is necessary, report to Government.

Power may be delegated to Commissioners, subject to the above proviso.

Power may be delegated to the High Court, subject to report of the Accountant-General, Bengal.

Power may be delegated to the Director of Public Instruction, subject to the above proviso.

Power may be delegated to the Inspector-General of Police, subject to the above proviso.

Power may be delegated to the Lord Bishop, and subject to the report of the Accountant-General, Bengal, and, if Gazette notification is necessary, report to Government.

Under the order of the Government of India, No. 988 Ex., dated the 20th February 1906, power has been delegated in cases in which pay does not exceed Rs. 20 per mensem only.

Power may be given to Commissioners to sanction pension in cases of subordinates whose pay does not exceed Rs. 50 at date of retirement.

Further power should be given to the Government of India, and thence delegated to the Local Government.

The powers now vested in the Government of India may be given to Local Governments. The Local Government may also be authorised to grant actual expenses in particular cases in which the travelling allowance admissible under Regulations does not cover those expenses.

Power may be delegated to Commissioners and Heads of Departments, subject to the proviso, clause (a) to grant exemption.

Power may be delegated to Commissioners, Heads of Departments, and District Judges to order investigation and payment in case of arrears not more than five years old.

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Power may be delegated to the Board, and Commissioners and Heads of Departments and District Judges up to a limit of Rs. 20 per mensem.

Power may be delegated to Commissioners to sanction menial establishment for circuit-houses up to a limit of Rs. 30 per mensem and subject to budget provision.

Power may be delegated to the Board of Revenue in respect of temporary establishment up to Rs. 250 per mensem for one year, and to Commissioners, Collectors and Heads of Departments and District Judges up to Rs. 100 per mensem for one year, subject to budget provision.
<table>
<thead>
<tr>
<th>Nature of Power</th>
<th>Department or Branch</th>
<th>Existing authority or rule governing its exercise</th>
<th>Proposed delegation</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Supply of liveries and warm clothing to messengers in Imperial establishment.</td>
<td>Finance ...</td>
<td>Article 98 (i), Civil Account Code.</td>
<td>Local Government</td>
<td>Sanction to an appointment should carry with it power to grant liveries, warm clothing, according to scale to be fixed by Government.</td>
</tr>
<tr>
<td>2 Local purchase of articles of European manufacture.</td>
<td>Separate Revenue, Financial (Miscellaneous), Medical (Medical and Sanitation), Revenue. Local Self-Government, Judicial (Jail), Public Works (Roads and Buildings).</td>
<td>Article 98 (4), Civil Account Code.</td>
<td>Local Government</td>
<td></td>
</tr>
<tr>
<td>3 Rents, rates and taxes</td>
<td>Separate Revenue, Political (Police), Revenue, General (Miscellaneous), Judicial.</td>
<td>Ditto</td>
<td>Board of Revenue, Commissioners of Divisions, Heads of Departments, and Collectors.</td>
<td></td>
</tr>
<tr>
<td>4 Local purchase of Chubb's lock.</td>
<td>Finance ...</td>
<td>Article 98 (w), (e) and (o), Civil Account Code.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>5 Supply of bicycles</td>
<td>Judicial ...</td>
<td>Article 98 (o), Civil Account Code.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>6 Grant of building advance</td>
<td>General (Miscellaneous)</td>
<td>Article 98, Civil Account Code, and Government order No. 1511 J.—D., dated 9th June 1904.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>7 House allowance</td>
<td>General ...</td>
<td>Article 277 (c), Civil Account Code.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>8 Special sanction to irregular expenditure up to Rs. 2,500.</td>
<td>Finance ...</td>
<td>Article 278A, Civil Account Code.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>9 Writing off of irrecoverable amounts.</td>
<td>Judicial, Political (Police), Revenue, Judicial, Public Works Department (Roads and Buildings).</td>
<td>Article 279, Civil Account Code.</td>
<td>Local Government</td>
<td>Power to purchase may be delegated to Local Government, Commissioners and Heads of Departments.</td>
</tr>
<tr>
<td>10 Remission of leave allowances and salary overdrawn, subject to the report of the Accountant-General, Bengal.</td>
<td>Finance ...</td>
<td>Paragraph 371, Public Works Department Code, Volume I. Articles 278A and 801B, Civil Account Code.</td>
<td>Local Government</td>
<td>Power may be delegated to Commissioners and Heads of Departments to sanction rent up to Rs. 500 per year, and rates and taxes up to Rs. 200 per year, subject to certificate from Executive Engineer.</td>
</tr>
</tbody>
</table>

Subject to the condition stated in the articles and to budget provision, power may be delegated to Commissioners and Heads of Departments up to Rs. 500 and to Collectors up to Rs. 100 in each case.
Transfer from one budget subhead to another under the same major head.

Power to sanction expenditure in excess of the total provincial grant, provided the provincial balance is not reduced.

Appointment of Europeans to posts reserved for natives of India.

Transmission of mortgage deeds to Inspector-General of Registration.

Construction of iron records racks.

Acceptance of contracts.

Sanction to execution of contribution works.

Selling or dismantling of permanent public buildings constructed from imperial funds.

Sanction to expenditure debitable to capital after the closing of construction estimate of an irrigation project.

Reappropriation within provincial allotments for works in progress.

Reappropriation within imperial grants.

Sanction to expenditure debitable to capital after the closing of construction estimate of an irrigation project.

Power to transfer from one sub-head to another in the same Department's budget may be delegated to Heads of Departments.

The Local Government may be authorized to sanction expenditure in excess of the total Provincial Budget grant, provided the Provincial balance as estimated in the Financial statement be not reduced. Although such reference be rare, the Local Government should have this power.

Power under this article may be delegated to the Local Government in cases in which professional or technical qualifications are required.

May be transmitted by the sanctioning authority.

Power may be delegated to the Head of the Department, subject to the budget limit and subject to a standard plan.

May be delegated to Superintending Engineers up to Rs. 50,000 under Imperial, and Rs. 50,000 for buildings, and Rs. 1,00,000 for roads under Provincial. Power may also be delegated to Executive Engineers up to Rs. 5,000, and in case of selected officers up to Rs. 10,000.

Power may be delegated to Commissioners and Heads of Departments up to the same limits to which they have been given power to grant administrative approval in the case of non-contribution works.

This rule should be modified, so as to give a discretion to the Local Government.

See note to clause IV. The amount in case of Provincial funds may well be raised to Rs. 20,000. In clause I 8 per cent, should be changed to 10 per cent. It would be more satisfactory if the rule were entirely recast, either (1) prescribing a maximum accommodation for certain classes of officers drawing between certain rates of pay, or (2) omitting (a) the cost of the site from the calculations (a maximum area of site might be laid down), and omitting (b) the cost of foundations which vary greatly according to the soil. It is a question, in fact, whether the Local Government should not be given full discretion in these questions.

May be delegated to Superintending Engineers up to unlimited amounts.

Transfers from Indian to English grant may be delegated to the Local Government subject to a quarterly statement.

The Local Government should have full power of sanction under this article so far as Provincial funds are concerned and subject to the submission of an annual statement of such cases.
<table>
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<tr>
<th>Nature of Power</th>
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<tbody>
<tr>
<td>Sanction to detailed plans and estimates—Increase of Imperial and Provincial.</td>
<td>Public Works Department</td>
<td>Public Works Department Code, paragraph 2167.</td>
<td>Local Government</td>
<td>Superintending Engineers</td>
</tr>
<tr>
<td>Appointments of Settlement and Assistant Settlement Officers.</td>
<td>Ditto</td>
<td>Finance and Commerce Dispatch No. 254, dated 3rd September 1895, paragraph 8 (3). In Government of India, Revenue and Agricultural Department letter No. 1384—171—4, dated 28th September 1904, the Local Government was authorized to create for any term all settlement appointments carrying a pay plus settlement allowance not exceeding Rs. 250 a month.</td>
<td>Government of India</td>
<td>Local Government</td>
</tr>
<tr>
<td>Journal of Indian Art (mostly asking that the names of subscribers may be struck off the list).</td>
<td>Ditto</td>
<td>Government of India, Revenue and Agricultural Department, Circular No. 17Ex., dated 4th February 1884.</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Grant of mining leases in Orissa Fodestary States.</td>
<td>Political</td>
<td>Executive orders of India, Foreign Department, Nos. 51-3 of 8th January 1891, and 2872L.A. of 6th October 1899.</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Grant of Oudh and Mysore pensions.</td>
<td>Ditto</td>
<td>Practice</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Appointment of officers of the Provincial Service to act in listed posts.</td>
<td>Appointment</td>
<td>Home Department No. 2159, dated 2nd November 1897, and No. 347, dated 15th May 1901.</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
</tbody>
</table>
Rewards for High Proficiency and Degree of Honour Examinations in languages.

Works affecting Calcutta Maidan and Hastings.

Repairs to launches and boats...

Grant of exploring and prospecting licenses in Orissa Feudatory States.

Withholding of memorials in managed States.

Purchase and sale of property by Government servants.

Examination in tribal languages

Promotions and postings—
1. Provincial Educational officers.
2. Police officers—Assistant and Deputy superintendents.
3. Postings of Chaplains.
4. Deportation of convicts to Port Blair.

Power to sanction compassionate gratuity from the compassionate gratuity fund of which a portion is to be allotted to each Local Government.

Power to sanction withdrawal of money from Opium Department Provident Fund.
## Provisions Made by the Board of Revenue, L. P.

### Nature of Power

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<tbody>
<tr>
<td><strong>1</strong> Apportionment of cost when disputed.</td>
<td>Establishment ...</td>
<td>Section 17, Bengal Act II of 1882.</td>
<td>Local Government ...</td>
</tr>
<tr>
<td><strong>2</strong> Removal of houses, trees, etc.</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td><strong>3</strong> Fixing of dates of instalments and rate of interest.</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Board.</td>
</tr>
<tr>
<td><strong>4</strong> Appointment of officers to exercise power under the Act.</td>
<td>Ditto</td>
<td>Section 61, Bengal Act II of 1872.</td>
<td>Ditto</td>
</tr>
<tr>
<td><strong>5</strong> To sanction removal of incorrect entries from Register B.</td>
<td>Ditto</td>
<td>Section 5 of Bengal Act III of 1876.</td>
<td>Board</td>
</tr>
<tr>
<td><strong>6</strong> Sanction to expenditure in respect of an officer who has been reinstated after suspension with salary over Rs. 250 and over a period of six months.</td>
<td>Ditto</td>
<td>Section 36, Bengal Act VII of 1876.</td>
<td>Local Government</td>
</tr>
<tr>
<td><strong>9</strong> Disposal of appeals against the order of the Registrar, Cooperative Credit Societies, Bengal, to dissolve or to refuse to dissolve a Society.</td>
<td>Ditto</td>
<td>Section 5, Regulation XI of 1806.</td>
<td>Local Government</td>
</tr>
<tr>
<td><strong>10</strong> Confirmation of the order of cancelling the registration of a Society.</td>
<td>Ditto</td>
<td>Section 23 (3) of Act X of 1904.</td>
<td>Ditto</td>
</tr>
<tr>
<td><strong>11</strong> Disposal of escheat cases.</td>
<td>Sales</td>
<td>Section 23 (3) of Act X of 1904.</td>
<td>Ditto</td>
</tr>
<tr>
<td><strong>12</strong> When Collector is in doubt as to jurisdiction in respect of partial sales.</td>
<td>Ditto</td>
<td>Section VII, Regulation XIX of 1810.</td>
<td>Ditto</td>
</tr>
<tr>
<td><strong>13</strong> Fixing the number of process serving peons in Revenue Courts.</td>
<td>Ditto</td>
<td>Section 2, Act VI of 1853 ...</td>
<td>Ditto</td>
</tr>
<tr>
<td><strong>14</strong> Claims of illegitimate heirs to escheats.</td>
<td>Miscellaneouss</td>
<td>Court fees Act VII of 1870, section 23.</td>
<td>India</td>
</tr>
</tbody>
</table>
A Government servant not to attend public meetings or receive complimentary entertainments in honour without previous sanction of the Government of India.

Order for valuation or revaluation. Order for partial revaluation. Extension of section 46 (1) to a district in respect of keeping a separate account of cess.

Division of profits (mines or quarries) between two or more districts. Conferring powers of Collector on others. Apportionment of costs of joint work between two districts. Appointment of members of District Road Committees. Removal of a member.

Fixing date of payment of instalment of cess for revenue-free estate or rent-paying tenure. Fixing date of payment of instalment of cess for rent-free lands. Fixing instalment of cesses payable by a revenue-free holder. Accepting resignation of a member of District Road Committee. Fixing fees for certified copies of extracts from the proceedings of every meeting.

Appointment of special settlement in special cases. Confirmation of the above proceedings.

Inception of settlements lasting for more than 12 months, the cost (or a portion of it) being met from Government money. Confirmation of settlements of a district or pargana.

Appointment of "Collector." Appointment of "Revenue Officers."


Section 100, Bengal Cess Act, IX of 1880. Section 111, Bengal Cess Act, IX of 1880. Section 112, Bengal Cess Act, IX of 1880. Section 114, Bengal Cess Act, IX of 1880.

Section 115 of the Bengal Cess Act, IX of 1880. Section 127 of the Bengal Cess Act, IX of 1880.

Section 42 (2) and (3), Bengal Cess Act, IX of 1880. Section 57, Bengal Cess Act, IX of 1880.

Section 88 of the Bengal Cess Act, IX of 1880. Section 115 of the Bengal Cess Act, IX of 1880. Section 127 of the Bengal Cess Act, IX of 1880.

Section 12 (1) of the Bengal Tenancy Act, VIII of 1885. Section 112 (3) of the Bengal Tenancy Act, VIII of 1885.


Section (3) (16) of Bengal Tenancy Act, VIII of 1885. Section 3 (17) of Bengal Tenancy Act, VIII of 1885.

Rule (3) (1), page 13 of the Survey and Settlement Manual, 1900. Section 112 (10) of Bengal Tenancy Act, VIII of 1885, Section 3 (17) of Bengal Tenancy Act, VIII of 1885.

Section 3 (17) of Bengal Tenancy Act, VIII of 1885.
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<tr>
<td>Prescription of forms notices</td>
<td>Survey and Settlement</td>
<td>Section 3 (15) of Bengal Tenancy Act, VIII of 1885</td>
<td>Local Government ... Board.</td>
<td>Propounded delegation—</td>
</tr>
<tr>
<td>Authorize officers to receive application for commutation of rent, Sanction to payment of rent by money-order.</td>
<td>Ditto</td>
<td>Section 40 (2) of Bengal Tenancy Act, VIII of 1885</td>
<td>Ditto ... Do.</td>
<td>From whom.</td>
</tr>
<tr>
<td>Prescription or modification of rent receipt form.</td>
<td>Ditto</td>
<td>Section 56 (3) of Bengal Tenancy Act, VIII of 1885</td>
<td>Ditto ... Do.</td>
<td></td>
</tr>
<tr>
<td>Prescription and modification of account forms.</td>
<td>Ditto</td>
<td>Section 57 (2) of Bengal Tenancy Act, VIII of 1885</td>
<td>Ditto ... Do.</td>
<td></td>
</tr>
<tr>
<td>Appointment of officer to register improvements.</td>
<td>Ditto</td>
<td>Section 80 (1) of Bengal Tenancy Act, VIII of 1885</td>
<td>Ditto ... Do.</td>
<td></td>
</tr>
<tr>
<td>Prescription of form of rent receipts.</td>
<td>Ditto</td>
<td>Section 12 (1) of the Chota Nagpur Tenancy Act, I (R.C.) of 1879</td>
<td>Ditto ... Do.</td>
<td></td>
</tr>
<tr>
<td>Appointment of Deputy Collector to exercise the powers of Deputy Commissioner.</td>
<td>Ditto</td>
<td>Section 183 of the Chota Nagpur Tenancy Act, I (R.C.) of 1879</td>
<td>Government of India Local Government.</td>
<td></td>
</tr>
<tr>
<td>Sanction to mining operations within fifty yards of any railway, reservoir, canal or other public works.</td>
<td>Waste Land</td>
<td>Clause 4, Part III of Model Mining Form R, Waste Lands Manual.</td>
<td>Ditto ... Ditto.</td>
<td></td>
</tr>
<tr>
<td>To sanction the grant of land as a site for the construction of Government schools, hospitals, dispensaries or other public works at the cost of recognised local funds when the value of the grant does not exceed Rs. 5,000.</td>
<td>Ditto</td>
<td>Rule 4, Section VI, Government Estates Manual, 1902.</td>
<td>Ditto ... Ditto.</td>
<td></td>
</tr>
<tr>
<td>To sanction the grant of land for any other public purposes, or to a private individual for services to be performed to the State when the value does not exceed Rs. 500.</td>
<td>Ditto</td>
<td>Paragraph 9 of Government of India's Resolution No. 1—143, dated the 6th February 1872 (vide Government Estates Manual, page 49).</td>
<td>Local Government ... Board.</td>
<td></td>
</tr>
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</tr>
<tr>
<td>Waste Lands</td>
<td>Section 5 Act (I.C.) of 1863 (vide page 2 of the Waste Lands Manual)</td>
<td>Board of Revenue</td>
<td>Commissioners of Divisions.</td>
<td></td>
</tr>
<tr>
<td>Wards</td>
<td>Section 6 (o), Bengal Act IX of 1879</td>
<td>Local Government</td>
<td>Board of Revenue.</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>Section 10, Bengal Act IX of 1879</td>
<td>Ditto</td>
<td>Ditto.</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>Section 33, Bengal Act IX of 1879</td>
<td>Ditto</td>
<td>Ditto.</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>Section 61, Bengal Act IX of 1879</td>
<td>Ditto</td>
<td>Ditto.</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>Section 323B, Act XIV of 1882</td>
<td>Ditto</td>
<td>Ditto.</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>Section 2, Act VI of 1876</td>
<td>Ditto</td>
<td>Ditto.</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>Section 8, Act X of 1892</td>
<td>Ditto</td>
<td>Ditto.</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>Section 3 (2), Regulation V of 1827, page 173 of the Wards Manual</td>
<td>Vide column 6</td>
<td>Vide column 6</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>Rule 1 (V) under Act VI of 1876 (vide Wards' Manual, page 207)</td>
<td>Local Government</td>
<td>Board.</td>
<td></td>
</tr>
<tr>
<td>Nature of Power, Department or Branch.</td>
<td>Existing authority or rule governing its exercise.</td>
<td>Proposed delegation—From whom.</td>
<td>To whom.</td>
<td>Recommendations.</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td><strong>1</strong></td>
<td><strong>2</strong></td>
<td><strong>3</strong></td>
<td><strong>4</strong></td>
<td><strong>5</strong></td>
</tr>
<tr>
<td>To appoint officers specially to perform the functions of a Collector under the Land Acquisition Act.</td>
<td>Land Acquisition ...</td>
<td>Section 3 (c) of Act I of 1894.</td>
<td>Local Government ...</td>
<td>Board of Revenue.</td>
</tr>
<tr>
<td>To direct the Collector to take summary possession before award of any waste or arable portion of land declared for acquisition.</td>
<td>Ditto ...</td>
<td>Section 17 (1) of Act I of 1894.</td>
<td>Ditto ...</td>
<td>Ditto.</td>
</tr>
<tr>
<td>To authorise the Collector to make, instead of awarding money compensation in respect of any land declared for acquisition, any arrangement with a person having a limited interest in such land, either by the grant of other lands in exchange, the remission of land revenue on other lands held under the same title, or in such other way as may be equitable, having regard to the interest of the parties concerned.</td>
<td>Ditto ...</td>
<td>Section 31 (3) of Act I of 1894.</td>
<td>Ditto ...</td>
<td>Ditto.</td>
</tr>
<tr>
<td>To direct the Collector to procure the temporary occupation and use of any waste or arable land needed for a public purpose or for a company.</td>
<td>Ditto ...</td>
<td>Section 35 (1) of Act I of 1894.</td>
<td>Ditto ...</td>
<td>Ditto.</td>
</tr>
<tr>
<td>To withdraw, if necessary, from the acquisition of any land of which possession has not been taken.</td>
<td>Ditto ...</td>
<td>Section 48 (1) of Act I of 1894.</td>
<td>Ditto ...</td>
<td>Ditto.</td>
</tr>
<tr>
<td>To order the acquisition of the whole of the land, of which the land first sought to be acquired forms a part, in case the claim for severance is considered unreasonable or excessive.</td>
<td>Ditto ...</td>
<td>Section 49 (3) of Act I of 1894.</td>
<td>Ditto ...</td>
<td>Ditto.</td>
</tr>
<tr>
<td>To make rules consistent with the Land Acquisition Act for the guidance of officers in all matters connected with its enforcement, and from time to time to alter and add to the rules so made.</td>
<td>Ditto ...</td>
<td>Section 55 (1) of Act I of 1894.</td>
<td>Ditto ...</td>
<td>Ditto.</td>
</tr>
</tbody>
</table>
To authorise, if necessary, any particular Land Acquisition Officer to make all or any of his payments by cheques, provided no inconvenience is caused thereby to the payees.

To direct the salary of Partition Deputy Collector, and cost of special establishment be recovered as part of costs of partition.

To sanction formation of Estates Partition Funds.

To make a new allotment of land revenue on partitioned estates in case of fraud or error.

To require proprietors of under-assessed estates to make refund to proprietors of over-assessed estates.

To vest Collectors or Deputy Collectors with settlement powers.

To direct any of the Deputy Commissioners to make perfect partitions in the district of Sambalpur.

To prescribe the form of applications for perfect partition in the district of Sambalpur.

To make rules regarding partition proceedings in the district of Sambalpur.

To sanction appointment of special establishments.

To prescribe the distance from Calcutta within which a European distillery may be licensed by the Collector of Calcutta.

To grant rewards not exceeding Rs. 200 in Excise cases.

To appropriate a portion of the fines levied under the Excise Act for rewarding informers or compensating injured persons.

To sanction rules relating to warehouses for opium.

To sanction rules relating to disposal of confiscated articles.

To authorize any officer to receive applications from an Opium farmer for the recovery of the amount due to him by his licensee.

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Ditto Paragraph 10 of Appendix C to the Civil Account Code, Volume 1.

Butwara ...... Section 41 of Act V (B.C.) of 1897.

Ditto ...... Section 42 of Act V (B.C.) of 1897.

Ditto ...... Section 102 of Act V (B.C.) of 1897.

Ditto ...... Section 103 of Act V (B.C.) of 1897.

Ditto ...... Section 110 of Act V (B.C.) of 1897.

Ditto ...... Section 130D, clause (2) of the Central Provinces Land Revenue Act, XVIII of 1881.

Ditto ...... Section 130CT of the Central Provinces Land Revenue Act, XVIII of 1881.

Ditto ...... Section 130FT of the Central Provinces Land Revenue Act, XVIII of 1881.

Ditto ...... Section 36 of Act V (B.C.) of 1897.

Excise ...... Section 7, Act VII (B.C.) of 1878.

Do. ...... Section 78, Act VII (B.C.) of 1878.

Do. ...... Section 79, Act VII (B.C.) of 1878.

Do. ...... Section 8, Act I of 1878.

Do. ...... Section 13, Act I of 1878.

Do. ...... Section 24, Act I of 1878.
<table>
<thead>
<tr>
<th>Nature of Power</th>
<th>Department or Branch</th>
<th>Existing authority or rule governing its exercise</th>
<th>Proposed delegation—</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To sanction the prescription of forms and conditions of licences, permits and other documents under the Opium Act.</td>
<td>Excise</td>
<td>Rule 21 of Opium Rules</td>
<td>Local Government</td>
<td>Board of Revenue</td>
</tr>
<tr>
<td>To determine the manner of disposal of confiscated opium declared fit for use.</td>
<td>Do.</td>
<td>Rule 23 (2) of the Opium Rules</td>
<td>Board of Revenue</td>
<td>Commissioner of Excise</td>
</tr>
<tr>
<td>To prescribe the manner in which confiscated haffa shall be dealt with.</td>
<td>Do.</td>
<td>Rule 23 (3) of the Opium Rules</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>To sanction special rewards in opium cases.</td>
<td>Do.</td>
<td>Rule 24 (2) of the Opium Rules</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>To issue orders for determining the value of confiscated opium.</td>
<td>Do.</td>
<td>Rule 25 of the Opium Rules</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
</tbody>
</table>

Existing authority or rule governing its exercise:

- Rule 21 of Opium Rules
- Rule 23 (2) of the Opium Rules
- Rule 23 (3) of the Opium Rules
- Rule 24 (2) of the Opium Rules
- Rule 25 of the Opium Rules

Proposed delegation—

- From whom: Local Government
- To whom: Board of Revenue
- To whom: Commissioner of Excise
- To whom: Ditto
- To whom: Ditto
- To whom: Ditto

Recommendations:

- Board of Revenue
- Collector of Customs
- Board
- Do.
- Do.
- Do.

Do.:

<table>
<thead>
<tr>
<th>Nature of Power</th>
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<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To fix period within which goods are to be landed when no period is specified in the bill-of-lading of such goods.</td>
<td>Do.</td>
<td>Section 88, Act VIII of 1878</td>
<td>Government</td>
<td>Board</td>
</tr>
</tbody>
</table>

Existing authority or rule governing its exercise:

- Section 88, Act VIII of 1878

Proposed delegation—

- From whom: Government
- To whom: Board

Recommendations:

- Do.
<table>
<thead>
<tr>
<th>Issue</th>
<th>To make rules relating to the supply and sale of stamps.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>To cause Act to be translated and sold cheaply.</td>
</tr>
<tr>
<td></td>
<td>To fix the limits of rewards payable by Collectors.</td>
</tr>
<tr>
<td></td>
<td>To establish local depots where there is no treasury.</td>
</tr>
<tr>
<td></td>
<td>To fix the supply of stamps to be kept in stock at local or branch depots.</td>
</tr>
<tr>
<td></td>
<td>To issue orders regarding detailed counting of stamps in local depots.</td>
</tr>
<tr>
<td></td>
<td>To direct what officer shall be an ex-officio vendor.</td>
</tr>
<tr>
<td></td>
<td>To fix the period for which a supply sufficient should be kept under single lock by the ex-officio vendor at a local or branch depot.</td>
</tr>
<tr>
<td></td>
<td>To direct in what language the single lock register should be maintained.</td>
</tr>
<tr>
<td></td>
<td>To limit sales of stamps to the public by ex-officio and licensed vendors.</td>
</tr>
<tr>
<td></td>
<td>To allow refunds or renewals of spoiled or useless non-judicial stamps, or the re-purchase of stamps not required, when the application for refund or renewal has been made after one year from the date of purchase of stamp or one year from the date on which the stamp has been spoilt or rendered useless.</td>
</tr>
<tr>
<td></td>
<td>To make rules for the custody, supply and sale of stamps and stamped papers of all descriptions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nature of Power</th>
<th>Proposed Delegation—</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>From whom.</td>
<td>To whom.</td>
</tr>
<tr>
<td>Power to declare any place to be a warehouse for opium imported into territories administered by Local Government and to cancel any such declaration.</td>
<td>Opium: (e) Section 7, Act I of 1878</td>
<td>Local Government</td>
</tr>
<tr>
<td>Power to authorize an officer to enquire into cases in which an offence has been committed against Act I of 1878, when the offender cannot be found or when opium not in the possession of any person cannot be satisfactorily accounted for.</td>
<td>Do: (e) Section 12, Act I of 1878</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to authorize an officer to issue warrant for the arrest of any person by whom an offence relating to opium has been committed.</td>
<td>Do: (e) Section 19, Act I of 1878</td>
<td>Government Power in regard to classes may be retained by Government and power may be delegated to the Board in the case of individuals.</td>
</tr>
<tr>
<td>Power to authorize an officer to attach poppy illegally cultivated (with certain exceptions).</td>
<td>Do: (e) Section 22, Act I of 1878</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to authorize an officer to deal with applications from an opium farmer for recovery of amount due to him from his licensee (with certain exceptions).</td>
<td>Do: (e) Section 24, Act I of 1878</td>
<td>Government</td>
</tr>
<tr>
<td>To sanction the appointment of a public, or licensing of a private, warehouse at any place which is not a warehousing port, and also to sanction the cancellation of such appointment or license.</td>
<td>Salt: Section 4 (1), Act VIII of 1896</td>
<td>Local Government</td>
</tr>
<tr>
<td>To permit conveyance of salt to inland bonded warehouses under bonds.</td>
<td>Do: Section 5, Act VIII of 1896</td>
<td>Board of Revenue</td>
</tr>
<tr>
<td>To dispose of the proceeds of seizures and fines.</td>
<td>Do: Section 40, Act VII (B.C.) of 1864</td>
<td>Ditto</td>
</tr>
</tbody>
</table>

This has also been included in the Excise List.
### LIST II.

**Proposals for delegation of powers which can be made by Local Government without reference to higher authority.**

(a) The amendment of existing Laws either of the Imperial or Provincial Council.

<table>
<thead>
<tr>
<th>Nature of Power</th>
<th>Department or Branch</th>
<th>Existing authority or rule governing its exercise</th>
<th>Proposed delegation—</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>From whom.</td>
<td>To whom.</td>
</tr>
<tr>
<td>1.</td>
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<td></td>
</tr>
<tr>
<td>Reports as to death of criminal lunatics.</td>
<td>Judicial ...</td>
<td>(a) Section 472, Criminal Procedure Code.</td>
<td>Local Government ...</td>
<td>Magistrate or Sessions Court concerned.</td>
</tr>
<tr>
<td>Orders for the trial of criminal lunatics.</td>
<td>Do. ...</td>
<td>(e) Section 473, Criminal Procedure Code.</td>
<td>Ditto ...</td>
<td>Ditto.</td>
</tr>
<tr>
<td>Appointment of establishment under District Boards.</td>
<td>Municipal (Local Self-Government).</td>
<td>Rules having the force of law.</td>
<td>Local Government ...</td>
<td>Commissioners ... ... ...</td>
</tr>
<tr>
<td>Purchase of tents for salt officers</td>
<td>Finance ... ...</td>
<td>Article 80, Civil Service Regulations.</td>
<td>Local Government ...</td>
<td>Excise Commissioner ... ...</td>
</tr>
<tr>
<td>Leave of officers— Sub-Deputy Collectors ... ...</td>
<td>Appointment ...</td>
<td>Article 825, Civil Service Regulations.</td>
<td>Ditto ...</td>
<td>Commissioners of Divisions ... ...</td>
</tr>
<tr>
<td>Power to grant leave to officers under Articles 81A and 815, Civil Service Regulations, may be delegated to Board in cases in which local arrangements can be made without reference to Government and subject to the report of the Accountant-General, Bengal, and if gazette notification is necessary, report to Government.</td>
<td>Separate Revenue</td>
<td>Articles 81A and 825, Civil Service Regulations.</td>
<td>Ditto ...</td>
<td>Board of Revenue ... ...</td>
</tr>
<tr>
<td>Supply of liveries and warm clothing in provincial establishments.</td>
<td>Finance ... ...</td>
<td>Article 88 (f), Civil Account Code.</td>
<td>Ditto ...</td>
<td>Commissioners and Heads of Departments ... ...</td>
</tr>
</tbody>
</table>

(b) Relaxation of Rules having the force of law.

(c) The relaxation of existing Codes issued under the authority of the Government of India.
### Table: Nature of Power

<table>
<thead>
<tr>
<th><strong>Nature of Power</strong></th>
<th><strong>Department or Branch</strong></th>
<th><strong>Existing authority or rule governing its exercise</strong></th>
<th><strong>Proposed delegation</strong></th>
<th><strong>Recommendation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase of books...</td>
<td>Sanitation</td>
<td>Article 98 (c), Civil Account Code.</td>
<td>Local Government</td>
<td>Commissioners and Heads of Departments and Legal Remembrancers.</td>
</tr>
<tr>
<td>Extra grants under travelling allowance.</td>
<td>Finance</td>
<td>Article 158, Civil Account Code.</td>
<td>Ditto</td>
<td>Commissioners and District Officers.</td>
</tr>
<tr>
<td>Appointment of members of Text-Book Committees and approval of text-books.</td>
<td>General (Education)</td>
<td>Rules and orders of Education Department, page 13.</td>
<td>Local Government</td>
<td>Director of Public Instruction, Bengal. May be delegated to the Head of the Department.</td>
</tr>
<tr>
<td>Affiliation of Technical Schools to Collegiate, Zilla and High Schools.</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Ditto ditto.</td>
</tr>
<tr>
<td>Sanction to the payment of rent for telephonic connection.</td>
<td>General (Registration)</td>
<td>Government order No. 1412P.—D., dated the 8th November 1904.</td>
<td>Ditto</td>
<td>Inspector-General of Registration, Bengal. May be delegated to the Head of the Department subject to budget limit.</td>
</tr>
<tr>
<td>Report on the voyage of emigrant vessels proceeding to the Colonies.</td>
<td>General (Emigration)</td>
<td>Practice</td>
<td>Ditto</td>
<td>Protector of Emigrants, Calcutta. This need not be submitted to Government except in cases of any report of special interest or importance. Might be made half-yearly or even yearly.</td>
</tr>
<tr>
<td>Quarterly statement of mineral concessions.</td>
<td>Revenue (Miscellaneous).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Survey and Settlement Estates.</td>
<td>Land Revenue</td>
<td>Survey and Settlement Manual, Chapter IV, Part I.</td>
<td>Local Government</td>
<td>Board of Revenue. Power may be delegated to Board to settle details, subject to budget provision.</td>
</tr>
<tr>
<td>Promotions and postings (appointments, etc., of Managers of Court of Wards).</td>
<td>Ditto</td>
<td>Executive orders</td>
<td>Board of Revenue</td>
<td>Commissioners of Divisions. May be delegated to Commissioners in respect of estates, the rent and cesses of which do not exceed Rs. 50,000. (The Board have power under the law.) May be delegated to the Board of Revenue. Power may be delegated to Inspector-General of Police. May be delegated to Commissioner.</td>
</tr>
<tr>
<td>Supply of Police Guards to Railway Companies.</td>
<td>Political</td>
<td>Government order No. 177P.—D., dated the 30th April 1903.</td>
<td>Ditto</td>
<td>Commissioner of Orissa. Authority may be delegated to Commissioner subject to consultation with Conservator of Forest in technical matters. May be delegated to the Commissioner.</td>
</tr>
<tr>
<td>Permission to members of Oudh family to leave Calcutta (not to go to Karbhala).</td>
<td>Ditto</td>
<td>Feudatory States Manual, Chapter X, paragraphs 7 and 8.</td>
<td>Ditto</td>
<td>Commissioner of Chota Nagpur. Ditto ditto.</td>
</tr>
<tr>
<td>Sanction to forest leases in Orissa States.</td>
<td>Ditto</td>
<td>Feudatory States Manual, Chapter X, paragraph 9.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grant of leases of minor produce, such as lac, etc.</td>
<td>Ditto</td>
<td>Feudatory States Manual, Volume II, Appendix VIII, page 275.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Power to constitute State Police in managed States.</td>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**APPENDIX:**

(d) Relaxation of orders of the Secretary of State or the Government of India, or of the Local Government.

- May be delegated to the Head of the Department.
- May be delegated to the Head of the Department subject to budget limit.
- Might be made half-yearly or even yearly.
<table>
<thead>
<tr>
<th>Action</th>
<th>Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power of sanction in respect of matters other than works in managed States.</td>
<td>Ditto, Feddatory States Manual, Volume II, Appendix VI, Rules 24, 1 (c) and 11 (9).</td>
</tr>
<tr>
<td>Works in Angul and the Khondmals.</td>
<td>Ditto, Government order No. 627.-(E), dated the 4th May 1903.</td>
</tr>
<tr>
<td>Repairs to Calcutta Police Buildings.</td>
<td>Ditto, Practice.</td>
</tr>
<tr>
<td>Depostion of Police on special occasions.</td>
<td>Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Payment of arrears of political pensions.</td>
<td>Ditto, Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Payment of minority accumulations.</td>
<td>Ditto, Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Appointment of guardians, etc., for minor or insane political pensioners.</td>
<td>Ditto, Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Payment of full pension on attainment of majority.</td>
<td>Ditto, Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Death reports of political pensioners and resumption of political pensions.</td>
<td>Ditto, Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Promotions and postings of subordinate Educational officers.</td>
<td>Ditto, Executive orders - General Department Resolutions No. 134, dated the 26th March 1897, and No. 1231, dated 30th March 1897. Resolution by the Revenue Department, dated the 26th April 1881, and Appointment Department, No. 4970—94A., dated the 16th December 1905. Executive instructions.</td>
</tr>
<tr>
<td>Postings of Sub-Deputy Collectors within the division or district.</td>
<td>Ditto, Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Transmission of medical history sheets and descriptive rolls of criminal lunatics.</td>
<td>Judicial, Ditto, Executive orders.</td>
</tr>
<tr>
<td>Removal of names from list of Honorary Magistrates in consequence of the expiry of term or death or unavoidable causes.</td>
<td>Ditto, Ditto, Bengal Jail Code, rule 660.</td>
</tr>
<tr>
<td>Deaths of prisoners while undergoing sentence.</td>
<td>Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Report regarding cases of cholera in Jails.</td>
<td>Ditto, Separate Revenue, Executive order, Ditto, Practice.</td>
</tr>
<tr>
<td>Transfer of officers.</td>
<td>Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Expenditure from Darjeeling Improvement Fund.</td>
<td>Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Lease hire for salt officers.</td>
<td>Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Works in Angul and the Khondmals.</td>
<td>Ditto, Ditto, Ditto.</td>
</tr>
<tr>
<td>Depostion of Police on special occasions.</td>
<td>Ditto, Ditto, Ditto.</td>
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<tr>
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<td>Ditto, Ditto, Ditto, Ditto.</td>
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<tr>
<td>Payment of minority accumulations.</td>
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</tr>
<tr>
<td>Deaths of prisoners while undergoing sentence.</td>
<td>Ditto, Ditto, Ditto.</td>
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<tr>
<td>Report regarding cases of cholera in Jails.</td>
<td>Ditto, Separate Revenue, Executive order, Ditto, Practice.</td>
</tr>
<tr>
<td>Transfer of officers.</td>
<td>Ditto, Ditto, Ditto.</td>
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<tr>
<td>Expenditure from Darjeeling Improvement Fund.</td>
<td>Ditto, Ditto, Ditto.</td>
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<tr>
<td>Lease hire for salt officers.</td>
<td>Ditto, Ditto, Ditto.</td>
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</tbody>
</table>

May be delegated to the Commissioner up to Rs. 10,000 and to the Political Agent up to Rs. 5,000. The principles adopted in the cases of Native States under Government management may be accepted (i.e., Political Agent* can sanction estimates up to Rs. 5,000 and the Superintendent up to Rs. 10,000). May be delegated to Inspector-General of Police subject to budget provision. Power may be delegated to Commissioners. Power of gazetting may be delegated to Commissioners. Submission of these reports may be discontinued unless the Inspector-General considers it necessary to address Government. Reports may be discontinued except in cases of serious outbreaks. Local Government already possesses the power.
<table>
<thead>
<tr>
<th>Nature of Power</th>
<th>Existing authority or rule governing its exercise</th>
<th>Proposed Delegation</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanction to irregular expenditure from Municipal Funds and District Funds.</td>
<td>Municipal and Local Self-Government.</td>
<td>Practice</td>
<td>Local Government</td>
</tr>
<tr>
<td>Travelling allowance of employees of municipal municipalities.</td>
<td>Municipal</td>
<td>Ditto</td>
<td>Ditto</td>
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<tr>
<td>Sanction to contribution to Pasteur Institute.</td>
<td>Local Self-Government</td>
<td>Executive instructions contained in Government Circular No. 1267 Medical, dated 26th March 1907.</td>
<td>Practice</td>
</tr>
<tr>
<td>Extension and transfer of service</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Executive instructions and practice.</td>
</tr>
<tr>
<td>Payment of bonus, rewards or commission from District Funds.</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Executive instructions and practice.</td>
</tr>
<tr>
<td>Grant of certain allowances from District Funds.</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Executive instructions and practice.</td>
</tr>
<tr>
<td>Travelling allowance of District Board employees.</td>
<td>Ditto</td>
<td>Executive instructions</td>
<td>Ditto</td>
</tr>
<tr>
<td>Supply of liveries and warm clothing.</td>
<td>Ditto</td>
<td>Executive instructions</td>
<td>Ditto</td>
</tr>
<tr>
<td>Local purchase of articles of European manufacture required by District Boards.</td>
<td>Ditto</td>
<td></td>
<td>Ditto</td>
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<tr>
<td>Sanction of fees to District Engineers for work done for wards and private estates.</td>
<td>Ditto</td>
<td>Public Works Department Resolution No. 34052, dated 25th September 1890.</td>
<td>Commissioner</td>
</tr>
<tr>
<td>Ambulance work: Petty grants in connection with.</td>
<td>Ditto</td>
<td></td>
<td>Commissioner</td>
</tr>
<tr>
<td>Grant of fees for examination at Medical Schools.</td>
<td>Ditto</td>
<td>Specific instructions</td>
<td>Commissioner of Police</td>
</tr>
<tr>
<td>Sanction to the sites for hospitals and dispensaries.</td>
<td>Ditto</td>
<td>Practice</td>
<td>Commissioner of Police</td>
</tr>
<tr>
<td>Discharge of non-criminal lunatics from Asylum.</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Commissioner of Police</td>
</tr>
<tr>
<td>Transfer of non-criminal lunatics from Asylum.</td>
<td>Ditto</td>
<td></td>
<td>Commissioner of Police</td>
</tr>
<tr>
<td>Visitors' reports on Lunatic Asylums.</td>
<td>Ditto</td>
<td></td>
<td>Commissioner of Police</td>
</tr>
<tr>
<td>Recruitment of Assistant Surgeons</td>
<td>Ditto</td>
<td></td>
<td>Commissioner of Police</td>
</tr>
<tr>
<td>Recruitment of Civil Hospital Assistant.</td>
<td>Ditto</td>
<td></td>
<td>Commissioner of Police</td>
</tr>
</tbody>
</table>

*Power up to Rs. 1,000 has already been delegated to Inspectors of Works. The question of delegating power up to Rs. 500 to District Engineers is under the consideration of Government. No further delegation is perhaps necessary.*

Full power may be delegated to Commissioners to grant in accordance with Public Works Department rules.

Power may be delegated to the Commissioner of Police up to Rs. 100 in each case and subject to Budget provision.

Powers may be delegated to Inspector-General of Civil Hospitals to grant according to existing orders.

May be delegated to Commissioners, subject to consultation with Inspector-General of Civil Hospitals.

The submission of reports to Government may be discontinued.

These reports need not be submitted, unless they contain some important criticisms on the management of the Asylum.

Recruitment for existing vacancies may be delegated to the Inspector-General of Civil Hospitals, subject to such general rules as Government may prescribe.

<table>
<thead>
<tr>
<th>From whom.</th>
<th>To whom.</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government</td>
<td>Commissioners</td>
<td>May be delegated to Commissioners.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Ditto</td>
<td>The power of Local Government may be delegated to Commissioners.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Ditto</td>
<td>May be delegated to Commissioners.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Ditto</td>
<td>May be delegated to Commissioners except in the case of District Engineers.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Ditto</td>
<td>May be delegated to Commissioners.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Ditto</td>
<td>Power to dispose of all such cases may be delegated to Commissioners.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Ditto</td>
<td>Sanction to the appointment of a menial servant should include sanction to livery or warm clothing according to a scale fixed by the Local Government.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Commissioner</td>
<td>Full power may be delegated to Commissioners to grant in accordance with Public Works Department rules.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Commissioner of Police</td>
<td>Power may be delegated to the Commissioner of Police up to Rs. 100 in each case and subject to Budget provision.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Inspector-General of Civil Hospitals</td>
<td>Powers may be delegated to Inspector-General of Civil Hospitals to grant according to existing orders.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Commissioner of Division</td>
<td>May be delegated to Commissioners, subject to consultation with Inspector-General of Civil Hospitals.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Commissioner of Division</td>
<td>The submission of reports to Government may be discontinued.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Commissioner of Division</td>
<td>Ditto</td>
</tr>
<tr>
<td>Ditto</td>
<td>Commissioner of Division</td>
<td>Ditto</td>
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</tbody>
</table>
Petty expenses incurred in disinfection in connection with disease.

Approval of Lodging-house Budget Grants from Lodging-house Funds

Sanitation

Power to fix dates of instalments of drainage, embankment and irrigation dues.

Sanction to entertainment of comparing clerks (over four).

Disposal of questions relating to pension undrawn for two years.

Sanction to continuance of pension to the heirs not ordinarily allowed.

To sanction charge for retention of a Deputy Collector's establishment after his removal or death for arrangement of records.

To sanction any temporary establishment out of the allotments placed at the disposal of the Board.

Payment of arrears of hereditary pension to deceased pensioner after six months.

To reduce the amount of security over Rs. 500.

To transfer service of Ministerial officers to Court of Wards.

To remove incorrect entries of revenue-free properties from the General Register.

To sanction reservation of one quarter of the salaries of the temporary establishment other than menial establishment from record grants.

Power may be delegated to Sanitary Commissioner to dispose of, subject to the limit of a grant to be made by Government.

Power may be delegated to Commissioner.

Powers to dispose of applications may be delegated to Commissioners.

**Proposals made by the Board of Revenue, L.P.**

<table>
<thead>
<tr>
<th>Establishment</th>
<th>Rule 3, Section VI, Chapter VII, page 177 of the Board's Rule, 1902.</th>
<th>Local Government</th>
<th>Board</th>
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</thead>
<tbody>
<tr>
<td>Ditto</td>
<td>Rule 2, Section IV, Chapter VIII, page 188 of the Board's Rules, 1902.</td>
<td>Ditto</td>
<td>Do.</td>
</tr>
<tr>
<td>Ditto</td>
<td>Rule 8, Section IV, Chapter XIII, page 16 of the Board's Rules, 1902.</td>
<td>Board</td>
<td>Commissioner.</td>
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<table>
<thead>
<tr>
<th>NATURE OF POWER</th>
<th>Department or Branch</th>
<th>Existing authority or rule governing its exercise</th>
<th>PROPOSED DELEGATION—</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
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<tr>
<td>Refund of lapsed deposits on which special orders are required.</td>
<td>Establishment</td>
<td>Rule 5, Section V, Chapter IV, page 98 of the Board's Rules</td>
<td>From whom.</td>
<td>To whom.</td>
</tr>
<tr>
<td>To sanction payment of salary to suspended officers, when the expenditure is in excess of what would have been the case, if the officer had remained on duty.</td>
<td>Miscellaneous</td>
<td>Rule 3, Section II, Chapter X of the Board's Rules</td>
<td>Local Government</td>
<td>...</td>
</tr>
<tr>
<td>Exemption of malikandar from personal appearance.</td>
<td>Ditto</td>
<td>Rule 9, Section II, Chapter VII of the Board's Rules</td>
<td>Ditto</td>
<td>...</td>
</tr>
<tr>
<td>Renewal of Revenue Agent's certificates left unreturned for more than three years.</td>
<td>Ditto</td>
<td>Rule 14, Section IV, Chapter III, of the Practice and Procedure Manual, 1902.</td>
<td>Board</td>
<td>...</td>
</tr>
<tr>
<td>To sanction rewriting of tauzi roll.</td>
<td>Tauzi</td>
<td>Rule 5, Section II, Chapter II, Tauzi Manual, 1907.</td>
<td>Do.</td>
<td>...</td>
</tr>
<tr>
<td>To sanction redemption of land revenue of petty estates on payment of 25 or 30 times the annual rental.</td>
<td>Do.</td>
<td>Rule 4, Section IV, Chapter II, Tauzi Manual, 1907.</td>
<td>Do.</td>
<td>...</td>
</tr>
<tr>
<td>To sanction abatement of revenue demand of estates during the currency of a settlement.</td>
<td>Do.</td>
<td>Rule 1, Section VII, Chapter II, Tauzi Manual, 1907.</td>
<td>Do.</td>
<td>...</td>
</tr>
<tr>
<td>To direct the writing in English of the Final Report on the survey and settlement of each village or each local area.</td>
<td>Survey and Settlement</td>
<td>Rule 81 (d) of the Government Rules (revised) under the Bengal Tenancy Act.</td>
<td>Local Government</td>
<td>...</td>
</tr>
<tr>
<td>To refund balances of deposits of survey and settlement costs.</td>
<td>Ditto</td>
<td>Rule 90 of the Government Rules (revised) under the Bengal Tenancy Act.</td>
<td>Ditto</td>
<td>...</td>
</tr>
<tr>
<td>Writing off irrecoverable cost of settlement above Rs. 10.</td>
<td>Ditto</td>
<td>Rule 3, page 97 of the Board's Rules, 1902.</td>
<td>Board</td>
<td>...</td>
</tr>
<tr>
<td>Empowering any person to perform all or any of the duties of a Collector or of Revenue Officer under the Act (XII of 1884).</td>
<td>Agricultural</td>
<td>Rule 19, page 124 of the Survey and Settlement Manual, 1900.</td>
<td>Local Government</td>
<td>...</td>
</tr>
</tbody>
</table>

APPENDIX
<table>
<thead>
<tr>
<th>Action Described</th>
<th>Relevant Section(s)</th>
<th>Authority/Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>To direct the mortgage or sale of any part of the property of a ward, and the doing of all such other acts as the Court may judge to be most for the benefit of the property and the advantage of the ward.</td>
<td>Do. Section 19 of Act IX (B.C.) of 1879.</td>
<td>Do. Ditto.</td>
</tr>
<tr>
<td>To order the Collector to partition off any part of an estate which it is thought expedient to be sold or mortgaged.</td>
<td>Do. Section 20 of Act IX (B.C.) of 1879.</td>
<td>Do. Ditto.</td>
</tr>
<tr>
<td>To appoint—(a) one or more Managers for the property of any ward; and (b) one or more guardians for the care of the person of any ward.</td>
<td>Do. Section 28 of Act IX (B.C.) of 1879.</td>
<td>Do. Ditto.</td>
</tr>
<tr>
<td>To enforce of its own motion the provisions of the Act.</td>
<td>Do. Section 31 of Act IX (B.C.) of 1879.</td>
<td>Do. Ditto.</td>
</tr>
<tr>
<td>To order the Collector to apply to the Civil Court in pursuance of the provisions of Act XXXV of 1858, in respect of the proprietor of an estate reported by him to be of unsound mind.</td>
<td>Do. Section 32 of Act IX (B.C.) of 1879.</td>
<td>Do. Ditto.</td>
</tr>
<tr>
<td>To order the Collector to apply to the Civil Court in regard to the proprietor of an estate considered incapable of managing his affairs owing to physical defect or infirmity.</td>
<td>Do. Section 38 of Act IX (B.C.) of 1879.</td>
<td>Do. Ditto.</td>
</tr>
<tr>
<td>If no Manager is appointed, to appoint the Collector of any district other than that in which the greater part of the property lies to do the duty of the Manager.</td>
<td>Do. Section 41 (a), (d), and of Act IX (B.C.) of 1879. Also section 70 (c).</td>
<td>Do. Ditto.</td>
</tr>
<tr>
<td>To (a) direct how much property to be placed under the care of a Manager, (b) direct when and in what form Manager’s accounts are to be passed.</td>
<td>Do.</td>
<td>Do.</td>
</tr>
</tbody>
</table>

Power may be delegated to the Commissioners in respect of estates with current rent and cess demand of Rs. 50,000 or less.

Ditto Ditto ditto.

Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.

The Board have since decided not to delegate this power.

Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.

Ditto Ditto ditto.

Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less provided the other district is in his Division. Report to be submitted for Board’s information.

Ditto Ditto ditto.

Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.

A model form is to be prescribed by the Board. Orders may be passed by the Commissioner to submit accounts in that form in respect of estates with rent and cess demand of Rs. 50,000 or less, but not otherwise without the sanction of the Board.
<table>
<thead>
<tr>
<th>Nature of Power</th>
<th>From whom</th>
<th>To whom</th>
<th>Existing authority or rule governing its exercise</th>
<th>Proposed Delegation</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>To (b) direct when and in what form guardian's accounts are to be passed.</td>
<td>Wards ... ...</td>
<td>Board ... ...</td>
<td>Section 43 (b) and (f) of Act IX (B.C.) of 1879. Also section 70 (e).</td>
<td>Commissioners ... ...</td>
<td>A model form is to be prescribed by the Board. Orders may be passed by the Commissioner to submit accounts in that form in respect of estates with rent and cess demand of Rs. 50,000 or less, but not otherwise without the sanction of the Board.</td>
</tr>
<tr>
<td>To deduct, before payment of surplus profits to wards, amounts required for working balance and special charges.</td>
<td>Do. ... ...</td>
<td>Do. ... ...</td>
<td>Section 49 of Act IX (B.C.) of 1879.</td>
<td>Ditto ... ...</td>
<td>Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.</td>
</tr>
<tr>
<td>If no Manager is appointed, to appoint the Collector of any district other than that in which the greater part of the property lies to be next friend and guardian for a suit.</td>
<td>Do. ... ...</td>
<td>Do. ... ...</td>
<td>Section 51 of Act IX (B.C.) of 1879.</td>
<td>Ditto ... ...</td>
<td>Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided the other district is in the Commissioner's own Division. A report to be submitted for Board’s information.</td>
</tr>
<tr>
<td>Without the special permission of the Government (d) to raise the rent of a raiyat cannot be raised during the currency of a settlement above the sum which would be double of the rent previously paid; (e) or the revenue or rent demandable from a raiyat raised by more than 20 per cent. of that payable by him in the preceding year.</td>
<td>Do. ... ...</td>
<td>Do. ... ...</td>
<td>Rule 4, Section VIII (b) of the Bengal Wards’ Manual.</td>
<td>Local Government ... ... Board. ... ...</td>
<td></td>
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<tr>
<td>Powers under other enactments. To give permission to the Collector—(a) to apply to the Civil Court under section 8 (e) or (f), Act VIII of 1880, with the view of having himself appointed guardian; and (b) to consent, under section 10 (b), to be proposed by a private person for appointment as a guardian.</td>
<td>Do. ... ...</td>
<td>Do. ... ...</td>
<td>Rule 7, Section X, page 97 of the Wards’ Manual.</td>
<td>Board ... ... Commissioners ... ...</td>
<td>Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.</td>
</tr>
<tr>
<td>To approve programmes of improvements, the cost of which is to be debited to headings 4 (d), 6 (p) and 8 (q) of the budget estimates.</td>
<td>Do. ... ...</td>
<td>Do. ... ...</td>
<td>Rule 214A, Section I, page 58 of the Bengal Wards’ Manual.</td>
<td>Ditto ... ...</td>
<td>Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided that the orders regarding expenditure of 3 per cent. on the demand for works of improvement are observed.</td>
</tr>
</tbody>
</table>
To sanction all works of improvement, the cost of which exceeds Rs. 2,500, or for which funds have not been provided in the budget, or which have not been sanctioned in the programme.

Do. ... Rule 24B, Section I, page 58 of the Wards' Manual.

Do. ... Ditto

Do.

To approve when the estate is situated in more than one district, but in one Division, the appointment (by Commissioner) of each Collector to be the Managing Collector.

Do. ... Rule 3, Section II, page 59 of the Wards' Manual.

Do. ... Ditto

Do.

To sanction Director's estimate of expenditure in Wards' Estates for the survey and settlement operations which are under his supervision.

Do. ... Rule 7, Section IV, page 69 of the Wards' Manual.

Do. ... Ditto

Do.

To take out a certificate of Administration under Act VII of 1889 for the sale of Government securities belonging to an estate.

Do. ... Rule 10, Section IV, page 70 of the Wards' Manual.

Do. ... Ditto

Do.

Powers may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided the other districts in the Commissioner's own Division. A report to be submitted for Board's information.

Do. ... Rule 13, Section VIII (6), page 82 of the Wards' Manual.

Do. ... Board ... Ditto

Do.

To sanction the introduction into any state of model rules for the management of Provident Funds.

Do. ... Rule 17, Section VIII (5), page 82 of the Wards' Manual.

Do. ... Board ... Ditto

Do.

To issue instructions as to the information the Land Acquisition Officer is to take into account in making his valuation of the land to be acquired and as to the course to be taken when he finds that the amount of compensation largely exceeds the sanctioned estimates.

Land Acquisition ... Rule 22 (e), Chapter I of the Land Acquisition Manual, 1902.

Local Government ... Board.
<table>
<thead>
<tr>
<th>Nature of Power</th>
<th>Department or Branch</th>
<th>Existing authority or rule governing its exercise</th>
<th>Proposed Delegation</th>
<th>Recommendation</th>
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<td>6</td>
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</tr>
<tr>
<td>To issue orders for the resumption and disposal of surplus lands.</td>
<td>Land Acquisition</td>
<td>Rule 4, Chapter III of the Land Acquisition Manual, 1902.</td>
<td>Local Government ... Board.</td>
<td></td>
</tr>
<tr>
<td>To review and finally dispose of the annual statement showing the progress of work of officers solely employed on land acquisition work.</td>
<td>Ditto</td>
<td>Bengal Government Order No. 115-E.-R., dated the 28th April 1900.</td>
<td>Ditto ... Do.</td>
<td></td>
</tr>
<tr>
<td>To decide whether conditional gift of land by a proprietor for a public purpose should be accepted or not.</td>
<td>Ditto</td>
<td>Rule 24, Chapter I of the Land Acquisition Manual, 1902.</td>
<td>Board ... Commissioner.</td>
<td></td>
</tr>
<tr>
<td>To decide whether the proportion of cost decreed to Government in cases referred to Civil Court, which is in excess of the amount of compensation awarded should be remitted or not.</td>
<td>Ditto</td>
<td>Note under Rule 69, Chapter I of the Land Acquisition Manual, 1902.</td>
<td>Do. ... Ditto.</td>
<td></td>
</tr>
<tr>
<td>To decide whether further acquisition proceedings are to be stayed after possession has been taken and whether the land is to be relinquished and restored, with the consent of the parties.</td>
<td>Ditto</td>
<td>Note under section 48 of the Land Acquisition Act.</td>
<td>Do. ... Ditto.</td>
<td></td>
</tr>
<tr>
<td>To issue instructions for the due protection of Government interests in the apportionment of compensation awarded for service lands in respect to its lien for the purposes of the public service.</td>
<td>Butwara</td>
<td>Rule 55, Chapter I of the Land Acquisition Manual, 1902.</td>
<td>Do. ... Ditto.</td>
<td></td>
</tr>
<tr>
<td>To sanction perfect partition of a mukh subdivided into superior and inferior rights and held by different proprietors in the district of Sambalpur.</td>
<td>Ditto</td>
<td>Rule 1, page 188 of the Central Provinces Revenue Manual, Vol I.</td>
<td>Local Government ... Board of Revenue.</td>
<td></td>
</tr>
<tr>
<td>To sanction deputation, transfers and leave of Special Butwara Officers.</td>
<td>Ditto</td>
<td>By practice ... ... ...</td>
<td>Ditto ... Ditto.</td>
<td></td>
</tr>
<tr>
<td>To permit the removal under bond of non-duty paid spirits from one warehouse to another.</td>
<td>Excise</td>
<td>Section VI, rule 13, and Section VI-A, rule 16, Excise Manual.</td>
<td>Board of Revenue ... Commissioner of Excise.</td>
<td></td>
</tr>
<tr>
<td>Action</td>
<td>Source</td>
<td>Setting</td>
<td>Authority</td>
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<tr>
<td>To fix the rate of charges on account of rent, cooperage, storing, removing, etc., of spirit manufactured in British India and imported by sea into Calcutta.</td>
<td>Do.</td>
<td>Section VII, rule 8, Excise Manual.</td>
<td>Local Government</td>
<td></td>
</tr>
<tr>
<td>To sanction the employment of the outstill system in any district or part of a district.</td>
<td>Do.</td>
<td>Rule 88, Section X of the Excise Manual.</td>
<td>Board of Revenue</td>
<td></td>
</tr>
<tr>
<td>To sanction special rewards in Excise cases.</td>
<td>Do.</td>
<td>Section XVI, rule 6, Excise Manual.</td>
<td>Commissioner of Excise</td>
<td></td>
</tr>
<tr>
<td>To sanction rewards in cases falling under section 59 of Bengal Excise Act.</td>
<td>Do.</td>
<td>Section XVI, rule 7, Excise Manual.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>To sanction the home-brewing of pachwai for consumption by aboriginal tribes.</td>
<td>Do.</td>
<td>By practice.</td>
<td>Local Government</td>
<td></td>
</tr>
<tr>
<td>To sanction Board's Subsidiary Opium Rules.</td>
<td>Do.</td>
<td>Ditto.</td>
<td>Board of Revenue</td>
<td></td>
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<tr>
<td>To sanction the fixing of distillery fees.</td>
<td>Do.</td>
<td>Ditto.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>To extend the period of bond referred to in section 103 of the Sea Customs Act.</td>
<td>Customs</td>
<td>Ditto.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>To sanction deficiency in the output of kerosine oil imported in bulk in excess of 1 per cent.</td>
<td>Ditto</td>
<td>Government Order No. 219486.R., dated the 20th April 1869.</td>
<td>Board of Revenue</td>
<td></td>
</tr>
<tr>
<td>To sanction deficiency in the output of salt cargo over certain percentage.</td>
<td>Ditto</td>
<td>Board's Orders Nos. 1413, dated 4th September 1861, and 820, dated 4th March 1872, referred to in paragraph 646 of office orders of the Collector of Customs, Calcutta.</td>
<td>Collector of Customs</td>
<td></td>
</tr>
<tr>
<td>Sanction of refund in the cases in which claims have been barred by limitation.</td>
<td>Income-tax</td>
<td>By practice.</td>
<td>Local Government</td>
<td></td>
</tr>
<tr>
<td>Deduction on the value of blocks of Companies on account of depreciation.</td>
<td>Ditto</td>
<td>Ditto.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>Rules for the selection, appointment, leave and transfer of Income-tax Assessors in the district.</td>
<td>Ditto</td>
<td>Ditto.</td>
<td>Ditto</td>
<td></td>
</tr>
<tr>
<td>To order supply of stamps to stamp vendors on credit.</td>
<td>Stamp</td>
<td>Rule 8, Section II, Part II, and rule 18, Section I, Part I of the Stamp Manual.</td>
<td>Board of Revenue</td>
<td></td>
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<tr>
<td>Nature of Power</td>
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<tr>
<td>To make special arrangements for the vend of Court-fee stamps, namely, to appoint some person in public service as stamp vendor on a small salary in addition to the usual rate of discount allowed to licensed vendors.</td>
<td>Stamp</td>
<td>Rule 20, Part I, Section I of the Stamp Manual.</td>
<td>Local Government...</td>
<td>Board.</td>
</tr>
<tr>
<td>To grant refunds of judicial stamps under circumstances of special and unusual hardship.</td>
<td>Do.</td>
<td>Bengal Government Order No. 19T., dated the 14th August 1874.</td>
<td>Ditto...</td>
<td>Do.</td>
</tr>
<tr>
<td>Power to sanction expenditure on account of advances to contractors for supply of weightment articles.</td>
<td>Opium</td>
<td>(c) Rule 196, Chapter V of the Bihar Opium Manual, Volume II, and rule 246, Chapter V of the Benares Opium Manual, Volume VII.</td>
<td>Ditto...</td>
<td>Do.</td>
</tr>
<tr>
<td>Power to sanction remission of well advances when they are irrecoverable up to Rs. 1,000.</td>
<td>Do.</td>
<td>(c) Rule 328, Chapter VIII of the Bihar Opium Manual, Volume II.</td>
<td>Ditto...</td>
<td>Do.</td>
</tr>
<tr>
<td>Power to sanction the writing off to profit and loss of the amount due from the cultivators on account of the value confiscated opium not realised from them.</td>
<td>Do.</td>
<td>(c) Rule 188, Chapter X of the Bihar Opium Manual, Volume IV, and rule 222, Chapter IV of the Benares Opium Manual, Volume IX.</td>
<td>Ditto...</td>
<td>Do.</td>
</tr>
<tr>
<td>Power to direct the sale of surplus alkaloids and their salts remaining after demands of the Indian Medical Department have been met.</td>
<td>Do.</td>
<td>(c) Rules 543 and 546, Chapter IX of the Benares Opium Manual, Volume IX.</td>
<td>Ditto...</td>
<td>Do.</td>
</tr>
<tr>
<td>Power to grant pension and gratuity to officers of the Opium Department in cases in which the pay of the applicant exceeds Rs. 20 a month.</td>
<td>Do.</td>
<td>(c) Rule 5A, Chapter VIII of the Board's Rules (Article 918 of the Civil Service Regulations).</td>
<td>Ditto...</td>
<td>Do.</td>
</tr>
<tr>
<td>Powers to sanction temporary withdrawal of deposits by Opium officers from the Opium Department Provident fund.</td>
<td>Do.</td>
<td>(c) Rule XII of the Opium Department Provident Fund Rules.</td>
<td>Ditto...</td>
<td>Do.</td>
</tr>
<tr>
<td>Power to sanction remission of outstanding balances of advances to cultivators up to Rs. 1,000.</td>
<td>Do.</td>
<td>...</td>
<td>(c) Rule 287, Chapter VI of Bihar Opium Manual, Volume II, and Rule 359, Chapter VI of Benares Opium Manual, Volume VII.</td>
<td>Ditto</td>
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<tr>
<td>Power to sanction expenditure required for purchase of poppy seeds for distribution to cultivators in a new opium subdivision.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to sanction expenditure on account of rent of inspection bungalows occupied by Opium officers during weightments and settlements.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to sanction expenditure on sanitary arrangements during settlements and weighments in the Benares Agency.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to sanction expenditure for medicines used in the Divisions of the Benares Agency during settlement and weighments.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to sanction the writing off to profit and loss of the price paid to cultivators for opium accepted as good by District Officers, but afterwards found adulterated at factory parakh.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to order destruction of kaffa rags by burning by District officers instead of sending them to the Sadar factory.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to depute officers to take stock of opium chests in the Presidency opium godowns.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to depute Opium officers to the Shipur College to undergo training to qualify themselves for the post of Factory Superintendents.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to grant rewards on confiscation of opium.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>Power to sanction payment of demurrage for detention of Railway wagons loaded with opium chests.</td>
<td>Do.</td>
<td>...</td>
<td>Ditto</td>
<td>Ditto</td>
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</tbody>
</table>

This is an excise matter.
<table>
<thead>
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<th>NATURE OF POWER</th>
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<td>1</td>
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<td>From whom.</td>
<td>To whom.</td>
</tr>
<tr>
<td>Power to direct the disposal of confiscated kaffa.</td>
<td>Opium</td>
<td>...</td>
<td>Rule 26 (3), Chapter III of Bihar Opium Manual, Volume I.</td>
<td>Board of Revenue</td>
</tr>
<tr>
<td>Power to authorize grant of larger rewards than the fine imposed upon the offender and paid by him; and also rewards in cases where the Magistrate could have granted a reward but has not done so.</td>
<td>Do.</td>
<td>...</td>
<td>Rule 24 (2), Chapter III of Bihar Opium Manual, Volume I.</td>
<td>Ditto</td>
</tr>
<tr>
<td>Destruction of confiscated and contraband opium reported to be unfit for any use.</td>
<td>Do.</td>
<td>...</td>
<td>Rule 179, Chapter IX, and Rule 380, Chapter XX of Bihar Opium Manual, Volume IV.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To sanction the sale of confiscated salt.</td>
<td>Salt</td>
<td>...</td>
<td>Rule 3, Section V, Salt Manual.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To order the disposal of confiscated salt in excess of one maund for which no offer is received.</td>
<td>Do.</td>
<td>...</td>
<td>Rule 4, Section V, Salt Manual.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To sanction special rewards in salt cases.</td>
<td>Do.</td>
<td>...</td>
<td>Rules 5 and 6, Section V of the Salt Manual.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To renew licenses for inland bonded warehouses.</td>
<td>Do.</td>
<td>...</td>
<td>Rule 6, page 124 of the Salt Manual.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To transfer salt darogas from one bonded warehouse to another.</td>
<td>Do.</td>
<td>...</td>
<td>Rule 57, pages 129 and 130 of the Salt Manual.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To allow duty to be paid through the Post-office or to the Collector of Customs, Calcutta, for salt cleared from warehouses situated at places where there is no Government treasury.</td>
<td>Do.</td>
<td>...</td>
<td>Rule 38, page 130 of the Salt Manual.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To grant refund of duty on salt lost by boat-wreck.</td>
<td>Do.</td>
<td>...</td>
<td>Rules at pages 152-53 of the Salt Manual.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To grant passes for duty-free tarred salt.</td>
<td>Do.</td>
<td>...</td>
<td>Board's Order No. 1235B, dated the 22nd September 1877, and No. 504B of the same date.</td>
<td>Ditto</td>
</tr>
<tr>
<td>To grant rewards to informers and seizing officers in salt cases over Rs. 200 and up to Rs. 500, and special rewards over Rs. 50 and up to Rs. 200.</td>
<td>Do.</td>
<td>...</td>
<td>Paragraph 77 of Salt Commissioner's Circular No. 1 of 1900.</td>
<td>Ditto</td>
</tr>
</tbody>
</table>

*These have been included in the Excise Branch list.*
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Consulting Indian opinion, neglect of—Extent to which neglect would tell against an officer (Gait) 17874.

Nature of restrictions desired—Consulting Indian opinion, neglect of—Extent to which neglect would tell against an officer (Gait) 17874.

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