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REPORT OF THE COMMITTEE APPOINTED BY
THE GOVERNMENT OF BOMBAY TO CONSIDER
AND REPORT ON THE QUESTION OF THE
EXTENSION OF THE PRINCIPLES OF LOCAL SELF-
GOVERNMENT IN REGARD TO LOCAL BOARDS

BOMBAY PRESIDENCY



VOLUME I α

BOMBAY
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COMMITTEE APPOINTED BY GOVERNMENT RESOLUTION
No. 6444, DATED 18TH AUGUST 1915.

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LIST OF CORRECTIONS TO THE LOCAL BOARDS
COMMITTEE'S REPORT.

- Page 1, paragraph 3 (b)—*for* “department” *read* “departments”.
- Page 13, paragraph 53, line 1—*for* “regards” *read* “regard”.
- Page 13, paragraph 57, line 2—*for* “Commission” *read* “Commission’s”
- Page 14, paragraph 58, line 1—*for* “district” *read* “districts”.
- Page 14, paragraph 60—the dagger placed against “Subsequently” in line 6 should be read after “Superintending Engineer” in line 8.
- Page 15, line 2—*for* “Governmen” *read* “Government”.
- Page 15, paragraph 63, line 1—*insert* the word “the” between “under” and “existing”.
- Page 16, paragraph 70—the asterisk appearing against the word “Statistics” in line 5 should be read against the words “These facts” at the beginning of the next sub-paragraph.
- Page 18, paragraph 75 (1), line 5—*for* “Agency” *read* “agency”.
- Page 18, paragraph 76, line 9 *for* “provincial” *read* “Provincial”.
- Page 19, paragraph 81, line 2—the asterisk placed against “We” should be read against the last preceding word “continue” in the same line.
- Page 20, line 10—*insert* a dash between the words “wells” and “but”.
- Page 21, paragraph 88—the asterisk appearing against “The Royal Commission” in line 3 should be read against the words “In reply” in line 8.
- Page 26, paragraph 108, line 9—*for* “east and west” *read* “East and West”.
- Page 31, paragraph 120, line 2—*for* “excise” *read* “Excise”.
- Page 58, paragraph 1, line 9—*insert* the word “content” between the words “remained” and “and”.

REPORT.

Introductory remarks.

We, the members of the Committee appointed to consider and report on the extension of Local Self-government in the Bombay Presidency, have the honour to submit the following report :—

2. The task entrusted to us was defined in Government Resolution *No. 6444, dated 18th August 1915.

Questions were prepared and issued to district officers in August, and written answers have been received from about 280 witnesses. On September the 23rd the Committee met in Poona. His Excellency Lord Willingdon met and addressed a few words to the members of the Committee before the proceedings opened. Our sittings continued till October the 1st, and nine witnesses, chiefly Heads of Departments, were examined orally. We met again on October the 14th and examined 12 non-official witnesses.† We have since sat from 21st October to 3rd November and considered and prepared this report.

3. Government have observed that the administration of the boards shows a lack of interest on the part of the non-official members and an almost complete apathy on the part of the electorate. This lack of interest and apathy have been attributed by critics to the following causes :—

(a) The domination—real or supposed—of the official element on the boards ;

(b) The excessive degree of control by Government and Government officers and department ;

(c) The lack of sufficient funds, and the necessity of spending an inordinate proportion of what funds there are upon unavoidable current operations ;

(d) The absence of any power of raising additional revenues.

These causes produce a situation in which members of the boards find that they have insufficient scope for activity ; in fact, there is little in which it is possible for them to take any interest.

The general statement that Local Boards have been a failure is framed in terms far too sweeping. There has been no failure as regards administrative and executive efficiency. The supposed inefficiency of Works Committees, and the failure of the members of such Committees to watch details of construction, have been often criticised. But it is a question whether we have not been expecting from private individuals work which they really cannot be expected to do, and which they are perhaps well advised to leave alone. In our judgment a Local Board should be primarily an administrative and deliberative body, and may ordinarily leave the details of executive action to a properly organized professional staff.

4. The recommendations of the Committee are necessarily and purposely elastic. They recognize that the proposed reforms cannot be introduced everywhere and at once.

These considerations apply with special force to the Province of Sind where circumstances are admittedly very different from those of the Presidency proper. These local peculiarities demand local consideration and the extent of the applicability of the principles and proposals of the Committee's report to that Province must be determined there.

* *Vide* Appendix A.

† *Vide* Appendix B.

5. The administration of Local Boards in this Presidency is governed by Act I of 1884 and the unrepealed portions of Act III of 1869. It will be convenient to consider the system thus set up under three main heads—

- (a) Constitution ;
- (b) Functions ; .
- (c) Finance.

CHAPTER I.

Constitution.

6. The Boards are now known respectively as District Local Boards and Táluka Local Boards. It is suggested that in future the term "District Council" should be applied to the District Local Board, as being a term of greater dignity, and the term "Local Board" should be applied to Táluka Local Boards for the sake of brevity and distinction. And this nomenclature is employed in this report. The title of the new Act may also be altered to the Local Self-Government Act. And we consider that it is very important that the Act should also deal with Village Pancháyats. We invite attention to the legislation on the subject contained in—

- (1) the Madras Act, V of 1884,
- (2) the Bengal Act, III of 1885, and
- (3) the Assam Self-Government Act, I of 1915.

7. In every District Council and in almost every Local Board, one-half of the members exclusive of the President is elected. One-half is nominated; and of the nominated portion something over a half is ordinarily non-official. The President is actually in every case an official, although the law permits the nomination of a non-official President. Thus, with the nominated official President, the elected element is always in a minority of one. Moreover, the centralization of the executive power in the Collector-President is alleged by certain critics (*i. e.*, the late Mr. R. C. Dutt, member of the Decentralization Commission) to be the main cause of the want of progress of self-government in these bodies.

The views of the Decentralization Commission are contained in *paragraphs 789, 794-7 of their report.

8. The problem may be resolved into several distinct issues :

- (1) Whether there should be an elected majority, and, if so, of what proportions ;
- (2) Whether, with an elected majority, it is necessary to create special constituencies ;
- (3) Whether such special constituencies should make provision for the representation of any communities or sections ;
- (4) Whether the President or Vice-President should be officials or non-officials, and, in the latter case, whether they should be nominated or elected.

†9. The evidence of the gentlemen consulted shows a wide diversity of opinion on these points. It is universally admitted, however, that the conditions of different districts vary widely, and that even within the same district the conditions of different tálukas vary widely. It is impossible to apply the same system universally and it is necessary to retain in the hands of Government power by rule to apply different systems suited to different conditions. We desire to point out that even in England there exists a similar necessity for differential

* For para. 794 *vide* Appendix C and for paras. 789 and 795 to 797 *vide* pp. 194 and 41 and 42 of Cumming's Local Board Manual.

† The Honourable Mr. Patel dissents.

treatment, and we venture to quote the following passage from the Report of the Departmental Committee on Local Taxation of 1914 :—

“ But thirdly, owing to the great diversity of character shown by local authorities, and the great differences in their circumstances, the same degree of control is not necessary in all cases. One authority may be allowed a discretion in a certain matter which it would be dangerous to give to another. The decision as to exactly how much responsibility should be allowed to each authority must, therefore, rest largely with the Government Department concerned. But we would urge that the general line to be followed should be to allow as much responsibility and independence as is compatible with the best interests of the service. With broader areas of administration we are confident that many of the details now dealt with by Government Departments could safely be left to local authorities, leaving to the Departments their proper function of guidance and control in matters of principle and general policy.”

*10. We start with the proposition that under present conditions a minority nominated by Government is indispensable. The power of nomination has been and will continue to be necessary to find places on the Boards both for representatives of special sections of the inhabitants and for gentlemen who for diverse reasons have been unwilling to submit themselves to election by the ordinary territorial constituencies. It is beyond question that such nominated gentlemen have in some cases proved to be amongst the most valuable members of the Boards. It would be invidious to mention many names, but the outstanding example is the late Honourable Mr. G. K. Gokhale, whose services might have been lost to the country had he not been nominated to be a member of the Poona Municipality. It is possible, however, that if special constituencies are created, this disinclination to stand for election may gradually disappear; and if in special cases these special constituencies include a Mahomedan constituency, the interests of that community which in certain areas is deficient either in numbers or in organization may be regarded as secure without the continuance of the protection afforded to it by nomination. Holding these views we recommend a reduction of the proportion hitherto nominated.

11. The danger of arousing sectional antagonism through community representation has been forcibly pointed out. We are inclined to think that this danger has been exaggerated and that bitter sectional feelings are not less likely to be created where two rival communities find themselves pitted against each other in an electoral contest of which the result is considered by the minority to be a foregone conclusion. The danger which would arise from the omission to safeguard the interests of the weaker community is, in the opinion of the majority of this Committee, the greater evil of the two. It is admittedly a choice of evils; and it is necessary to confine community representation to the smallest extent compatible with the recognition of interests which might otherwise be ignored. Feeling runs strong and deep on either side, but it would be wise and politic for the stronger party to placate the active resentment of the weaker party, and to sacrifice their adherence to a theoretical principle in order to leave no sense of grievance to cause disunion in the general body.

12. It is understood that this general question is still under the consideration of the Government of India. The Royal Commission expressed their approval in the following emphatic passage (page 264) :—

“ Having regard to the very different circumstances of different areas, we think it essential that the system adopted in each should be such as to provide for the due representation of different communities, creeds and interests. It has always been recognized that it is the duty of British administration to protect the interests of the various communities in India, and to secure impartial treatment to all. Moreover, in the cognate matter of the selection of members for Legislative Councils, the discussions which resulted in the passing of the Indian Councils Act of 1892 embodied the emphatic testimony, not merely of distinguished Anglo-Indian officials, but of British statesmen, as to the necessity for securing special representation

* The Honourable Mr. Parcl and the Honourable Rao Bahadur Sathé dissent from the last five lines of this paragraph.

of Muhammadan and other minorities, and as to the danger of allowing undue predominance to any one class."

The evidence taken by the Commission in the Punjab indicates the success of the system which has long been established there. And finally, in respect of the Imperial and Provincial Legislative Councils, the principle has been admitted by the Government of India and the Secretary of State.

13. On these considerations, therefore, the Committee recommend that :

(1) the proportion of elected members should not be less than two-thirds of the whole ;

(2) the remainder of the members should be nominated, provided that the number of nominated officials shall not exceed one-sixth of the whole Board ;

(3) not less than one-half of the persons elected shall be elected by territorial constituencies, including the more important Municipalities or a group of minor Municipalities ;

(4) the remainder of the persons elected should be elected by special constituencies ; *e. g.*, Inámdárs and Jahágirdárs, persons holding educational qualifications, title-holders, honorary magistrates, and the Mahomedan community.

14. These recommendations may be illustrated by an example. Take a district with 8 talukas and 3 municipal franchises. Each taluka and each municipal franchise would elect one member—11 in all. Special constituencies might be represented as follows : Inámdárs, 2 ; persons holding degrees and diplomas of the University, barristers and pleaders, 2 ; title-holders and honorary magistrates, 2 ; recognized associations, such as the Co-operative Credit Societies, District Sanitary Association, District Agricultural Association, 3 ; the *Mahomedan community 2 : total 11.

It is unnecessary to enter into details of how these elections by special constituencies should be conducted. Certain hostile critics anticipate difficulties. But it is sufficient to point to the existing system of election of Inámdárs for Local Boards and of Mahomedans for the Legislative Council, and to the system in vogue in the Central Provinces of election by village headmen.

There remains a balance of one-third for nomination ; and in the case taken for illustration, this balance might consist of five nominated officials and six nominated non-officials.

It will be observed that this scheme suggests a District Council of 33 members. District Councils at present comprise for the most part from 20 to 25 members, while in the Panch Maháls there are only 10 members, and in Násik there are 31. It is suggested that no Council should exceed 40 members, and that ordinarily about 30 would be a suitable number.

15. The Mahomedan members of our Committee desire to lay stress on the necessity for a larger representation of their community than would be afforded by the example in paragraph 14. It is a point that must be left for detailed settlement to the discretion of Government. In certain cases a larger representation may be necessary ; in other cases a smaller representation or no representation. The main consideration is the admission of the principle, and if the law is worded with the latitude already accepted in section 11 (c) (2) of the Municipal Act, quoted below, and rules thereunder are framed in accordance with our recommendations, the situation will be fully met :—

"The Governor in Council shall from time to time generally or specially for each Municipality make rules consistent with this (District Municipal) Act prescribing the number to be elected by the rate-payers or by sections of the inhabitants or by public bodies or associations, if any, and the qualifications of candidates and of voters"

16. The question of the President and the Vice-President may next be considered. There is a general consensus of agreement that the Vice-President should be an elected non-official and that ample powers should be delegated to

* The Honourable Mr. Patel and the Honourable Rao Bahadur Sathe dissent.

him by the President, if the President is an official; in fact, that it should be recognized that it is the duty of the official President to train the non-official Vice-President in methods of administration. Orders to this effect which are quoted below were issued by Government in Government Resolution No. 2833, dated 7th May 1887:—

“Section 29 (b) of the Local Boards Act contemplates the deputation of powers and duties by every President of a Local Board to the Vice-President as an ordinary feature of the administration; and if, in addition to the powers and duties deputed to the Vice-President absolutely, the President were to depute to him certain other powers and duties to be exercised and performed by him only when the President himself is absent from the Head-quarters of the Board or from the District, such deputation would hold good during any temporary vacancy in the office of the President;”

but these orders have remained practically a dead letter. Where the President continues to be an official, these orders should now be enforced.

17. In regard to the position of the President, the Government of India in paragraph 28 of their Review, dated 28th April 1915, summarize the arguments and conclusions as follows:—

“The Commission were of opinion that an official should remain, as he usually is at present, Chairman of every District and Sub-District Board. They considered, that the removal of the District and Sub-Divisional officer from the Presidentship of rural board would have the effect of dissociating them from the general interests of the District in such matters as roads, education, sanitation, etc., and would divorce them from healthy contact with instructed non-official opinion. They differentiated the circumstances of rural boards from those of Municipalities, in that the latter are less connected with general District administration, that they have reached a higher level of political education, and that the jurisdictional area is much smaller and more compact. All Local Governments have accepted this view with which the Government of India are in agreement, though they will have no objection to non-official Chairmen being retained where such exist, or appointed where a Local Government or Administration desires to make the experiment.”

*18. Some districts are no doubt perfectly satisfied with the present law and practice; and it would clearly be impolitic to force upon them changes which they do not desire. The problem affects only those districts where education is advancing and public spirit awakening and where there is some reasonable expectation of finding men of position, capacity and leisure, willing and able to give their time and energy to public affairs. In such districts, should the Collector still continue to be the President of the District Council, or should he give place to a non-official? Should such a non-official President be nominated or elected? What, finally, should be the position of the Collector with such a non-official President at the head of the Council?

19. The following table summarises the opinions on these points of our witnesses, official and non-official:—

	Official opinions.			Non-official opinions.		
	Total number of opinions.	In favour of Non-official Presidents of		Total number of opinions.	In favour of Non-official President of	
		D. L. B.	T. L. B.		D. L. B.	T. L. B.
Northern Division	27	7	10	35	20	23
Central Division	35	9	6	38	20	18
Southern Division	38	9	15	36	17	21
Bombay City ... ..	...	...	...	8	7	7
Sind	26	2	3	29	...	7
Total	126	27	34	146	64	76

*The Honourable Mr. Patel dissents.

It will be seen that while there is a majority of non-official opinion in favour of non-official Presidents yet there remains a substantial minority of non-officials who are in favour of official Presidents.

Official opinions by a substantial majority are in favour of retaining official Presidents.

20. It has indeed been argued that to appoint any one other than the Collector would be inconsistent with all present arrangements and with the whole spirit of the administration, and would only be possible at a stage of development where the administration of a district will proceed efficiently without the concentration of power and supervision in the hands of a personal executive chief. Without accepting this extreme opinion we think that the change from the Collector-President to the non-official President should not be made except with caution and by way of experiment in advanced districts. This experiment, however, we have decided to advocate.

*21. If the President is to be a non-official, we think that the precedent of the practice adopted in regard to municipalities may well be followed. In the first instance the President should be nominated, and subsequently when experience has been gained, the President may be selected by the Board subject to the approval of Government; this process leading eventually to free selection.

22. If the Collector is not President we are generally agreed that it would be better for him to cease to be a member of the Council. What in that case should be the nature of his official relations with the Council and its non-official President? It need hardly be stated that there will always be a possibility of a wide sphere of influence in the Collector's unofficial and informal relations but this must of course depend on the variable factors of the personality of the Collector and the non-official President. Two alternative schemes have been advocated and vigorously debated in our Committee.

In the first scheme the Collector's relations with the Council and its President would be almost identical with his relations with a municipality and its non-official President. The executive and clerical establishments of the Council would be directly responsible to the Council and President. And the Collector would have no official power or influence except the powers of control vested in him by Chapter VII of the Act.

23. The second plan has been suggested by the constitution of the Bombay Municipal Corporation, or the Local Administration in France. In Bombay the Municipal Commissioner is an officer of Government lent to the Corporation. The Corporation has its own President, and determines all questions of policy. The Municipal Commissioner is the head of the executive. He is bound to carry out the decisions of the Corporation. In France, the Prefect, who corresponds to the Collector, is an officer of the Central Government. He is the head of the executive, and is bound to carry out the decisions of the Local Council. In the Corporation, the Municipal Commissioner attends the meeting and advises the Corporation, but is not responsible for the conduct of the meeting. In France, the Prefect attends the meetings and has the powers of reference to the Central Government in cases of disagreement. (*Vide* Chapter II of Local and Central Government.—Ashley.)

24. Under this second scheme the Collector would continue to control the executive and clerical establishments of the Council and would have the statutory right of attending any meeting of the Council and taking part in its discussions but not of voting. The Council and its President under this scheme would be free to frame their own budgets and to shape their own policy. They would draw up programmes of works and expenditure but they would delegate to the Collector as an expert administrator the duty of supervising and controlling the execution in detail of that policy and those programmes.

25. In favour of the first scheme it may be argued that analogous arrangements in the municipalities have worked with a reasonable measure of

success. *Per contra* it must be admitted that the connection between the local board administration and establishments and the offices and establishments of the Collectors and Mámlatdárs has for a long series of years been very close and intimate. In some districts the local board establishments have actually been graded in the same cadre along with the Collectors' revenue establishments. In the case of Municipalities this close connection and this dependence on official machinery have never existed to the same extent. Therefore* we are of opinion that it would be unwise to run the risk of endangering the success of local self-government by so sudden a severance and breach of continuity.

26. The second scheme meets with opposition from two divergent points of view. Firstly, it is contended that the presence of the Collector at meetings would be incompatible with the independence of the President of the Council, and would overawe the Councillors: freedom of speech and independence of action would be impossible. On the other hand, it is contended that it would be injurious to the authority and position of the Collector as the chief local representative of Government to receive instructions to carry out a policy which he disapproved, and that it is illogical to assign to an executive officer the powers of control conferred by Chapter VII of the Act.

†27. Experience has shown that complete freedom of speech and independence of action are not incompatible with the presence of the Collector just as the adoption of measures in contravention of his advice is not necessarily incompatible with the maintenance of his authority. It is most important that the officers of Government should exercise their influence in local administration by persuasion rather than by authority and that local bodies should learn to conduct their own affairs, aided by the counsel and information of wider experience with ample liberty for the exercise of their judgment. Local bodies fulfil their most useful functions in the determination of policies, but are seldom competent to carry out executive action.

A further argument in favour of this second scheme is that it minimises the difficulties of the transition stage. *It is a half-way house from which after sufficient experience and training an advance may be made later on to the first scheme which gives in effect the more complete autonomy which prevails in City Municipalities.

28. The introduction of Local Government into India is based on the Western science of administrative decentralization, and it is necessary, therefore, to study closely Western precedents and to adapt them with caution to Indian conditions. A closer parallel will be found to Indian conditions of public life in France than in England; and the French system is by universal consent more complete and logical than the English. Both are, of course, governed by historic traditions, and an analysis of the difference would be out of place here. If the analogy be admitted, then, since Local Government is undoubtedly a living thing in France‡ it would appear to be unobjectionable to model the new system for advanced districts on the French pattern.

29. At this point reference is necessary to the discussion held by the Royal Commission on the comparative merits of the District Council or a Local Board as the best agency for local Government. In paragraphs 732 to 740 the position in various provinces was reviewed; and the Commission decided that while they did not wish to eliminate the district board as the direct instrument of Local Self-government, they desired "to see sub-district boards universally established, as the principal agencies of rural board administration". Further, they did not approve of sub-district boards being "mere Local agencies for the board of the whole district"; they wished that these sub-district boards should have "independent resources, separate spheres of duty, and large responsibilities within these; while the district board should possess co-ordinating and financial powers in respect to the district as a whole". They hoped thus to "maintain the administrative unity of the district, while giving a large amount of autonomy to the boards of its constituent areas".

* The Honourable Rao Bahadur Satho dissents.

† The Honourable Mr. Patel dissents.

‡ *Vide* Appendix D.

30. Whatever the theory may be it can hardly be said that in actual practice the existing situation in this Presidency accurately corresponds with these views.

It has been represented from many quarters that Táluka Boards have been starved in respect of funds and assigned little or no responsibilities by their District Local Boards. It is not a question as to whether greater importance should be attached to the functions now discharged by the District Local Boards. As between the District Council and the Local Board, we hold very strongly that the District Council may be given precedence. This Council already attracts to itself men of higher status, of better education, of wider knowledge of the world and of public affairs, than can ordinarily be found within the limits of a táluka. There is a general consensus of opinion amongst the witnesses consulted that the progress of local Government is bound up with the development of the District Council.

31. It has further been urged upon us that Local Boards might be abolished and their place taken by a system of Village or Union panchayats, while in localities where conditions are unfavourable to the constitution of such Union panchayats, work might be carried on by Committees of the District Council, with the assistance of co-opted Local members. We are cordially in favour of the creation of Village panchayats, but do not consider that it will be possible within the near future for such panchayats to cover an appreciable extent of the country.

Such panchayats have been in process of formation in the Madras Presidency for 30 years, and now number about 400. The number of villages comprised in these 400 panchayats is not stated in any report available to us, but an outside limit of 2,000 villages may be assumed; while the total number of villages in the Madras Presidency exceeds 50,000. Even though the panchayat villages would necessarily be the largest and most important, it is doubtful whether these panchayats cover one-quarter of the total area.

32. It is desirable, however, to make the contemplated panchayats where they are established the first link in the chain of Local Self-Government organization. We think there is considerable force in the views set forth in paragraph 699 of the Report of the Royal Decentralization Commission, paragraphs 85 to 89 of the General Summary of the same Report, and the letter of Sir Frederick Lely, Commissioner, N. D., in 1897, which are reproduced on pp. 192, 193 and 130 of Cumming's Local Board Manual. *A system under which villages scramble for allotments from the scanty funds of the Táluka Local Boards is calculated to undermine their sense of responsibility and villagers must be brought to recognize that they cannot expect their local wants to be satisfied without local effort and sacrifice. Very commonly people will not even contribute until they despair of the whole cost of an improvement being met from Táluka Local Board funds or until their want is intolerably pressing. People can hardly be expected to do what someone else may do for them or pay when there is always a chance of someone else paying for them, if they are only sufficiently importunate.

33. In regard to the suggestion that Local Boards perform no useful function for want of funds and independent responsibilities, it is clear that conditions vary in different tracts; and it is probable that certain District Councils have been overcentralized; but where a wise system of delegation of powers obtains, there can be no doubt that Local Boards, with their closer acquaintance with the needs of localities, can be entrusted with useful functions, not merely as agents to carry out the bidding of District Councils, but also as delegated authorities to decide the merits of conflicting claims. The bald fact recorded in the annual reports that while District Councils meet only two or three times a year, Local Boards meet 6 to 10 times a year, establishes a clear presumption that they have duties to perform and do not neglect them.

34. We are not prepared, therefore, to recommend the abolition of Local Boards. The destruction of a valuable existing agency of Local Government

* The Honourable Mr. Patel and Mir Ayub Khan dissent.

before the road to the construction of an efficient substitute is clear appears to us to be most inadvisable. *We are further of opinion that the Local Board should maintain its present relations to the District Council. It should be the agent of the District Council, entrusted with such powers as may be held by its superior authority to be within its capacity to execute. Devolution will no doubt follow as the District Councils gain experience in the best method of public administration. But we see no reason for any modification in the existing law and rules in this respect.

35. On the assumption, then, that these Local Boards will be maintained, we proceed to discuss their constitution. They consist for the most part of 12 to 15 members; and, as in the case of District Councils, exclusive of the President, one-half is elected, and one-half is nominated, with the exception of a very few tracts where all are nominated. The President is almost invariably the Sub-Divisional Officer. The Vice-President is always elected; but in approximately four cases out of five the Mámlatdár is elected.

*36. The discharge of the functions of the Vice-President of a Local Board requires a man with leisure, vigour, aptitude for public affairs, and public spirit; and it is clearly established by the general body of opinion that this combination of qualities cannot often be found. Where it is found, there seems to be no disinclination either on the part of the officials or on the part of the local bodies to utilize such services. The law on the point is already sufficiently elastic: it permits the election of the President when the Government so authorize; and it compels the election of the Vice-President. In the Province of Sind opinion is almost unanimous in favour of the retention of the Sub-Divisional officer in the post of President. A general rule that the post whether of President or Vice-President must be held by a non-official would lead to serious consequences in many Tálukas, where no gentleman with an aptitude and inclination for public business can be found. We are constrained, therefore, to recommend that the law stand unchanged, but that executive orders be given that no official should be permitted to serve as Vice-President, where a suitable non-official gentleman can be found.

37. In regard to the President, in some few cases in the Presidency Proper, a non-official gentleman with the necessary qualifications may be available, and should be accepted. The Royal Commission recommends (paragraph 797) that a Sub-Divisional officer should not be President of more than one Sub-District Board. In this recommendation we are unable to concur. If an official is to be President we are strongly of opinion that he should be the Sub-Divisional officer rather than the only other available substitute, the Mámlatdár.

In any event we assume the delegation of very considerable powers to the Vice-President, official or non-official, so that the fact of the Sub-Divisional officer's being President of more than one board is not likely to interfere with the prompt or efficient disposal of work while he is in touch with and equally interested in all the tálukas of his charge.

38. In this case also, we consider that there should be a majority of two-thirds elected, and recommend that the number of the Board should ordinarily be about 18, *e. g.*, 6 might be nominated of whom not more than 3 should be nominated officials. One-third should be elected by territorial constituencies, and one-third by special constituencies. We are of opinion that section 6 of the Local Boards Act may be amended so that every municipality within a táluka should have a right to return one representative on the Local Board.

39. The exact determination of the special constituencies must be settled by Government in accordance with varying local conditions; by way of illustration merely we suggest the following:—One seat for Inámdárs and Jahagirdárs; 1 for titleholders and honorary magistrates; 2 for persons with educational qualifications; and 2 for the Mahomedan† representation.

* The Honourable Mr. Patel dissents.

† The Honourable Mr. Patel and the Honourable Rao Bahadur Sathe dissent.

40. We recommend that in section 10 of the Act the qualifying limits mentioned in clauses 1, 2, 3 and 4 should be brought down to Rs. 16, Rs. 2,500, Rs. 250 and Rs. 20, respectively. We are also of opinion that the mere fact of imprisonment by a Criminal Court should not disqualify a person from a seat on the Local Board unless the conviction is for a serious or heinous offence involving moral turpitude. We therefore recommend that clause (c) of section 11 may be so amended as to relax its rigidity in this respect. We further recommend that section 18 (1) be amended as follows:—

(1) Every person possessing the qualifications described in any of the clauses 1 to 7 of section 10: provided that persons who possess the qualifications described in clause (1) reside within the group of villages or within any Municipal District situated in the group of villages for which the list is prepared.

Provided also that in the case of persons possessing the qualification described in clause (2), the holding or immoveable property in respect of which he is so qualified is without the limits of a Municipal district containing more than 5,000 inhabitants.

41. A matter of some importance in our opinion is to empower District Councils to reimburse to members whether of the District Council or a Board the expenses of journeys undertaken on public duty with the sanction of the Council or Board. We consider it necessary to maintain the principle of unpaid service as members of Boards or Committees, and we do not suggest that journeys for the purpose of attending meetings should be paid for; but when a District Council or Local Board by a special resolution requests its officers or the members of a special Committee to visit any area for a definite purpose, it is reasonable in our judgment that the expenses should be met from the public funds.

42. Both the District Council and the Local Boards should be authorized to constitute special committees with the help of persons other than councillors. Section 31 of the Municipal Act grants this power to a Municipality. Later on we suggest the constitution of a School Board so enlarged to be a Committee of the District Council.

43. It remains to consider the executive staff of the District Council and of the Local Board. The benefit conferred upon the existing District and Taluka Local Boards by the unpaid services of the Collector, the Sub-Divisional Officer and the Mámlatdár is perhaps somewhat inadequately recognized. There is no doubt that whatever justification there may be for the criticisms brought against the administration of these bodies from the point of view of self-government, local affairs have been administered with remarkable efficiency and economy; and the advantages which the people have derived in the solid returns from the expenditure of their funds deserve the gratitude even of these critics. Reforms which deprive the people of these gratuitous services cannot be commended on the score of economy.

We recommend later on that the district Councils should in certain districts establish an Educational and Public Works staff of their own; and the responsibilities connected with their administration will require the appointment of a competent Secretary corresponding to the Chief Officer of the more important Municipalities. This officer would also be the Secretary to the several Committees.

*44. It has been suggested that it is advisable that the whole of the accounts work of the district Council and the Local Board should be separated from the Revenue offices. It is certainly advisable that the non-official President of a reformed District Council should have a separate office for himself and his staff. But we do not consider it necessary to carry this separation down to the Taluka offices, or to remove the funds either of the District Council or of the Local Board from the custody of the Government Treasury Officers. This custody is retained even in the case of Municipalities, and constitutes no encroachment upon the independence of the Local Body. Even where the Collector remains the President

* The Honourable Mr. Patel dissents.

it would be convenient that the District Council staff should have a separate room and be readily accessible to the non-official Vice-President and Members of the Council.

*45. We come now to the difficult question of control of local authorities by the central authority. The existing powers are contained in sections 62 to 67 of the Act. They enable the Collector to inspect and supervise the actions of a Board, and to give advice to the Board; further, to suspend the execution of any act which is likely to cause injury or annoyance to the public, or to lead to a breach of the peace; further, in case of emergency, to take action at the expense of the Board. The Commissioner may prevent extravagance in the establishments entertained by a Board; and the Governor in Council may direct the execution of any duty imposed upon a Board at the expense of the Board, and in the last resort may supersede a Board.

*46. The Royal Commission, in paragraph 803, approved of the retention of these powers of intervention, but in other paragraphs suggested the grant of a large measure of independence, *e. g.* (paragraph 749), that in regard to public works "district and sub-district boards should have full powers in the allotment of funds, and the passing of estimates for works, within their respective spheres of duty"; (paragraph 780) that "rural boards should have the full power to pass their budgets, subject only to the maintenance of a prescribed minimum"; (paragraph 778) that "rural boards should have full discretion as to the spending of their resources"; adding, however, that they provided later on "for intervention in case any service is found to be seriously neglected".

*47. It appears to have escaped the attention of the Royal Commission that in the Bombay Act this power of general intervention is restricted to the Governor in Council, and that the Collector can only deal with serious neglect in matters necessary to the health or safety of the public. Neglect in regard to the maintenance of a road or the provision of a school would, therefore, fall outside the power of the Collector or the Commissioner. In this respect the Bombay law differs from the law which has been in force in Madras and the Central Provinces for the last thirty years: *Cf.* section 38 of Madras Act of 1885 and section 30 of the Central Provinces Act I of 1883. Whereas in Bombay the Collector possesses extraordinary powers in case of emergency in matters necessary for the health or safety of the public, in Madras and the Central Provinces, he has these powers in matters necessary for the service or safety of the public.

*48. It has been strongly urged upon us that this large measure of independence is necessary to the vitality of Local Self-government, and we have found it necessary to debate the question from the first principles of administrative science and experience. Local Self-government outside village communities is a Western exotic, and the principles which govern its application can only be deduced from the practice of Western countries. The systems of the European continental nations provide for an elaborate and detailed control by the representatives of the Central Government. In England, owing to differences of historic evolution, central control has in the past been weaker than on the continent; but year by year, as, in order to improve the efficiency of their services, local authorities find it necessary to depend more and more on grants from the national exchequer, the bonds of control by the representatives of the nation are constantly being tightened.

* This contention, therefore, asks us to abandon a system towards which English administrative science is gradually progressing, and to surrender precautions which are considered necessary in the leading countries of Europe. The vitality of Self-government in these countries cannot be questioned; and we cannot admit the validity of a plea that the continuance of a similar system is injurious to Self-government in this Presidency.

*49. We would not have considered it necessary to elaborate the fundamental proposition that the central control of the national Government is indispensable, but we find that serious misconceptions have been created owing to the ambiguity of the remarks of the Royal Commission on this point; and we ask leave, therefore, to refer to certain well-known authorities.

* The Honourable Mr. Patel dissents.

(*Final Report of Local Taxation Commission (England), 1901, page 82*):—

“In the administration of national services it is of the utmost importance that the central Authority should endeavour to secure uniformity, efficiency and economy, and with this object I am of the opinion that it should be invested with extensive powers of control.” Lord Balfour of Burleigh (with the concurrence of Sir George Murray and Sir Edward Hamilton).

(*Grants-in-aid by Sidney Webb*):—

“The claim for complete local autonomy for the freedom of the inhabitants of any particular place ‘to do what they like with their own’—is incompatible with national well-being.” (Page 23.)

“The community as a whole has a right to satisfy itself, by the inspection of the expert officers of the central departments concerned, that the service is performed at least up to the extent and with at least the degree of efficiency that the community may, in its own interests, from time to time prescribe.” (Page 86.)

(*Ashley, pages 234-5.—Local and Central Government*):—

“In the interest of the whole nation it is necessary to secure that local authorities shall maintain a minimum standard of efficiency and that there shall be uniformity in the conduct of at least some public services.”

*50. In accordance with the view which we have thus been led to take of the relations which should prevail between the central and the local authorities, we are constrained to submit that the extension of the powers of the local authorities which we recommend must be accompanied by a strengthening of the powers of control of the central authority. It is obvious that in the past the strongly officialised character of the Boards has dispensed with the need of outside control; and that the public interest demands that if internal control be surrendered, external control must be strengthened. We would invite attention to the Assam Local Self-government Act of 1915, and consider that the powers therein contained in Chapters IX and X might be adopted as a model in the legislation that will be necessary.

51. We also recommend provisions similar to those contained in clauses (b) and (e) of section 7† of the Assam Act. It is of great public importance that members of Boards should command public confidence and be zealous in the public service. Instances are known where men have secured appointment to a Board for the sake of the dignity attaching to the position and have then totally ignored their responsibilities. Under the Municipal Act, section 15 (2) prescribes for the removal of a councillor from office under certain conditions. This power does not exist in the present Local Boards Act and should be taken. In this connection we concur in the remarks of the Decentralization Commission in paragraph 798 of their report. ‡ We would thus go further than has been proposed by Government in paragraph 32§ of their letter No. 7273, dated 10th October 1913, for we consider it unnecessary and undesirable to wait for the recommendation of the Local Body in a matter of this kind.

52. On the question of the financial control to be exercised by the District Councils over Local Boards we recommend that section 55 of the present Act be so amended as to give the latter full power to pass their budgets. The Decentralization Committee state: “In our opinion Rural Boards should have the full power to pass their budgets subject only to the maintenance of a prescribed minimum balance which they should not deplete without the sanction of the outside authority.”

* The Honourable Mr. Patel, the Honourable Rao Bahadur Sathe and Mir Ayub Khan dissent.

† *Vide* Appendix B.

‡ The Honourable Mr. Patel and the Honourable Rao Bahadur Sathe dissent.

§ *Vide* Appendix F.

53. With regards to sections 2 and 69 of the present Act, we submit that no rules made by Government should have a legal binding force until the public have had an opportunity of expressing an opinion thereon.

CHAPTER II.

Functions.

54. The functions of District Councils may be considered under the following heads:—

- (a) Public Works.
- (b) Educational.
- (c) Medical.
- (d) Sanitary.
- (e) Veterinary.
- (f) Agricultural.

(a) PUBLIC WORKS.

55. The recent history of the discussion may be summarized as follows:— In 1908 the Bombay Government considered that the time had not arrived for increasing the powers of Local Boards in this matter. In 1909 the Decentralization Commission (*vide* paragraph 749) suggested that all restrictions upon the preparation of plans and estimates and on the execution of works should be swept away, and that district and sub-district boards should have full powers in the allotment of funds and the passing of estimates within their respective spheres of duty. In 1913 the Government of Bombay objected to the engagement of Engineers by Local Boards on the ground, chiefly, that it would involve a duplication of staff for the performance of the same amount of work (paragraph 15* of letter No. 7273, dated 10th October 1913). An exception was admitted in the case of Sind where a proposal for a joint staff for the whole province was approved. The Government of India (paragraph 34) rejected the view of the Commission, but agreed that in rich and heavily worked districts a District Board might entertain a trained Engineer, and that the extent of financial control might be varied in special cases.

56. Certain modifications in the law and in the executive orders of Government are now, we understand, under the consideration of Government.

Government have proposed to amend section 57 of the Act and to abolish the statutory limits of Rs. 50 per mile and Rs. 500 for total cost; and they will then be able, by a general or special order in each case, to fix the limits in respect of the preparation and approval of plans and estimates. There is also the question of the execution of works; and under section 61 of the Act the limit of Rs. 2,500 has been imposed by executive order, which has not been altered since 1885. The suggestion under the consideration of Government is that this limit should be raised to Rs. 50,000.

57. The practice of other provinces is summarized in paragraph 749 of the Commission Report. In Madras, where a fully developed Engineering staff is engaged, the limits are naturally most liberal, *viz.*, Rs. 2,500 for estimates, and none for execution. It is of interest to note that in October 1914, in Mysore, a Committee of officials resolved that the Bombay system in its entirety may be adopted. A later Committee of officials and non-officials, however, determined that District Boards should have their own executive, and that the Madras model of Local Boards is more suitable for Mysore.

Now, what is the Madras system? The Madras Local Boards Act of 1884 lays down no definite restrictions, but rules under section 144 (9) of the Act form the Local Fund Code. Articles 122 to 124† regulate the appointment of the staff. The salaries vary from Rs. 150 to Rs. 300 for Assistant

* *Vide* Appendix G.

† *Vide* Appendix G. G.

Engineers, and from Rs. 300 to Rs. 900 for Engineers. The staff is appointed by the President of the District Board with the sanction of Government in the superior grades. It is a district staff, and the salaries of the Engineers vary according to the district in which each man is employed. The condition is laid down that the total cost of the establishment should not exceed 20 per cent. of the outlay on works.

58. The average expenditure on public works in the district of the Bombay Presidency has varied from Rs. 54,000 in the case of the Panch Maháls District to Rs. 3,03,000 in the case of the Thána District. And if this Madras condition were enforced, the sum available for the Engineering staff would, therefore, vary from Rs. 10,800 to Rs. 60,600.

9 districts spend over	Rs. 1.5 lákhs.
11 " " between	" 1 and 1.5 lákhs.
5 " " "	" 0.5 and 1 lákhs.
<hr/>	
25	

If we take as a full staff—

An Executive Engineer	...	on	Rs.	400
An Assistant Engineer	...	"	"	200
4 Overseers	...	"	"	100
8 Sub-overseers	...	"	"	50,

and a dozen clerks, say Rs. 400 in lump sum, the cost would, in round figures, amount to Rs. 22,000. With pensions, travelling allowances and contingencies this sum would rise to Rs. 30,000. And this expenditure would not be excessive in the case of any Board that is able to spend something over a lákhs and a half of rupees on its public works; and we anticipate that with the increased resources, which we hope will be at the disposal of District Councils, the average expenditure on public works will not fall below this limit.

59. The method of recruitment of an Engineering staff was considered by the Commissioners in 1911, and is discussed in paragraphs 6 to 9 of the letter of the Bombay Government of October 10th, 1913.*

The system of recruitment by loan from the Public Works Department would have great advantages from the point of view of the District Council. The Council would secure an officer who had been trained under constant supervision and whose capacities have been gauged to a considerable extent. If he proved unequal to the independent responsibilities of his position he could be returned without difficulty. The system has been tested in the case of Municipal Chief Officers, and has met with the approval of the Municipal bodies.

60. Unfortunately, the Chief Engineer has informed us that, while he would welcome such a system as affording a wider scope for the officers of his Department, he would not be able for several years to come to meet a large demand. It will, in any case, be expedient to introduce the new system gradually; and the first districts selected should be given the benefit of the services of the officers from the Public Works Department. † Subsequently, if a District Council is able to secure in the open market the services of an Engineer who may be approved by the Superintending Engineer, the Council may be permitted to engage him for a definite period of years.

For the introduction of this system a Manual of rules to regulate the preparation of plans and estimates, the execution of works, and the account procedure will be required. Chapters 13 to 18 of the Madras Local Fund Code may be taken as a model. A provisional draft is attached‡ for the preparation of which we are greatly indebted to the Chief Engineer, Mr. Beale.

61. In our discussion of this question we have given very careful consideration to the objections which have formerly been advanced on the score of the duplication of staff and financial extravagance. The Chief Engineer in

* *Vide* Appendix H.

† The Honourable Mr. Patel dissents

‡ *Vide* Appendix I.

his evidence before us does not support these objections; and we understand that Government have accepted the view that the existing staff is over-worked, and have in fact applied for a considerable addition to the cadre.

This view is also corroborated by the growth of the Public Works and Local Fund Budgets. In the years preceding 1890 the Public Works Budget averaged Rs. 30 lakhs; and it has recently exceeded Rs. 100 lakhs. The Local Board expenditure on public works before 1890 was Rs. 20 lakhs. It has recently been Rs. 35 lakhs. And roughly one-half of this sum must be added to the Public Works Budget. The Public Works Cadre in 1890 numbered 40 Engineers and 53 Assistant Engineers; at the present time it numbers 172 in all.

62. In regard to the scale of the new expenditure, we observe that it has been represented to Government that a Local Fund Engineer should correspond to an officer in charge of a provincial district and that the salaries of such officers should rise from Rs. 535 to Rs. 900. We respectfully suggest that this standard is excessive when compared with the Madras standard, and that the Native States are able to recruit competent officers on a lower scale. For instance, we observe that in the Baroda, Kolhápúr and Sángrí States, public works are managed with a fair degree of efficiency, and the responsible officers at the head of these Departments receive a salary of Rs. 400.

63. We have reason to believe that under existing system the interest of Local Boards not unfrequently suffer. Local Board works are delayed and the supervision is insufficient. These defects are unavoidable owing to the great pressure of work which now prevails in the Department. So far, therefore, from feeling that these proposals should be condemned on the ground of financial extravagance, we entertain a hope that they will lead to increased efficiency and to economy in public expenditure, while at the same time giving to the boards and their members enlarged responsibilities and a wider scope for intelligent and useful work. In the case of every work in progress which affects the interests of only one village, every District Council and every Local Board may delegate the duty of inspecting such works to a village Committee.

64. We recommend that in the new Act a section should be inserted similar to section 83 of the Bengal Local Self-Government Act, empowering District Councils to undertake the construction, repair and maintenance of Government works the cost of which should be defrayed by Government.

(b) PRIMARY EDUCATION.

65. The views of the Royal Commission are contained in paragraphs 751* to 755 and 787.† They expressed the opinion that rural boards might have charge of middle-vernacular as well as of primary education, provided that their duties in respect of the latter are fully discharged; that the sub-district boards which should deal with education should have reasonable latitude in this matter, and that the appointment and promotions of board school teachers should be in their hands and that they should maintain their own inspecting staff.

66. In 1910 these proposals were examined by the Government of Bombay, who decided that no change was needed, and expressed a strong opinion that "the education of the people was essentially a function of the central Government, which local bodies are not capable of discharging." The Government of India in their review made no reference to the subject of education.

67. We have attempted to ascertain the system that prevails in the Central Provinces, where the Commission stated that the Boards have much real control. From the Central Provinces Education Manual we find that under rule 36‡ Government prescribe the rules for the general management, curricula, discipline, moral and physical training of Board schools. Under rule 37‡ appointment, promotion and transfer of the staff rests with the local body,

* *Fide* pages 203-4 of Cumming's Local Board Manual. † *Fide* Appendix II.

‡ *Fide* Appendix J.

subject to revision by the Deputy Commissioner. And certain Government rules regulate the creation of new appointments or increase of the salaries of the existing appointments. The inspecting staff are Government officers (*vide* Chapter XXI and Articles 352 and 357 of the Manual). The Central Provinces system is also explained in pages 26 to 31 of the "Occasional Report" No. 1 by Mr. H. Sharp, entitled "Rural Schools in the Central Provinces."

68. The descriptions of this system in official literature vary strangely. In one place we read that education is retained under the direct control of the District Council, and in another that education is definitely subject to Government control through the departmental heads under whose orders the superior staff work. The control of primary education in fact connotes various functions, *e. g.*, (a) the appointment and promotion of the staff; (b) financial grants-in-aid by Government and Local Funds to institutions both public and private; (c) opening and closing of schools; (d) inspection of schools; (e) construction of buildings; (f) settlement of school curricula. The broad fact appears to be that in the Central Provinces with the exception of item (f) and Government grants-in-aid under item (b) all the above functions are largely exercised by local boards, while the curriculum (item (f)) is prescribed by Government, and a Government inspecting staff insist on the maintenance of a satisfactory standard of efficiency.

69. We find that the Central Provinces system has been found to work successfully; that officers who have had experience of it have preferred it even to the Bombay system; that the Royal Commission after observing that there was considerable control by the boards in the Central Provinces went on to advocate the grant of such control in other places. And we suggest that in these circumstances Government might be pleased to re-consider the position which has been taken up in the past, and to accept the view that the public advantage to be gained by an extension of Local Self-Government control are not necessarily outweighed by the drawbacks which have hitherto been feared.

70. It is worth while to consider the question from another point of view, and to inquire whether the existing system is satisfactory. We gather from the evidence of the Director of Public Instruction that in his opinion the Educational Inspectors are over-worked, and that he would welcome some means of relief. * Statistics show that in the three Presidency Divisions schools have increased in the last 25 years from 3,970 to 6,710; and this increase continues. The cadre of School-masters exceeds 12,000, and in spite of delegation of powers to Deputy Educational Inspectors, the time of the Educational Inspectors is so taken up with personal matters affecting the staff that insufficient leisure is left for the duties of inspection and the study of Educational problems.

These facts strengthen us in the belief that a change of system which would empower District Councils to deal with personal questions regarding a district Education staff is desirable in the interests not only of self-government but also of the Educational Department; for the Government officers being relieved of a mass of petty personal work, would be then free to give greater attention to the essential and wider problems of Educational progress.

71. As was formerly observed by the Royal Commission, this view does not meet with the approval of the Educational Inspectors themselves; and Mr. Lory, Deputy Director of Public Instruction, urged that it was essential that the inspection of each individual school should be conducted by a Government Inspecting Officer.

Mr. Lory supported this view by the practice of the Board of Education in England. Considerable changes, however, are in progress there, and it is pertinent to quote an extract from the Report of the Departmental Committee on Local Taxation published in England in 1914:—

"In whatever form grants are made power should be reserved to the proper Government Department to reduce them to any extent necessary to enable the Department to exercise effective supervision over local administration.

* The Honourable Moulvi Rafuddin dissents.

"It would not, for instance, appear to be necessary to exercise the same detailed control over the educational administration of the more important authorities set up under the Act of 1902 as was probably called for in dealing with the multitude of minor local authorities and managers of voluntary schools which existed previous to that Act, especially as the new authorities then created have by this time gained considerable experience.

"Secondly, if semi-national services are to continue to be locally administered, it is most important that local interest in them should be fostered, and that the most capable men should be encouraged to offer their services on local councils. To ensure this, local authorities should be given considerable discretion in the administration of these services and not reduced to the position of agents of Government Departments."

*72. Although certain witnesses who have appeared in person before us have recommended that the management of primary education should be entrusted to the District Council free of all control, we find that they are unable to quote the experience of any country in support of their views. We recognise fully that in the field of Education sectional difficulties and disagreements are likely to arise with peculiar vehemence; that the task of improving the vast army of petty school-masters is one of immense magnitude; and that the problems connected with the discovery of the best methods of imparting instruction in the varied circumstances of village life require the assistance of the trained and scientific educationalist. We, therefore, dissociate ourselves entirely from the extreme claims of independence referred to above; and we have the satisfaction of feeling that in so doing we have the solid support of the great mass of thoughtful and instructed opinion recorded in the written evidence before us.

73. It remains now to consider the machinery that should be created for the new system.

In certain districts there is reason to believe that the Council would prefer to retain the existing system and it would clearly be undesirable to interfere with their liberty of action.

In the Districts which elect for the new system there should be two organic changes. In the first place the existing staff of Assistant Educational Inspectors should in those districts be transferred to the service of the District Council and should if they were unwilling to exchange their present status for that of servants of the District Council, be regarded as Government servants in foreign service. This staff should be subordinate in professional and technical matters to the Educational Inspector and Deputy Educational Inspector but should be responsible to the School Board for their conduct. In the second place the District Council should be required to establish a School Board and to call in the help of persons outside the Council.

74. The School Board should consist ordinarily of four members of the District Council and four members with educational or administrative qualifications from outside the Council. The Chairman should be elected. The Deputy Educational Inspector (who will remain a Government officer) should be a member; and the other three outside members should be nominated by the Collector.

The School Board thus constituted should have general control of all matters connected with primary education except subjects, such as the settlement of curricula, which may be reserved by the Government Educational Department. The Board would frame the budget for primary education in the district and submit it to the District Council. Its decisions would be subject to the revision of the Council, but in all matters of discipline its orders should usually be final, matters in regard to which appeal should be allowed, being carefully limited by rules.

* The Honourable Mr. Patel dissents.

75. We have considered the various objections that have been put forward to this proposal.

(1) We entertain a hope that the extra staff required would not be great. There must, we admit, be a little extra inspection. At present every school is inspected and examined every year by the Educational Department, and an equal amount of this work will have to be done by the School Board's Agency, while it will certainly be necessary to provide for a percentage of extra Government inspection as well. This need not amount to anything like duplication, for a twenty per cent. check by Government inspection would probably be quite sufficient.

(2) *Dual control.*—Dual control is always an inconvenience, but it is not an insurmountable obstacle. It exists in many walks of life, and given good will, does not obstruct the working of the machinery. For example we need go no further than the system now working in our Municipalities. Under section 58 of the Municipal Act, the relations of the Municipality with the Government Educational Department are prescribed by the rules* contained in Government Resolution No. 2584, dated 6th December 1894. Gentlemen who have advocated the free and independent District Council School Board have nevertheless admitted that the Municipal School Committees of the larger Municipalities manage their schools efficiently and have no cause of complaint.

76. It has been suggested that the special branches of female education and of Mahomedan education should be retained in the hands of the Department. It is urged in the one case that public opinion is not yet sufficiently alive to the necessity of encouraging and fostering the education of girls, and that experience with Municipalities shows that the interests of women teachers are not sufficiently safeguarded. In the other case it is urged that Mahomedan schools require special attention and are not likely to meet with sympathetic treatment. Further, in both cases there exists, or is about to be created, a special branch of the provincial educational staff consisting of Educational Inspectresses or Mahomedan Deputy Educational Inspectors, whose jurisdiction extends to all the districts of the Division, and who, therefore, cannot be conveniently placed at the disposal of individual district Councils.

†On the other hand, it is undesirable to withhold confidence from the new Councils, and to impose any restrictions that are not clearly necessary; and the existence of this special inspecting staff is in itself a valuable safeguard. The larger powers of control by the Collector recommended above in paragraph 50 also should suffice to allay apprehensions of neglect or injustice. We do not, therefore, recommend that school mistresses or Mahomedan masters should be removed from the control of the District Council.

77. We venture to think, therefore, that for the change of system which we recommend these three measures should suffice:

- (1) the creation of a School Board,
- (2) the transfer of the subordinate inspecting agency to the District Council,
- (3) the adoption of the Municipal educational rules *mutatis mutandis*.

(c) MEDICAL.

78. *Para. 757 of the Royal Commission's Report.*—We are of opinion that the law and the rules under the revised Act should provide for the constitution of a Public Health Committee of the District Council, similar to the School Board, and that the medical service should be placed under their orders eventually; but we are not prepared to make proposals for immediate execution.

* *Vide* page 147, Cumming's Municipal Manual.

† Mr. Martin, the Honourable Moulvie Rafuddin and Mir Ayub Khan dissent.

(d) SANITARY INCLUDING VACCINATION.

79. *Para. 759—Vaccination.*—We learn from para. 4 of Government Resolution No. 888 of 9th February 1911, that this subject is under experiment; and if the experiment is successful, this branch may be entrusted to the Public Health Committee above suggested.

80. *Para. 760—Sanitation.*—Government in their letter No. 557, dated 29th January 1909, have considered and rejected a proposal to strengthen the powers of the provincial Sanitary Board, and a proposal to enable that Board to have authority to force a local body to engage sanitary staff or undertake a sanitary work. And in their subsequent letter No. 7273, dated 10th October 1913, they have stated (para. 18), that “the time is not come when it is desirable or even practicable that local boards should organize and maintain a separate service.” We are respectfully of opinion that in certain tracts public opinion is rapidly advancing in regard to the necessity of sanitary reforms, and we invite attention to the activity of Sanitary Associations in the Districts of Dharwar and Belgaum. Progress must certainly be slow, and compulsory powers must be enforced with the greatest caution. But we submit that the new bill should make provision for the future and enable power to be taken for the framing of sanitary rules on the analogy of clauses (c) to (f) of section 11 of Bombay Act I of 1889.

(e) VETERINARY.

81. *Para. 762—Veterinary Work.*—We consider that for the present the existing system should continue. *We have consulted Major Walker, C.I.E., Superintendent of the Civil Veterinary Department, and learn that in so far as the subordinate establishment of a Veterinary Dispensary is paid for by the District Council, it is also under the control of the District Council. The Veterinary Assistant, however, who is a provincial officer, is under the direct orders of the Superintendent. This system, in spite of the dual control, is working satisfactorily, and may be permitted to continue until District Councils are in a position to establish a considerable Veterinary staff of their own in each district.

(f) AGRICULTURAL.

82. The Royal Commission have not referred to the part that District Councils may play in the encouragement of agriculture. Mr. Keatinge, C.I.E., Director of Agriculture, has advised us that the District Agricultural Associations are developing into valuable bodies for the dissemination of knowledge of agricultural improvement, and has suggested that District Councils should finance these associations and take up this work. As the supply of trained workers increases, it should be possible for the District Council to entertain an agricultural staff to collaborate with the Government department.

83. In all departments one of the chief objections to the institution of a District Council service is the uncertainty of promotion from grade to grade available to the members of a graded service of the character which obtains in Government employment. This objection can be overcome by the institution of time scale salaries. We are aware of the objections entertained in the past to the system, but we doubt whether they are sufficiently important to constitute an obstacle to the large policy which we advocate.

CHAPTER III.

Finance.

84. The total income of the Local Boards of the Presidency was in 1913-14, 81½ lakhs, which sum included 34 lakhs given by Government. The total expenditure was 77½ lakhs, of which Education (largely controlled by Government) absorbed 32 lakhs. If we look through the other items we find such

* The Honourable Mr. Patel dissenta.

large sums as 3 lakhs for establishment and contingencies payable to the Public Works Department, 1½ lakhs for repairs to buildings, 2 lakhs for administration and pensions, 5 lakhs for medical, 14 lakhs for road repairs, 1½ lakhs for repairs to water works, and considerable sums for smaller items of a fixed unavoidable kind. The consequence is that only a small sum remains available for original roads and buildings, and other forms of fresh development. The growing needs of the country cannot be met, and the budgets are almost completely filled by fixed charges which can be neither avoided nor varied. Every person acquainted with the districts could compile a long list of urgent requirements—roads and bridges and school-houses and tanks and wells but interest in the matter is vain, for there is no money to spend.

85. There are certain general propositions to which we request the assent of Government. Firstly, powers of self-taxation are necessary to the success of self-government. It is scarcely necessary to elaborate this proposition; it is generally admitted and was recently enunciated in the despatch of Government of India, dated 1st May 1913, to the Secretary to State :—

“If any real vitality is to be given to the institutions which have been created, local self-government must in time, in our opinion, be associated with responsibility for taxation for local objects.”

But we desire to point out that this principle has not been put in force in the Bombay Presidency, and is not recognised in the existing Act.

86. Secondly, the local authority should have power to levy and to vary special rates for special tracts or for special purposes under its authority. The local cess is at present regarded as a Government impost, and it would be a great factor in the education of the people if they recognised as they quickly would, that their local representatives were able to put on local taxation and spend it for local purposes. Subject to the sanction of Government, this power should be vested in the District Council, which should be able to apply it within the area of a taluka on the application of the taluka local board, or in the area of a village on the application of the village panchayat (to which body we hope that legal recognition will shortly be given).

87. Thirdly, when a local authority levies a special rate, it should be held to be entitled to a corresponding subvention from provincial funds. It may perhaps be objected that Government cannot undertake an uncertain liability of this character. On the other hand, it may be urged that it is improbable that within the near future local bodies will launch into a programme of self-taxation of any formidable extent; and while it is far from our intention to criticise in any degree the allotment of the public funds in the past especially in recent years when liberal grants have been made to local bodies, we would respectfully suggest that enquiry may be made whether a larger share cannot in future be assigned to the important group of public services which fall under the head of local government. At this point we invite attention to paragraph 2 of the Note accompanying the Commissioners' letter* No. 3251, dated 29th July, which compares the growth of Provincial and Local Board revenues in the last 25 years. An extract is reproduced for ready reference :—

“During this period the provincial revenues have increased from Rs. 380 lakhs to Rs. 790 lakhs.

“The Local Board revenues inclusive of Government subventions have increased from Rs. 43 lakhs to Rs. 81 lakhs, and exclusive of those subventions from Rs. 33 lakhs to Rs. 47 lakhs.

“Thus out of Rs. 410 lakhs of additional Government revenue the increased allotment to District Local Boards has amounted to Rs. 24 lakhs or only 6 per cent.”

The essential unity of public taxation is a point much insisted on by economists. Government in India retain in their own hands a much larger

*Vide Appendix K.

proportion of the total public revenues than is the case with the Governments of Western Europe.

88. The Royal Commission, and the Government of India in their Review, give no assistance in pointing out what additional revenues may be tapped by the boards. *The Royal Commission in paragraph 774 discountenances an increase in the land-cess beyond one anna in the rent value of the land: the reasons given being that it is the policy of Government to lighten the burdens on the land, that the boards cannot be made fully representative, and that constant changes in rates might lead to dissatisfaction and perhaps fraud upon ignorant rayats. In reply it may be urged that the burden on the land in this Presidency is lighter than elsewhere for the assessment upon which the anna is calculated rarely exceeds half the rent value and in some districts frequently amounts to only a fifth or even less. A proposal to raise the local fund cess to two annas per rupee of assessment is therefore well within the maximum laid down by the Royal Commission. We add that we are attempting to make the boards more representative, especially where matters of taxation are concerned, that constant changes in rates are not necessary or contemplated and that we do not think there is any real danger of fraud.

89. The Government of India clearly indicate that they are prepared to consider such a proposal on its merits. Their view is stated, as follows:—

“It was the opinion of the Commission that District Boards should not be empowered to raise the land cess beyond one anna in the rupee on the rent value as this would be an unpopular measure. Under present conditions any proposal to raise the limit imposed by the existing law would require the previous sanction of the Government of India. Such proposals would need the most careful consideration on the merits, and the Government of India do not consider it necessary for the present to make any pronouncement on the subject.”

It is somewhat superfluous to state that all taxation is unpopular. But the example of Municipalities clearly shows that the education of the people in self-taxation is rapidly progressing. Many Municipalities have of their own motion increased old taxes or imposed new taxes in order to provide local amenities, and we strongly recommend that District Councils should be granted similar powers.

90. It is of great importance to emphasize the distinction between a compulsory additional cess imposed by order of Government and a voluntary additional cess imposed by the District Council with the sanction of Government; for the idea of the imposition of taxation by a District Council is a novel conception and difficult of apprehension.

In some quarters too there is a want of confidence in the independence of the members of District Councils and a suspicion that in a desire to adopt a policy which may be advocated by officers of Government they may be induced to impose this additional cess against the will of the tax-payers.

91. On the other hand, it is difficult to find any reasonable ground for withholding from a local body fully representative of the people the power to levy its own taxation. It is possible that in certain districts the power may never be employed. It is established that in one district, East Khándesh, the power is already demanded by the District Council. We are informed that certain portions of other districts are ready to tax themselves for specific objects, *e. g.*, the improvement of agriculture or means of communication within a taluka; and that the Mahomedan community in Sind is once again agitating for power to impose an educational cess. In view of these numerous indications of the development of public opinion, we regard it as a matter of the highest policy to remove the obstruction imposed by a law which is half a century old.

†92. We recommend, therefore, that section 6 of Bombay Act III of 1869 should be repealed and a new section enacted in the light of modern conditions empowering District Councils to raise the local fund cess up to a

* The Honourable Mr. Patel and Mir Ayub Khan dissent.

† The Honourable Mr. Patel, the Honourable Rao Bahadur Sathe and Mir Ayub Khan dissent.

maximum of two annas in the rupee either in the whole district or in special areas of the district. If our recommendation in favour of a variable assessment be accepted, the proviso prohibiting an increase of the cess during the period of a settlement should not be renewed.

93. If Government accept the proposal contained in paragraph 86 we recommend that the following safeguards be provided :—

This extra cess should be voted in a meeting composed only of the non-official members of the board. Such a meeting would be genuinely representative. Discussion would be free and unfettered and it could not be alleged that the proposal was put through merely on account of the pressure of official opinion and presence.

The proposal to constitute a special body for a special purpose of this kind is not without precedent. The one which lies most immediately to hand is that of the election of a member of the Legislative Council of the Governor General by the non-official members of the local Legislative Council.

It is objected to this that taxes would never be voted by such a body. We do not consider such objections to be well founded. Municipalities even when non-officialized have not failed to provide themselves with necessary funds by self-taxation.

Local self-taxation would be much less unpopular and improbable if raised for specific purposes as this special cess might well be and devoted to objects which people could realize and appreciate and if those concerned could see that they were getting value for their money.

94. The suggestions which we have received for additional sources of revenue fall under four main heads :—

(1) A share of existing provincial revenue, to be obtained by a direct grant of some proportion or the whole of the revenue under certain specific heads.

(2) Fixed grants-in-aid from the general revenues of Government, or varying grants-in-aid in proportion to expenditure.

(3) The levy of additional cesses or a surcharge whether imposed by Government or the District Council on (a) income-tax, (b) excise revenue, and (c) forest revenue.

(4) Taxation in the shape of license fees, house-tax, tolls and taxes on pilgrims, animals or vehicles.

95. We proceed to discuss these suggestions *seriatim*.

(1) Fixed shares of Provincial Revenues.—This follows the system obtaining for the division of Imperial and Provincial taxation. * That system is based on the theory that the provinces should be given an interest in the development of a particular revenue and in the economy of expenditure on that account. We do not consider, however, that in regard to the revenues proposed, *viz.*, land revenue, income-tax, excise and forest the District Councils can assist either towards economy or development; and these advantages cannot be looked for from the selection of these particular revenues for partnership. We do however for certain reasons which will appear hereafter recommend a share of the excise and land revenues.

(2) Fixed grants-in-aid.—We will discuss this later.

96. (3) (a) Income-tax cess.—This suggestion meets with a considerable share of support, and has our cordial sympathy. The importance of securing a contribution to local revenues from the professional, commercial and trading classes cannot be gainsaid, and their present exemption is felt to be a serious grievance by the agriculturists. In the allotment of this cess to different local authorities, very difficult problems must arise. In England these problems

* The Honourable Mr. Patel dissents.

have been regarded as insoluble; whereas in Prussia with the help of a most intricate code, the greater part of local taxation is secured from this source. We quote* for ready reference the views held by such authorities on English Finance as Professor Bastable and the Royal Commission on Local Taxation which expressed its preference for local taxation licenses (*vide* paragraph 99 below); and we include an extract upon this Prussian system from "National and Local Finance" by J. W. Grice. It is interesting to note that Mr. Grice also records that in Prussia, of the Local taxation, in towns 53 per cent., and in country communes 36 per cent., are derived from local additions to the income-tax, in addition to other special local taxes on income of 15 and 4 per cent., respectively. The latest pronouncement in England is that of the Departmental Committee on Local taxation in 1914, which came to the conclusion that "the administrative difficulties in the way of the substitution of a local income-tax either wholly or partly for the present rating system are practically insuperable." Their examination of this question is also quoted in the Appendix.*

We think it right to bring to the notice of Government the controversy on this point, but we should point out firstly the very high authority of Lord St. Aldwyn in favour of the proposal and secondly that the contrary arguments in regard to the difficulty of adjustment between different local bodies and the apportionment of the tax from income taxed at its source do not apply in this country *proprio vigore*.

97. (3) (b) Excise Cess.—This is a suggestion of almost universal popularity, and requires most careful examination. Its supporters argue that the price of liquor and drugs can be raised far higher than it is at present, and they are unwilling to accept the theory on which the Government's excise policy is based, that the price is raised from time to time to the highest point possible, short of encouraging the illicit manufacture, importation, and consumption of alcohol and drugs. † Many temperance reformers and total prohibitionists also welcome it as a weapon in the campaign against alcohol. They attach little weight to the argument of the demoralisation that results when a man is driven to break the law in order to obtain alcohol, for in their view the drinking of alcohol is a greater demoralisation than an offence against the public law of the State. Two members of our Committee are in favour of the imposition of an excise cess, on the whole of the Excise revenue including the license fees for shops and the still-head duties at distilleries and tree-tax and submit a minute of dissent. The majority of our Committee consider that a cess so imposed would either be discounted beforehand by tenderers and shopkeepers and so fail to produce any increase in the gross revenue collected by Government or else be the cause of illicit practices, and that the taxation of the liquor trade is so difficult and delicate a matter that it must be left in the hands of Government.

98. (3) (c) Cess on Forest Revenue.—Forest revenue is derived chiefly from the sale of timber, the property of the State, to contractors, and partly from grazing fees from cultivators. The latter is paid in such small sums that the additional levy of a fraction of one-sixteenth will be very troublesome. The advocates of this cess, however appear to have in view the timber revenue rather than the grazing revenue. † The contractors who purchase this timber are shrewd men of business, who estimate very closely the rates ruling in the market and the value of the article they buy. If to the price that they bid in auction was added a cess of one-sixteenth for the purpose of local revenues, it is clear that they would reduce their bids by precisely the same amount; and the effect of the cess would be equivalent to the grant to local revenues of one-sixteenth of the sums now secured by the State. The proposal would not have the desired effect of taxing the contractors or raising any additional revenue.

99. The fourth main head comprises license fees, house duty, tolls and taxes on pilgrims, animals and vehicles.

* *Vide* Appendices L to L 3.

† The Honourable Mr. Patel and the Honourable Rao Bahadur Sathe dissent.

The license fees are suggested as a means of taxing professions and trades, and are a supplementary income-tax adjusted to local conditions. The Royal Commission in 1901 recommended this form of taxation in the paragraphs quoted in the Appendix.* So also Professor Bastable wrote:—

“Licenses are better suited for local than for general taxation. They can be readily collected, and, if properly chosen, do not hamper industry. The system of low license duties on most trades and employments has the chief attributes of a fair local tax.”

It has a counterpart in the ‘patentes’ which in France contribute a considerable share to the local revenues. On the other hand, the departmental committee on local taxation in 1914 discussed and rejected this proposal for England.†

100. In paragraph 744 of the Report of the Royal Commission, reference is made to the fact that in 1882 a scheme of license fees was under the consideration of the Government of India, and the information then collected would no doubt be valuable as a basis for further discussion. Owing to the exemption from the income-tax granted in 1903 to all incomes below Rs. 1,000 there are considerable numbers of petty traders who pay practically no contribution to the state or to local revenues. The income-tax payers also in respect of their taxed incomes pay no contribution to local revenues. And it is from this class that District Councillors are already largely recruited, and will be more largely recruited if our proposal for special constituencies are accepted. It would clearly be unjust and inexpedient that the persons who control the expenditure of local revenues should be free from contribution to those revenues and be untouched by any extravagance or mismanagement in that control.

101. *House duty.*—Is now a common source of revenue in Municipalities and Notified Areas and we observe that in Madras it is assigned to Union Panchayats which derive an income of 8 lakhs divided between 400 panchayats.

We are of opinion that it is desirable that similar revenues should be raised in rural areas in this Presidency, but we do not think that the revenues so raised can be reckoned on as an increase of the existing resources of the Local Boards. House duties should we think be imposed only in those villages or groups of villages for which Panchayats affiliated to the Local Boards shall have been established and the money should be earmarked for expenditure within the area of the Panchayat by which it has been levied. The establishment of Panchayats would we think foster and bring to life activities which are now dormant and would be more likely to result in extra claims upon the budget of the District Councils than in any relief of their finances. For instance it might be found necessary and reasonable to earmark for local expenditure by the Panchayats some fraction of the local fund cess levied in its area.

102. *Tolls.*—The Government of Bombay announced the policy in 1908 of abolishing tolls on provincial roads and in 1914 of inducing Local Boards to abolish tolls on local fund roads and of compensating them for the loss; and in pursuance of this policy Government allotted Rs. 20,000 as compensation to four District Local Boards during the current year. In Bombay local board tolls reached the maximum of 4.9 lakhs in 1895-96 and were reduced through the influence of Government to 3.5 lakhs last year. In Madras the income of local boards from this source amounts to 17 lakhs. The view there held is that a good road confers great advantages on the villages within reach thereof. The money value to the villages of the preservation of their carts and cattle from damage by the holes and ruts of country tracks and precipitous descents and ascents of unbridged nullas cannot be measured by the payment of a few annas of toll-money or the small annoyances and exactions of the toll-keeper. The remote villagers who see good metalled roads made in directions which do not serve their purposes and who derive no direct benefit from the expenditure of the local funds to which they pay their annual contribution, find it hard to realise the beneficence of this policy. Every new metalled road adds a permanent charge for repairs to the Local budget, and reduces *pro tanto* the

* *Vide* Appendix M.

† *Vide* Appendix N.

sum available for expenditure in other parts of the district. In their eyes it would be not only more just but also more wise to make the villagers who use these roads continue to pay as before a small sum for the advantages they derive and to expend the sums so collected in extending the benefits of good roads to those areas of the district which could otherwise never hope to receive any return for their contributions to the local fund cess. It should be an absolute condition of the retention or imposition of any toll that the proceeds be spent on the improvement of village tracks. This view is put before us with the life-long experience of Ráo Bahádur R. C. Artal, and in our respectful opinion it is deserving of earnest consideration.

In this connection we would point out that Motor services to connect important places are likely to increase in popularity, and it has not been thought improper to charge fees for permission to run such services, nor have the promoters of the enterprise raised any objection to payment. But the abolition of tolls renders the levy of such fees illogical and unfair, for there is no reason why one sort of vehicle alone should pay for the use of the roads when all other vehicles run free.

* We think that by the abolition of tolls a sacrifice is made of revenues which can ill be spared, and that there is no public feeling against or public inconvenience from tolls sufficient to render this sacrifice necessary. There are on the other hand important reasons justifying the retention of this form of taxation, more especially at a time of financial stringency resulting from the war.

103. To those who condemn this suggestion as a retrograde policy of a pernicious and obsolete character, we venture to commend a study of the history of the "King's Highway" in England. Sidney Webb records that in 1838 there were 22,000 miles of turnpike road under some 1,100 turnpike trusts. They had a debt of 7 million pounds, and their annual revenue was 1½ million pounds. The system undoubtedly led to many evils, but as late as 1870 there were still over 900 turnpike trusts, and it was not until 1895 that the last turnpike trust was abolished. The abolition of these turnpike trusts was only rendered possible by liberal grants-in-aid from the Imperial Exchequer. The main fact stands out prominently that until a very recent date the main roads of England were constructed with borrowed money and were maintained with the proceeds of tolls; and it is submitted for consideration whether the road communications of this Presidency have yet reached the stage of development which prevailed in England in 1870, and whether public revenues are available for the extension to outlying tracts of the benefit of good communications. We do not question the view that tolls are a nuisance, and we would welcome their abolition when road communications to the remoter villages are in reasonably good order, and the financial circumstances of District Councils permit.

104. *Pilgrims*.—Under section 59 (x) of the Municipal Act, a Municipality is empowered to levy a tax on pilgrims resorting periodically to a shrine within the limits of a municipal district; and under section 72 of the Municipal Act, the Commissioner may require a municipality to assign and pay to the District Local Board such portion of the total collections on account of a pilgrim-tax as he may deem fit, and this sum shall be expended on works conducive to the health, convenience and safety of the pilgrims. We are informed that this power has never been exercised by the Commissioner. Most places of pilgrimage are within the limits of a permanent or a temporary municipal district. Most District Councils undertake expenditure either on roads or sanitation for the benefit of pilgrims, and we consider it reasonable that they should receive a share of the proceeds. Further, in regard to places of pilgrimage which are not within the limits of municipalities, we recommend that District Councils should be empowered to levy a tax on pilgrims.

† 105. Under the same section 59 Municipalities are empowered to levy a tax on vehicles or animals used for riding, draught or burden kept for use

* The Honourable Mr. Patel, the Honourable Rao Bahadur Sathé, the Honourable Moulvie Rafuddin and Mir Ayub Khan dissent.

† The Honourable Mr. Patel dissents.

within the municipal district, and a tax on dogs. We recommend that this power may be bestowed upon District Councils.

*106. We now return to the question of grants-in-aid (*vide* paragraph 95). The Royal Commission in paragraph 773, clause (IV) expressed the following view :—

“(IV) In order to make the Boards more independent financially, the 25 per cent. Government grant on their land receipts should be distributed rateably to each district board. Any other Government grants, which may still be necessary in poor districts, should be in lump sums, or in the shape of percentages of expenditure on such services as education. But such grants should in all cases be given under a *quasi*-permanent settlement and should not be subject to periodical revision. Nor should Government grants of this description be treated as justifying increased Government control.”

107. This is a subject which has exercised public opinion and the attention of Parliament in frequent debates during the last half century. The history of the improvement of local services under Local Government in England during this period is the history of the utilization of grants-in-aid for the enforcement of national supervision and control over the local authorities. In 1914 a Departmental Committee on Local Taxation submitted a report to Parliament, and the first condition which they suggested in regard to grants-in-aid was that “all grants be conditional on the efficient administration of the services in respect of which they are given, and be made subject to a general power of reduction and regulation on the part of the supervising Government Department”; and in the House of Commons the Chancellor of the Exchequer in May 1914 laid down three principles with regard to these grants :—

“(1) We mean to distribute the relief in such a way as to give the greatest proportion of help to the most hardpressed areas.

“(2) Instead of being fixed the grants must bear a direct relation to the expenditure.

“(3) The central Government will insist on efficient service as a condition of the receipt of this grant.” This was described as the most important stipulation.

108. At first sight the view of the Royal Commission appears to be in conflict with the views held by the highest authorities in England; and their language may possibly have misled certain witnesses into claiming on their authority freedom of control for local bodies. These gentlemen, we submit, view the question of control from a mistaken standpoint. There may be in certain quarters a desire to free local authorities from the supervision of Government officers and the dictation of Government Departments. Time is yet needed to enable the Indian publicist to recognise that the essential features of the problem are identical in east and west, and that centralised national control over local authorities is as urgent a public necessity in India as in England. The “anarchy of local autonomy” to use a striking phrase of Sidney Webb, is a danger of the greatest magnitude.

109. The key to the interpretation of the *obiter dictum* of the Commission will be found in paragraph 803, where they recommend close control by Government under the legal powers conferred by the Act. It is the absence of these powers in the English Law that renders necessary the cumbrous and uncertain method of control by financial pressure.

We understand the Commission, therefore, to say that, given ample powers of intervention, the Government should not attach to every grant-in-aid stipulations limiting the discretion of the local body and in this view we concur.

110. In order to safeguard the dignity of the local authority, occasions for the use of financial pressure and the reductions of grants-in-aid should be

* The Honourable Mr. Patel dissents from paragraphs 106 to 111.

reduced to a minimum. Any necessary stimulus or reproof should be administered by an authority with an intimate knowledge of the circumstances of each local body. If separate departments each intent on their special interests are empowered to grant and withhold doles, the result can only be friction and the discouragement of voluntary workers. It is essential that local bodies should be supplied with ample resources for the maintenance of their services at a reasonable degree of efficiency. On the other hand, if any particular branch requires development, a special grant-in-aid may be allotted on condition of an improvement in that particular branch. But it is inexpedient that pains and penalties should be threatened in petty individual cases.

111. This argument can best be explained by an example. Local Boards are now spending 11 lakhs on primary education, and Government 20 lakhs. In a district which is spending half a lakh of local revenue and receiving a subvention of a lakh from Government, the Educational Inspector finds that certain masters are not receiving code pay, or that new schools have long been required in certain villages. We suggest that it would not be expedient to threaten that District Council with a reduction of the subvention. The proper course would be to communicate criticisms through the Collector, who, if there was sufficient necessity, would take action under the amended Act. On the other hand, if it were desired to stimulate the development of schools for girls or to introduce some new method of instruction, and the department assigned a special grant for the purpose, it would be reasonable to reduce the special grant if the measures were not carried out.

112. In the letter submitted by the Commissioners on 29th July, it was suggested that Notified Areas should assume their share of the responsibilities of self-government and should relieve District Councils of expenditure on schools and village roads. Since Notified Areas are included in the wider question of village panchayats, and we have been informed that Government do not desire to bring village panchayats under the amended Local Self-Government Act, no further discussion of this suggestion would now be useful. We venture respectfully to invite the attention of Government to the fact that in Madras the union panchayats are regarded as a link in the chain of devolution of local self-government; that in Assam the new Local Self-Government Act includes a chapter on village panchayats; and that in England the corresponding body of rural parishes is placed under the control of the County Council.

113. The discussion of these suggested sources of revenue and of the conditions appropriate to grants-in-aid brings us to a survey of the actual existing revenue of Local Boards. The principal items of Local Board expenditure are Civil Works and Education. Civil Works which previous to 1905 averaged some Rs. 23 lakhs have since that date averaged some 34 lakhs. Education which previous to 1905 averaged 15 lakhs has since increased continuously year by year to 31 lakhs. The total expenditure has increased from 40 lakhs in 1890 to 77 lakhs in 1913. The revenue from Provincial Rates has risen gradually during this period from 24 lakhs to 33 lakhs. Government contributions until 1905 averaged 10 lakhs and since that date have increased continuously to 34 lakhs. The diagram appended* exhibits these variations from year to year.

114. A further analysis of Civil Works shows that the expenditure on repairs to communications rose from about 10 lakhs to 14 lakhs, and on original communications from 4 lakhs to 9 lakhs. On water supply the average is fairly constant—about 3½ lakhs. The increased activities of Local Boards in the last ten years have for the most part been financed by direct Government grants for specific objects. The additional grants for Education have usually been allotted in proportion to the expenditure of the Boards. The grants for Civil Works have been allotted at discretion without any specific standard. The outstanding facts, therefore, are that in recent years the Government grants-in-aid have actually exceeded the revenue of the Local Fund Cess (these two items representing 84 per cent. of the total income), and that of the whole expenditure on Education Government have provided practically two-thirds.

* Vide Appendix O.

115. If we start, then, from the standard of 1913-14 which represents the high-water mark of prosperity of District Council revenues, it remains to estimate the additional revenues that may be secured from the sources above discussed;

(1) *Additional Local Fund Cess*.—The maximum sum attainable on present figures is 33 lakhs; and if Government undertake, as is our recommendation, to furnish rupee for rupee, the ultimate maximum will be 66 lakhs of rupees. But we anticipate that progress in that matter will be slow, and that for several years to come the self-taxation will not exceed, say, 3 lakhs of rupees, with an equal demand on the resources of Government.

(2) *License fees*.—Since we suggest that the taxation on professional classes whether in the shape of a surcharge on the income tax or of license fees on persons earning incomes below the limit of the income tax, should be in either case imposed by the District Council subject to the approval of Government, it is difficult to estimate what the proceeds are likely to be. We may quote the following figures in case they may be found some guide to an estimate by Government.

The whole income-tax of the Presidency amounted last year to Rs. 63 lakhs. Outside Bombay City and Aden, the revenue was Rs. 20 lakhs. Exclusive of municipal areas the revenue was 4 lakhs approximately. When the minimum limit of income-tax was Rs. 500 the total number of assessees under Part IV was 66,000 of whom 38,000 were below the limits of Rs. 1,000. The present total number is 37,000. It may be presumed that the number of persons with an income between Rs. 500 and Rs. 1,000 will not be less than 30,000 or more than 60,000; and in addition license fees would probably be leviable on persons with an income between Rs. 200 and Rs. 500 per annum; but we are unable to surmise what proportion live within municipal limits and what within rural. At a very rough guess the total sum obtainable for District Councils may be estimated at Rs. 2 lakhs. A summary of the schedule of license fees levied in Madras City is attached.*

(3) *House Duty*. *Vide paragraph 101.*

(4) *Tolls—Pilgrims—Animals—Vehicles*.—We do not think it advisable to estimate for any *immediate* additional revenue from these sources.

116. This brief survey indicates that local resources outside the land cess are very limited, and we must fall back once more on the possibility of the increase of provincial subventions. In paragraph 87 we have pointed out that the increased grants to local revenues have in these last 25 years represented only 6 per cent. of the increased resources of the Government; and we now invite attention to the fact that the provincial revenue from excise has during this period risen from 80 lakhs to 223 lakhs. The growth of this revenue is the subject of much hostile criticism. It has been represented to us that the hostility of some of these critics would be abated if they saw the direct benefits of the revenue expended on local objects. We would refer to the somewhat analogous case of the improvement of education in England from the grants of Whisky money; and we venture to think that public opinion would regard it as highly appropriate that a portion of the special grants derived from liquor should be expended on the improvement of educational facilities in the liquor consuming tracts in the hope that education may assist in the reclamation of these people from the liquor habit. We recommend, therefore, that a substantial share of the Excise Revenue—say two annas in the rupee—representing Rs. 23 lakhs on the revenue of 1913-14 be allotted to the Local Taxation Account. (*Vide next para.*)

We recommend further that to this same account there should be added a share of the Local Revenue. In 1907 the Government of India appear to have accepted this principle when they allotted Rs. 7 lakhs as a contribution calculated on a basis of 3 pies in the rupee of Land Revenue. On last year's revenue this contribution should be increased to Rs. 8½ lakhs; and in proportion as demands upon the Local Taxation Account grow with the expansion of self-taxation we hope that Government will be prepared to raise their contribution to a larger share of this revenue.

* *Vide Appendix P.*

117. The Local Taxation Account in England, also known as the Assigned Revenue System, was introduced in 1888, and has existed to the present day. It has been attacked there on the ground of indefensible anomalies and administrative inconveniences; and the Departmental Committee found that "a system under which the Exchequer surrenders potential sources of revenue to local purposes is liable to be overthrown to meet the exigencies of imperial taxation." In 1914 the Chancellor of the Exchequer proposed to abolish the system apparently chiefly on the ground that it provided insufficient resources for local authorities, and to substitute direct grants-in-aid on a far larger scale. This change has, however, been postponed owing to the war.

In now proposing the establishment of a Local Taxation Account, we are influenced by the same reasons which in England led the Chancellor of the Exchequer to propose its abolition. We wish to secure to local bodies a larger share of public revenues with greater security. Experience in this country appears to show that grants-in-aid are not made with sufficient regularity and liberality. In fact in recent years a considerable proportion of these grants have been directly derived from the Government of India, and consist of grants either for a limited period or even for a single year.

We consider it of the greatest importance that these contributions should be converted into permanent assignments of revenue and guaranteed against curtailment when the Provincial Government falls into financial difficulties. We are in fact suggesting that District Councils should be placed in the same relation to the Provincial Government that the Government occupies to the Imperial Government; and we submit that the arguments which the Provincial Government have so frequently employed in their negotiations with the Imperial Government apply with almost equal force to District Councils. We are aware that the strictest economy is imposed on the Provincial Government by the conditions arising out of the war, but we trust that retrenchment may be found possible in other branches of the public service, and that the subventions to local bodies may continue without curtailment, and may be expanded with the restoration of normal conditions.

In regard to primary education in particular we recommend that Government may be pleased to accept the principle that two-thirds of the expenditure by District Councils may be met from Provincial grants whatever may be the method approved by Government for their allotment; and we beg to point out that this proportion of two-thirds has in fact been contributed in recent years.

118. Several alternative schemes of Government subventions have been placed before us, and we commend them to the consideration of Government;

Scheme (A).

(1) Educational grants-in-aid	...	...	Rs. 22 lakhs. To be maintained.
(2) Civil Works grant based on 3 pies in the rupee of Local Fund Cess of 1908	...	...	Rs. 7 lakhs to be maintained.
(3) Miscellaneous grants	...	...	Rs. 5 lakhs to be maintained.
(4) 1/16 of the Excise revenue	...	...	Rs. 14 lakhs to be added.
		Total ...	Rs. 48 lakhs.

Scheme (B).

(1) Educational grants-in-aid	Rs. 22 lakhs to be abolished, and in substitution a permanent assignment of 2 annas in the Re. of Excise revenue to be allotted (from this sum and within its limits every District Council should be entitled to receive Rs. 2 for each rupee spent on education from its other resources)	...	...	Rs. 28 lakhs.
(2) Civil Works	...	...	...	Rs. 7 lakhs to be maintained.
(3) Miscellaneous	...	...	...	Rs. 5 lakhs do.
(4) Equivalent subvention for income-tax, license fee and additional Local Fund Cess	...	...	...	Rs. 5 lakhs. To be added from general Provincial balances.
		Total ...	...	Rs. 45 lakhs.

Scheme (C).

One of our members holds strongly that in view of the existing uncertainty as to the exact share of responsibility of Government towards the expenditure on primary education and other works, it is desirable and necessary that Government grants should in future bear a fixed proportion to such expenditure. This proportion should, in his opinion, be three-fourths and one-fourth in respect of education and half and half in respect of other works as between Government and Local Boards respectively.

In the event of this scheme being accepted by Government, our recommendation in paragraph 87 as well as on the suggestions in sub-paragraphs 1 and 2 of paragraph 94 do not hold good.

Scheme (D).

A Local taxation account to be established; to this account should be credited :—

				Rs.
* (1) 2 annas in the Re. of excise revenue	...	...	...	28 lakhs.
(2) 3 pies in the Re. of land revenue	...	...	...	8½ "
			Total	36½ "
As soon as possible the share of land revenue should be raised to 6 pies in the Re. producing another	...	...	...	8½ "
			Total	44½ "
For contra the existing detailed grants-in-aid of—				
(1) Education	...	...	...	22 "
(2) Civil Works	...	...	...	7 "
(3) Miscellaneous	...	...	...	5 "

should be abolished.

From this Local Taxation Account should be met

† (1) Grants for education in the proportion of Rs. 2 to Re. 1, within the limits of the Excise Revenue.

(2) Grants on the basis of rupee for rupee of self taxation expended on purposes other than education.

The Budget of income of District Councils may now be drawn up as follows :—

Existing	{	Local Fund Cess ...	...	...	...	33 lakhs.
		Civil Works ...	...	...	...	6 "
		Miscellaneous ...	...	...	...	8 "
		Government contributions—					
		(a) Education	...	...	...	22 "
		(b) Civil Works	...	...	...	7 "
		(c) Miscellaneous	...	...	...	5 "
					81 "		
		Possible additions—					
		Local Fund Cess	...	...	...	3 "
		Equivalent Government subvention	...	...	...	3 "
		Income tax cess and license fees	...	...	...	2 "
		Equivalent Government subvention	...	...	...	2 "
						91 "	

119. No consideration of the finance of Local authorities would be complete without a discussion of their powers of raising loans. Very few Local Boards have at any time taken a loan. Reference may be made to the fact that in 1888 County Councils in England were empowered to raise money by the issue of stock of their own and that in 1902 a Select Committee was appointed to report on the repayment of loans by local authority, and that this Committee reported that "it is neither wise nor just to place upon the shoulders of present rate-payers too large a proportion of the burdens of necessary or useful works from which succeeding generations will derive benefit." It is open to a local body to take advantage of the Local Authorities Loans Act IX of 1914, and we venture to recommend that local bodies should

* The Honourable Mr. Patel and Mr. Seddon dissent.

† The Honourable Rao Bahadur Sathe is against restricting these grants upto the limits of the Excise Revenue.

be encouraged when the present financial stringency is over, to follow the example of enterprising local bodies in Europe to adopt a cautious policy of development by means of loans.

120. Our financial recommendations, therefore summarised, are as follows :—

1. That District Councils be empowered by law to impose taxes, tolls, and fees of the following descriptions :—

* (i) a tax on the annual rent value of occupied lands ;

(ii) a tax on all or any vehicles, boats or animals used for riding, draught or burden, kept for use within the district ;

† (iii) a toll on vehicles, and animals used as aforesaid, entering the said district, but not liable to taxation under the clause last preceding ;

(iv) a tax on pilgrims resorting periodically to a shrine within the limits of the district ;

(v) a tax on houses ;

(vi) a surcharge on the income tax, together with license fees on incomes exempt from the income tax ;

2. That the District Councils be granted a share in certain expanding sources of public revenue, preferably the excise and Land Revenue.

3. (a) That a Local Taxation Account be opened similar to that existing in England ;

(b) that to this account be credited the shares of public revenue due to District Councils, together with such taxes as may be collected by Government officers on behalf of District Councils ;

(c) that from this account there be paid to District Councils the shares to which each is entitled, and the balance be held at the disposal of Government for distribution to District Councils.

H. S. LAWRENCE,
Chairman.

F. PRATT,

C. N. SEDDON,

J. R. MARTIN,

G. K. SATHE,

V. J. PATEL (subject to a joint minute
, by the Honourable Rao Bahadur Sathe
and myself and my separate minute),

M. RAFFI UDDIN AHMAD (subject to
a minute of dissent),

R. C. ARTAL,

MIR AYUB KHAN (subject to several
dissents and a note on Sind),

} Members.

* The Honourable Mr. Patel and Rao Bahadur Sathe dissent. Rao Bahadur R. C. Artal is of opinion that this clause should run as follows :—

(1) An additional tax upto one anna on the land assessment of occupied lands.

† The Honourable Mr. Patel dissents.

MINUTES OF DISSENT.

Mr. C. N. Seddon, I. C. S., Commissioner, C. D.

There are three important matters regarding which I find myself unable to agree with the recommendations of my colleagues.

2. There are also two small points—hardly worth mentioning perhaps—where I should like trifling alterations in the Report. In paragraph 101 it is suggested that the establishment of village panchayats would be more likely to result in extra claims upon the budget of the District Council than in any relief of their finances. A panchayat should not have more than its proper share of the local fund cess raised in the village; and, if this principle be observed, the establishment of a panchayat will not cost the District Council anything.

3. Again paragraph 80 contemplates putting sanitary affairs under the Public Health Committee suggested in paragraph 78. This is not quite clear perhaps from the wording.

4. These are small matters and I turn to more important points—the position of the Collector where the District Council has a non-official President, the constitution of the proposed School Board, and certain aspects of the Financial question.

I

A majority of our Committee has decided to recommend a scheme whereby the Collector would continue to control the executive, and would hold a position corresponding to that of the Bombay Municipal Commissioner; and perhaps to that of the Prefect in France, though I do not feel that I know enough about the French arrangements to accept this analogy with much confidence. However this may be, it seems to me illogical to combine in one officer the duties of a mere executive director and the powers of control which a Collector possesses under Chapter VII as the chief local representative of Government. The possession of these latter powers would give the Collector, backed up by the Secretary (probably a lent Government officer of the rank of a Deputy Collector), and all the office, far too much authority and influence, and the non-official President would find himself completely overshadowed. On the other hand if the Collector managed to efface himself and confined himself to the mere execution of orders received it is a question how far such a position would be compatible with the due maintenance of his general prestige and authority in the district. I do not fail to see the importance of encouraging local self-government, or I could hardly have signed our Report. But even supposing the scheme advocated would give such encouragement, which is perhaps doubtful, Government have other matters to consider. A reform can hardly be regarded as free from objection if it entails either chances of serious friction or the lessening of authority where its maintenance is essential.

For these reasons I am of opinion that, if it is decided to allow a non-official President, it would be better for the Collector to stand on one side altogether; retaining only, with some enhancement, the powers he possesses of supervision, advice, and control.

II

1. In paragraph 74 of our Report the Committee recommend that the School Board which has been suggested should consist of four members of the District Council and four outsiders, and observe that it is desirable to secure Mahomedan representation on this Board. I think there are objections to this constitution, and that some stronger expression of opinion as to Mahomedan representation is required. The Board should in my opinion consist of a clear majority of members of the District Council. With equality of numbers, and the possibility of the Chairman being an outsider, the Board would hardly be regarded as representative of the Council or as a Committee of that body. The object of our recommendations is the handing over of primary education to the District Council, and this object will not be met if we entrust the actual administration to a Board practically distinct from the Council. The School

Board should be a real Committee of the Council, composed of Council members, strengthened only by the addition of certain co-opted gentlemen of special knowledge and experience. It is a proper, indeed a necessary, provision that there should be such co-opted experts. But there need not be more than two or three such experts. In order therefore to keep the School Board essentially a Committee of the District Council I think a clear majority of its members should be from the Council. I suggest that there should be six such members, and three co-opted outsiders including the Deputy Educational Inspector.

2. It is not merely *desirable* that there should be some Mahomedan representation on the Boards but *essential*. It was with hesitation and reluctance that I agreed to support the claim to separate Mahomedan community election for the Councils and Taluka Boards. It is the question of Mahomedan education, and that question alone, that compels one to accept the Mahomedan demand. There are really no separate Mahomedan interests apart from education. That community has no special wants differing from or antagonistic to those of the rest of the population in the matter of roads or sanitation. That being so, if we agree to Mahomedan representation, by community election on the Council, it is still more necessary that such representation should also exist on the School Board. It would be wise to provide that of the Councillors on the School Board not less than one-quarter should be Mahomedans. If there are six such Councillors two should be Mahomedans: the three nominated outsiders will usually all be Hindus for the Collector will rarely find it possible to nominate Mahomedan outside experts. And it is natural and proper that these very men who have been elected by the Mahomedan community to seats on the Council should supply the School Board with its Mahomedan members. The main reason for their original election was to look after Urdu schools.

III

1. In paragraph 85 Government are asked to assent to certain general propositions as regards finance, and in paragraph 87 a third proposition is stated to the effect that when a local authority levies a special rate it should be entitled to a corresponding subvention from Provincial Funds. I do not think that Government can be fairly asked to accept this proposition. Further on in paragraph 118 a scheme D for Government subventions has been recommended, wherein it is suggested that the District Council should receive grants on the basis of rupee for rupee raised by self-taxation and on the basis of two rupees to one spent on education. The Committee have recognized the impossibility of expecting Government to pay rupee for rupee raised, and two rupees for one rupee spent, as a general proposition.* But they think it would not matter if the money raised by self-taxation were spent on some object other than education, while the subvention on the basis of expenditure applied only to education. I do not like this idea, and think this double basis for contribution will lead to confusion and trouble, involve Government in unfairly large contributions, and be otherwise objectionable. The money raised by self-taxation may be nominally spent on some matter having no connection with education but it will free other funds for education, and this can hardly be prevented. Moreover there are at present activities other than educational which Government may properly desire to encourage by grants-in-aid on the basis of expenditure—sanitation for example.

2. I think it would be very much better—less confusing, more consistent and logical, and more useful—to discard the idea of encouraging local self-taxation by promising equivalent grants, and to hold fast by the present policy which bases grants-in-aid on expenditure. After all people will be encouraged to tax themselves just as much by the one plan as by the other. They will raise money in order to spend it, and it does not really matter whether the subvention comes before they spend it or after.

3. Moreover I am hardly prepared to recommend that Government should contribute two rupees to one on education throughout, or that grants-in-aid for other items of expenditure should be abandoned. Some branches of education

* This would mean that for every rupee raised and spent Government would contribute 5 rupees.

may need more encouragement than others—girls' schools for example. Some activities mainly those connected with sanitation—require stimulating more than others; no stimulus is more effective or easier to apply than a grant-in-aid of expenditure. We have not collected sufficient information as to the various rules and principles approved by Government in these matters to justify us in recommending a change in the trend of policy. It is sufficient that we should recommend larger assignments in aid of the local bodies—derived from fixed proportions of the Excise and Land Revenue—leaving Government to follow their own policy as to the principles which should guide them in allotting grants-in-aid.

C. N. SEDDON.

The Honourable Rao Bahadur G. K. Sathe.

Presidents of District Councils.

Lord Ripon's Government issued a Resolution in May 1882 and it advocated the principle of having Non-Official Presidents. This principle was recognized in Bombay Act I of 1884, section 27, and the discussions in the Legislative Council (1884) distinctly point to the fact that even then Government expected to get capable and willing non-officials to fill the chair of Local Boards. It was unfortunate, however, that no effect was given to the elastic provision of section 27 during the last 30 years. With the general advance the people of the Presidency have made, and with the steady progress of education, it is not certainly difficult to secure, almost in all districts, non-official capable gentlemen who would devote some of their time to public voluntary service. The Committee has also advocated the change from the Collector-President to Non-Official-President in advanced districts. In view of this opinion of the Committee I did not think it necessary to express my dissent. But I think the recommendation does not go far enough. I believe that, the time has come when the franchise of having Non-Official-Presidents might safely be extended to all districts, reserving to Government the power to exclude any particular district, if necessary. With this change it need not be apprehended that efficiency will suffer. The controlling provisions are a sufficient guarantee against misuse or abuse of powers. Other reforms suggested by the Committee and *this reform particularly* will have the effect of putting these bodies on a *more popular and liberal organisation* and of *releasing them from the guiding strings of official control*, a result which is contemplated by Government in the Resolution under which this Committee was appointed.

G. K. SATHE.

**Joint minute by the Honourable Rao Bahadur G. K. Sathé
and the Honourable Mr. V. J. Patel.**

Communal Representation.

(1) Under the system prevailing at present, not more than one-half of the total number of members are elected. This proportion the Committee has proposed to raise to two-thirds. This will reduce the number of nominated seats by nearly 33 per cent. The interests of minorities and several communities are up to now being secured by nomination. The reduction in the nominated seats has created an unnecessary apprehension that henceforth the several communities will not be adequately represented in nominations. Thus comes in the question of communal minority, or community representation. These words appear to be synonymously used. Though there are several communities and minorities, the Committee has taken account of only Mahomedan representation. Recognition of this special community is, in our opinion, impolitic and this special privilege to one class is synonymous with corresponding disabilities to other classes. Mahomedans desire to follow up the communal representation already granted to them in Legislative Councils by extending it as a necessary corollary to the local self-governing bodies, *e. g.*, Municipalities and Local Boards. It is inopportune to discuss here whether it was good to introduce this principle even there. Looking to the percentage of Mahomedans living in rural areas of the Presidency proper, to the nature of work transacted by rural boards and to the absence of any conflict of interest arising among the several communities, (except perhaps in educational matters, which can be provided for by having co-opted members on School Committees), it is not necessary to recognise the claims of Mahomedans for separate representation *through a separate electorate*. This will naturally embolden other communities to make demands for separate representation; and it will be impossible for Government to entertain those demands on the ground of impracticability, not to mention other considerations. Out of the witnesses (Official and non-official) consulted very few favour the principle of communal representation. It is at the same time significant to note that almost all the Collectors and all Assistant Collectors of the Presidency proper have emphatically expressed their opinion against communal representation. These officers are in constant touch with the people of their Districts and are eminently fitted from their position to know the needs and requirements of the public living in their Districts. The unanimous opinion of such officers is entitled to great weight, and the Committee was not justified in setting aside such a strong body of official opinion which is not open to the usual criticism of being biassed or one-sided. Government have also perceived the impracticability of arranging to give separate representation to different creeds and communities (*vide* G. L. No. 7273, G. D., dated 10th October 1913, paragraph 30). The situation has not certainly changed since then. A similar view has been expressed by Government of Bombay in their letter to Government of India No. 1768, G. D., dated 26th March 1908, paragraphs 13 and 22. The goal must be to link different races of India in bonds of union and brotherhood, and Government, at any rate, should not take any step or adopt a system which will crystallise and accentuate the sectional and sectarian differences which already tend to retard progress in this great country. Moreover, election by communities demoralises the people and necessarily makes their vision narrow. We close these remarks by attaching two extracts from the speeches of our distinguished Viceroy His Excellency Lord Hardinge.

*Extract from the Speech of His Excellency Lord Hardinge
delivered at Bombay on 18th November 1910.*

“Your (Mahomedan) community has received special treatment and I am glad to hear that you appreciate the obligations which those privileges carry. I trust that it will ever be your aim while promoting the interests of your own community to avoid anything which may tend to emphasise those sectarian differences which must exist but need not be accentuated. I shall always be ready to lend a sympathetic ear to any expression of Mahomedan views and feelings but you must remember that a *spirit of self-restraint* will add greatly

to your influence and that special privileges to one class are synonymous with corresponding disabilities to others.”

Extract from the speech of His Excellency Lord Hardinge delivered at Lahore to the Moslem League.

“Whether or when you (Mahomedans) may yourselves come forward to say that you no longer require the privilege of separate representation, I cannot say, but if such a day comes, it will be the evidence of a spirit of mutual toleration and enlightened progress which could not but be a happy augury for the peace and welfare of your motherland.”

Paragraph 22.—Two alternative Schemes.

(2) Of the two alternative schemes proposed by the Committee, the majority have accepted the second. In paragraph 26 of the report the objections to this scheme have been summarized, but the main features of the difference between the position of a Municipal Commissioner in Bombay and that of a Collector of a District have not been noticed. The Municipal Commissioner does not possess such ample and all round executive powers as the Revenue and Magisterial head of a District, and further he has not any powers of control over the affairs of the body similar to those conferred on the Collector by Chapter VII of the Local Boards Act.

In order to give full effect to the principle of Local Self-government it is absolutely necessary that there should be complete severance of the District Councils from internal official control. As the system advocated is not free from this drawback, we do not subscribe to it. The first scheme, though acknowledged to be sound in principle, is discarded for reasons stated in the concluding portion of paragraph 25. We cannot imagine how the severance of the establishment from the control of the Collector would result in loss of efficiency or breach of continuity, when it is proposed to place the whole establishment under the direct control of a highly paid competent Executive Officer. As the experiment of complete autonomy has succeeded in City Municipalities, it will be legitimate to expect a similar success in the case of District Councils.

Powers of Control.

(3) In paragraph 50 the Committee recommends the adoption of the principle that external control must be strengthened if internal control is to be surrendered; this argument is fallacious; it assumes that something more is now being given to the public beyond what was provided for by the Act of 1884. But this is not so, inasmuch as the present law did contemplate the nomination or election of a Non-Official President and the extensive powers conferred by Chapter VII were considered by the Legislature sufficient to meet all possible contingencies. For reasons, into which it is now unnecessary to enter, this provision has so far remained a dead letter and simply because it is now recommended that effect should be given to it, it does not follow that it is necessary to make the law more stringent on the point.

The existing powers are similar to those mentioned in Chapter XII of the District Municipal Act III of 1901. The privilege of having non-official gentlemen as Presidents of Municipalities has been exercised by a limited number of Municipalities since 1884, and it has now been extended since 1909 to a very considerable number. But there is no complaint heard so far that the existing powers were found inadequate in any instance to deal with the erring Municipalities. This being so, it would be premature for Government to assume larger powers in view of contingencies which may never arise.

The Assam Local Self-government Act, 1915, provides for controlling powers which appear to be very elaborate.

Removal of Members by Government.

(4) Paragraph 51.—Under Act III of 1901 the Governor in Council has power (*vide* section 16) to remove a Councillor on the recommendation of the Municipality and has also the power to give a final decision in case a

question or dispute arises whether a vacancy has occurred (*vide* section 15 (3)). The Governor in Council has no power under the law to take any action for removal *suo motu*. The initiation rests with the Municipality for the evident reason that they should be the arbiters in the first instance of what is misconduct or disgraceful conduct or incapacity within the meaning of the section, and this seems desirable, otherwise by asserting such a censorship over individual Councillors Government might assume an unnecessary responsibility and incur uncalled for odium.

In our opinion, therefore, the recommendation contained in paragraph 32 of the Bombay Government's letter No. 7273, dated 10th October 1913, General Department, should be adopted with the addition that the recommendation should be supported by at least three-fourths of the members.

Clause E of Section 7 of the Assam Act is too loose and wide and would furnish an easy handle to unscrupulous and designing persons to gratify private animosities by approaching the Collector openly or under disguise. Further there is a chance though remote, of individual members having to pay a heavy penalty for incurring the displeasure of the executive head of the district in consequence of open and honest opposition.

Increase of one anna Local Fund Cess up to two annas.

(5) The principal asset of the rural boards is derived from the levy of one anna cess per rupee of land revenue assessment. That the boards require more money cannot be denied. Our local revenue is inelastic and utterly insufficient to meet the demands of ever increasing local needs. The most important problem is how to get this additional revenue. The Committee has unanimously proposed to invest District Councils with powers of self-taxation and have also suggested some new items for taxation. We are of opinion that local fund cess should not at any rate be raised before every other means is exhausted. Since 1869 agriculturists alone have been paying this cess and non-agriculturists have also reaped the benefits of the working of local boards without paying a single pie to these boards. The land assessment is already sufficiently high and though one cannot deal exhaustively with this subject in a short minute, still the fact seems to be beyond doubt that any further taxation on land direct or indirect cannot be reasonably advocated. In some provinces this local rate is levied on the rental value of the land, and it is argued that our assessment is short of the rental value of land. We cannot subscribe to this view. There are several factors which are taken into account in determining assessment. There are good and bad years. The assessment might appear to be low in the year of bumper crops. In famine times the rayat has to pay out of his pocket. One year out of four or five is a famine year. Assessment thus represents on an average in this presidency which is governed by Rayatwari tenure rental value. (*Vide* also foot-note page 257, Decentralization Commission Report.) In this presidency this local cess is charged on the amount of land assessment and the principle of cess on actual rental value is quite new. For facility of administration and for other obvious considerations this cess should be regulated on Government assessment. The Royal Commission on Decentralization after recording opinions of officials and non-officials did not recommend any increase on this head. Sir Frederic Lely and Sir Steynning Edgerly, the two very experienced and capable Revenue Officers of this presidency, were amongst the Commissioners and their opinion is entitled to weight.

Cess on Abkari Revenue.

(6) The majority of the Committee is against this impost or cess. The objections may be summarized as follows:—

- (1) Proceeds will be unequal in several districts.
- (2) This cess will make liquor dear to some extent.
- (3) It will eventually reduce, proportionately the revenue of Government.

(4) It will encourage illicit importation, manufacture and consumption of liquor.

(5) The taxation of liquor trade is so difficult and delicate a matter that it must be left in the hands of Government. As regards objection No. 1 it may be observed that there is and is bound to be inequality in several districts in every item of revenue. This is, however, a genuine objection. The revenue so derived from this cess may be pooled together in a division and the Commissioner may distribute the same to several districts according to their population, needs and amount of revenue realized. Objection No. 5 need not be taken account of. It is not suggested to place liquor trade in the hands of local bodies and Government will have to make recoveries of this cess as it does at present in the case of local fund cess. The imposition of one anna cess on license fees, tree-tax and still-head duties will not appreciably increase the cost of liquor. The increase will not be more than $6\frac{1}{2}$ per cent. and is not certainly such as would deter drinking public from having recourse to drink. That the items composing the Abkari revenue are capable of bearing additional burdens is being fully demonstrated every year. Government have at intervals enhanced tree-tax, duties on country spirit, prices of ganja and opium and license fees. Has this increase resulted in any loss of revenue to Government? The answer is no. This revenue has enormously increased in recent years and is an ever expanding revenue. The apprehension underlying objections Nos. 2, 3, and 4 is problematical, if not imaginary. We cannot really see any insuperable inherent demerit in having this cess. We have considered this proposal only from a fiscal point of view and have not allowed our opinion to be influenced by moral considerations (though we value them most). The object of the State in increasing duties on liquor, tree-tax, etc., is evidently to discourage consumption of all intoxicating drugs. If this be so, State can allow local bodies to levy this one anna cess which will be in keeping with the policy of Government, *viz.*, "maximum of revenue consistent with minimum of consumption". In former times besides the land revenue there were other imposts, called "Sair" or "Sayar". In volume I of Baden-Powell on Land Systems in British India at page 420 these imposts are described and item of excise is mentioned as one of the many. This quotation is given to show that there is a precedent for such cess. Bombay Act III of 1869 also recognized it. Government has been paying contribution in lieu of one anna cess on excise revenue.

Forest cess.

(7) We are in favour of having one anna cess on timber and hirda. These are the two important items of forest revenue. They are commodities of trade and Government need have no fear that auctioneers will pay proportionately less to Government. Rates are regulated by the law of supply and demand.

G. K. SATHE.

V. J. PATEL.

Corrections to the Honourable Mr. Patel's Note of Dissent.

Page 39, para. 6, line 11, the words 'advanced districts' should be in inverted commas.

Page 42, para. 14, line 5, for the word "numbers" read "members".

Page 43, para. 16, lines 2 and 3, the words 'advanced districts' should be in inverted commas.

Page 45, para. 20, line 3, between the words "Presidents" and "for all Boards" insert "Vice-Presidents".

Page 49, para. 30, line 3, for the word "of" read "to".

Page 51, para. 30, line 2, for the word "for" read "from".

Page 53, line 12, omit the word "elective".

Page 53, para. 39, line 4, between the words "Taluka and" and "Boards" insert the word "District".

Page 54, para. 43, line 4, for the word "matter" read "matters".

Page 54, para. 45, line 2, for " $\frac{1}{3}$ " read " $\frac{2}{3}$ ".

Page 55, para. 48, line 4, between the words "observed" and "the real" insert the word "that".

The Honourable Mr. V. J. Patel, Bar-at-Law.

PART I.

1. I regret I find myself unable to join in most of the recommendations made by the Committee in their report. As regards some of them, the Honourable Rao Bahadur Sathe and myself both differ from the majority, and on those points we record a separate joint minute. In this minute, therefore, I propose to confine myself mainly to the consideration of those points on which I alone differ.

2. Before proceeding further, I should like, in the first place, to draw attention to the Government Resolution in which Government set out the object and scope of the inquiry which the Committee were directed to make. On a reference to it, it will be noted that the Government at the very outset of that Resolution point out that the administrative system of the Local Boards in this Presidency falls short of the standard set by the Decentralization Commission in respect to the organization of these bodies on a popular basis and their emancipation from official control. They further observe that the development of local self-government in the case of these bodies has been disappointingly slow and that though there were other causes to militate against progress it is difficult to avoid the conclusion that the existing state of affairs is to a large extent attributable to the fact that the system of the administration of the Local Boards still remains what it was when these bodies were first constituted under the present Act some thirty years ago, and that during all that time there has been no movement in the direction of endowing them with a more liberal organization and releasing them from the guiding strings of official control.

3. It appears to me quite clear from this that the Government themselves realise that these bodies should be freed from official control and endowed with a more popular and liberal organization and that needful action in this direction should have been taken long ago and that it is now urgently needed.

4. Having thus given expression to their wishes and intentions in such emphatic terms the Governor in Council directs the Committee to make more particular inquiry with reference to the questions referred to in paragraphs 27 to 30 and paragraph 34 of the Resolution of the Government of India relating to elective majorities on rural boards, selection of the Chairman of such boards, their financial resources, their powers of taxation and the degree of supervision to be exercised over the estimate for and the execution of their public works.

5. In my treatment of these various questions in this minute I propose to put the questions of official control and financial resources in the forefront and to deal with them at some length, as I strongly hold the view that the main causes which make these boards the inanimate bodies as they undoubtedly are, are this official control and the lack of resources.

Official control.

6. As to this, I have already pointed out that the Government themselves recognize that the development of local self-government has seriously suffered by reason of no action having been taken in the past to release these bodies from the guiding strings of official control and they have expressed in clear terms their own desire to effect the needful reform in this respect. Under these circumstances I had hoped that the recommendations of the Committee, acting under the directions above referred to, would suggest ways and means to give full and immediate effect to these wishes of Government. I regret, however, to observe that I am disappointed. The Committee recommend that the change from the Collector-President to the non-official President should not be made except with caution, and by way of experiment, in advanced districts, and that even in those cases such non-official President should, for the present, be only nominated and not elected and that the executive and the clerical staff of the board should be under the control of the Collector and not be responsible to the board and the President. They also recommend that the Collector's control should be further strengthened by transferring to him certain powers at present vested in Government under the existing law.

7. It is, of course, for Government to consider how far these recommendations meet their wishes as expressed in the Government Resolution already referred to, and how far they will help in emancipating the boards from the leading strings of official control and to infuse more vital and real spirit of local self-government in them. Speaking for myself, I am bound to say that they appear to me to be directly opposed to the spirit of the liberal policy declared by Government in their Resolution and to be calculated to reduce the boards more effectively than ever to the position of mere departments of state instead of their being, as they are intended to be, effective instruments for training in local self-government. I have no doubt that far from infusing a vital and real spirit of local self-government in these bodies, the recommendations proposed will kill what little vitality there may still be in them.

8. Before proceeding to consider in detail the recommendations of the Committee and stating my own views on the point, it will be convenient if I briefly review the history of this question since the time of Lord Ripon's Government. That Government expressly laid down that the district officers should, usually, not take part in the work of rural boards which should, as a rule, have elected non-official Presidents. I cannot do better than quote the very words of their Resolution of the 18th May 1882, which, in very emphatic terms, give the reasons for this fundamental principle in the constitution of these boards :—

“There appears to him (the Governor-General in Council) to be great force in the argument that so long as the Chief Executive Officers are, as a matter of course, Chairmen of the Municipal and District Committees, there is little chance of these Committees affording any effective training to their members in the management of local affairs or of non-official members taking any real interest in local business. The non-official members must be led to feel that real power is placed in their hands and that they have real responsibilities to discharge. It is doubtful whether they have under present arrangements any sufficient inducement to give up their time and attention to the transaction of public business. There is this further objection to the district officer acting as Chairman, that if the non-official members are independent and energetic, risk may arise of unseemly collision between the Chairman and the board. The former would be in a far more dignified and influential position if he supervised and controlled the proceedings of the board from outside acting as arbiter between all parties and not as leader of any.”

9. In spite of this declaration, the then Government of Bombay thought that it was inadvisable to have elected Presidents on Local Boards. Consequently the Local Boards Act, passed in 1884, provided that the Presidents of Local Boards should be officials nominated by Government; but at the same time, the Act gave power to the Governor in Council to authorize, if, and when, they like, the Local Boards to elect their Presidents. When the Bill on this subject was under the consideration of the Bombay Legislative Council, some of the non-official members opposed the clause dealing with the constitution of the boards and maintained that the Local Boards should be given the right to elect their own Presidents. The attitude taken by the non-official members of those days will be seen from what the late Mr. Badrudin Tyabji said at the time in his speech on the subject. He said :—

“I now come to the clauses affecting Presidents and Vice-Presidents, and, I confess, I entertain a very strong conviction that the success or failure of the system of self-government will very much depend on the manner in which this problem is solved. I would earnestly deprecate, as a general rule, the appointment of Collectors to be the Presidents of the Local Boards. I am satisfied that their presence, as a rule, will be sufficient to crush the independence of the members and I feel convinced that their presence or even their active influence would be quite enough to cause either an unseemly or undignified wrangle at every meeting of the board, or complete submission to the behests of the Local Authorities. I submit, therefore, that, as a general rule, at least the Presidents of the Local Boards should be non-official gentlemen, and I go further and say:

that these Presidents should, as a rule, be permitted to be elected by the Local Boards themselves subject only to the approval of Government."

This opposition was, however, withdrawn by the non-official members on their being assured by the Government that the clause dealing with the constitution would be liberally given effect to. It is now over 30 years that the Bombay Government have not given any consideration to this matter of their assurance, by the exercise of the power given to them to authorize the Local Boards to elect their Presidents.

10. I strongly entertain the view that there can be no real self-government if the people are not trusted to manage local matters without the official rod at their elbow. I do not, for a moment, deprecate official control. It is at times necessary and justifiable, but such control, in my opinion, should be exercised from outside as contemplated in the Government of India Resolution of the 18th May 1882. I am convinced that it is essential to the success of local self-government scheme that the boards should be entirely freed from the overshadowing influence of Government officers inside them, however well-meaning and liberal-minded they may be. This will not, I am sure, diminish their importance or their usefulness to the board. They will be in a better position to advise the board from without than when they are participators in the action of the collective body. The Government of India in paragraph 5 of their Resolution, dated the 18th May 1882, say: "If District Collectors come to realise that the system really opens to them a fairer field for the exercise of administrative control and directive energy than the more autocratic system which it supersedes, then it may be hoped that the period of failures will be short, and that real and substantial progress will very soon become manifest." It is, therefore, in my opinion, absolutely essential to withdraw official control from the inner working of the boards and any glaring instance of wilful default or abuse of power can always be controlled by enforcing, if necessary, the provisions of the so-called bludgeon clauses which are already on the statute book.

11. I may mention here that in the two Bengals the right of electing Presidents has been conceded to the Taluka Boards for years past, and the Central Provinces District Boards enjoy the privilege of non-official Presidents.

Even in the interest of the public service my suggestion ought to commend itself to Government. The present official heads of the District and Taluka Boards have enough burden of work in connection with the revenue and the general administration and the cry all round is to relieve them of these extra burdens.

It is worthy of note that at present the official as President of Local Boards is the medium of correspondence between the board and Government, and as such it is his duty to place points before Government in a light reflecting the views of both parties. He as a President, however, has a view of his own, and it is only human nature that he should like to impress that view on Government. Is it not then likely that in doing so, especially in very controversial matters, his presentation of the case would not be altogether colourless? Besides, all the records of the board are in his charge, as a result of which, the non-official members are at a considerable disadvantage as regards information bearing on questions coming up before the board.

12. It is again to be noted that the argument about the paucity of men able and willing to work as Presidents of Local Boards is out of date. Every district in this Presidency has, I believe, among its residents a body of Government pensioners, some of whom have served as Mámlatdárs, Deputy Collectors, Sub-Judges, Accountants, Engineers, Deputy Educational Inspectors, Head Masters of High Schools or in some other capacities in the several departments of the public service, and some of them must have had when in active service worked on Local Boards and even controlled its administration in their official capacity. These gentlemen would certainly be very glad to have an opportunity to help the cause of local self-government in their districts. Besides these gentlemen, there would be found men of experience and business habits among Jahagirdars, Inamdars, Watandars, Desais, Amins, Deshpandes and other landholding classes as well as among mercantile classes and more particularly

among those practising as Vakils, Medical men and Engineers, from whom it would not be at all difficult to select competent men for the discharge of the duties of the President.

13. I should like to add here that I do not see any reason why the choice of a non-official President should be limited to the members of the board exclusively. The field of selection should be made as wide as possible by interesting other non-official gentlemen in the district in the work of Local self-Government. In all the towns and cities of this Presidency there is always a number of non-official gentlemen both European and Indian whose knowledge and experience may be most usefully turned to account as Presidents of Local Boards.

14. While on this point I should like to point out that even the Decentralization Commission which unfortunately recommends the continuance of the present system, does not do it on the ground that no capable men will be available to hold the office of President or Vice-President. The two main grounds on which they seem to support the retention of the Official President are that the change will convert the Collector into a mere tax gatherer and a repressor of crime and that it will divorce him from the healthy contact with the instructed non-official opinion. With regard to the first, it must be remembered that the Collector of a District is the representative of Government in all branches of administration. There is in fact not a single department of Government the affairs of which directly or indirectly do not come under his supervision. Under the Criminal Procedure Code he is given extensive powers over the personal liberties of the whole population of the District committed to his charge. As Chief revenue authority in the District his powers are still more absolute. The entire agricultural population is at his mercy. He is the person through whom the ryots can hope to obtain remission or suspension of revenue in bad years. He is the person who sanctions Tagávi advances, to whom the larger land-holders and Inamdars have to look up for assistance to collect their dues. He is the state treasurer in the District and it is he who controls the District Police. These are only some of his powers. His official position is so great that all officials and non-officials high or low in the district desire to know his pleasure. Having due regard to the gravity and multiplicity of the powers of the Collector the argument that the change from the Collector President to non-official President will reduce the Collector into a mere tax gatherer and repressor of crime does not require any serious refutation.

Coming to the second ground I can only observe that to me it appears still less tenable. The Collector has always numerous occasions to consult non-official opinion, if he has only the will to do so. Local Boards are hardly the centres where such opinions can be secured when it is remembered that as President of the Board the Collector meets the members usually only twice a year. What is really required is that the Collector and his subordinates should not regard Boards presided over by non-official gentlemen as alien departments and should behave with them in a spirit of friendliness and co-operation.

It is also urged that non-official President would not be in a position to acquire general knowledge of the district as he will not constantly travel. Of course it is true that a private gentleman cannot be expected to travel as constantly and as widely as a District Officer does, but when we consider that the Prant Officers and the Mamlatdars will under the Committee's recommendations continue to be the members on the Boards the objection ought not to prevail. I must mention here that the Committee in paragraph 41 of their report recommend that a provision should be made in the Act to grant travelling allowances to non-official Presidents and Vice-Presidents with a view to afford them needful facilities for travel.

It is, I believe, on these and similar other considerations that the Bombay Government in their Resolution appointing the Committee expressed very strongly in favour of the desirability of this change in spite of the recommendation of the Decentralization Commission to the contrary.

15. Lastly, I turn to the evidence of the witnesses consulted. The Committee in paragraph 19 of their report remark that there is a majority of non-official opinion in favour of non-official President and that yet there remain a substantial minority of non-officials who are in favour of official President. They also say that the official opinions by a substantial majority are in favour of retaining official President but do not point out that out of 100 officials consulted by them from the Presidency proper there is a substantial minority of $\frac{1}{4}$ th of the officials themselves in favour of non-official President.

Now with regard to non-official opinion, I beg to observe that the selection of the witnesses to be consulted was for the most part made by the Collectors themselves, and among the witnesses selected there is to be found a not inconsiderable number of pensioners and title-holders whose views on matters of this kind cannot be expected to be altogether free from official colour or bias. In spite of this the Committee had before them a majority of non-official gentlemen, numbering 64, in favour of non-official Presidents of District Boards and of 69 for Taluka Boards out of a total of 117 for the Presidency proper. I may also mention that some of the written opinions received by the Committee were from public associations and if that fact were considered the majority of non-official opinion would appear to be still larger.

Now coming to the question of the consideration of official evidence I may say at once that one need not be surprised to find a substantial majority of officials supporting the institution of official President, and it is really a sign of the times that the Committee could get so many as 25 officials out of 100 to support the case in favour of non-official President. It will not be out of place to mention here in this connection that it has been the experience of many a public man in this country that so long as questions relating to the rights of Indians to a larger share in the administration of their country are matters of theoretical discussions and confined to speeches and resolutions, their capacity and fitness for the exercise of high administrative functions are acknowledged without hesitation. But once the question seriously resolves itself into the matter of fact issue of "give" and "take" between the Government officers and the people all the stern realities of an *esprit de corps* present themselves to one's eye. In proof of this you have only to turn your attention to the evidence of the official heads of the administration in most of the districts of the Presidency who deprecate the idea of subjecting their districts to experiment in popular and public education. These gentlemen, I am afraid, ignore the results of the operation of progressive institutions in other parts of the world and refuse to believe in the effects of the civilising influences at work in this country. They seem to give a go-by to the fact that new forces are springing around them which must work their way and they do not seem to realise that as intelligence and education spread, those forces which impart vitality to people in other countries infuse fresh energy among the intelligent portion of all the classes even in this country and this vitality grows and permeates through different channels throughout the society in general.

16. After reviewing the whole evidence the Committee decides to advocate the experiment of non-official Presidents in only advanced districts and that too with caution and by way of experiment. What those advanced districts in the opinion of the Committee are is not stated. This half-hearted recommendation, I must say, loses all value when it is remembered that the non-official President even for such "Advanced Districts" should, according to the Committee, be nominated by Government and not elected by the board. I regret I have to express very strongly my disagreement on this point. One should have thought that a board consisting of a large number of elected members would like to be governed not by a nominated head but by a President of their own selection. Given an elected majority the principle of elected President, I think, follows as a natural corollary. If one examines the evidence of witnesses consulted, both official and non-official, who are in favour of non-official President, he will find that there is an insignificant minority to support the proposal of a nominated President, a minority so insignificant that the Committee have not thought it proper to support this recommendation on any

evidence. In fact, one can safely say that the witnesses who support non-official President are almost unanimous that he should be elected and not nominated. The Committee further propose that in districts in which the experiment of non-official President may be tried the Collector should be the executive head of the District Board's staff and should have control over the executive and clerical establishment of the Board. This recommendation, in my respectful opinion, suggests a highly retrograde move and I feel I must record my emphatic protest against it. Under the existing system, it may be noted, the board as a whole, and not the Collector President individually, has the power to appoint, dismiss or suspend its staff. Under the system advocated by the Committee a non-official gentleman is to preside and to carry on the administration of the board with an establishment over which he will have no means of control. The Collector will not only appoint, dismiss or suspend the staff but will also exercise the powers given to him under the controlling chapter which powers are again proposed by the Committee to be further enlarged. In this view of these recommendations I leave it to His Excellency the Governor in Council to consider whether they are calculated to emancipate Local Boards from the leading strings of official control and to foster real self-Government as desired by them.

17. In pursuing this subject further we find in paragraph 37 of the report the recommendation of the Committee on the question of the President of a Táluka Board. They say in regard to this that in some few cases in the Presidency proper non-official gentlemen with the necessary qualifications may be available and should be accepted. This recommendation is silent on the question whether the non-official President even in these few cases contemplated by the Committee should be elected or nominated. However that may be, there are two points that need consideration: one is that out of 117 non-official witnesses as many as 69, and out of 100 official witnesses so many as 31 in the Presidency proper, are in favour of non-official President for Táluka Boards and I may add that with only a few exceptions all these official and non-official witnesses are in favour of such President being elected and not nominated. The second point is that the functions of a Táluka Board, as they at present stand, are of a mere nominal character. They have hardly any power to spend money, for virtually they have very little money to spend. District Board is the chief spending body and what little the Táluka Board spends it does so as an agent of the District Board. Is it then at all difficult to get one man in the whole of the táluka to be the President of such board when experience has actually shown that in the case of Municipalities which have much larger funds to spend, there has been no difficulty in finding capable men to work as Presidents even in tálukas?

18. I now come to the Committee's recommendations with regard to the Vice-President. The evidence in favour of having elected non-official Vice-President both for District and Táluka Boards, is so overwhelming that the Committee in paragraph 16 of their report very rightly observe that there is a general concensus of agreement that the Vice-President should be an elected non-official. In view of this evidence thus noted by the Committee one should have thought that the Committee would recommend the necessary change in the existing law to meet the requirements of the situation. It is most unfortunate, however, that when the actual question of making necessary recommendation comes to be considered they, by a majority, hold that the law should stand unchanged and that it should be left to Government to give executive orders that no official be permitted to serve as Vice-President where a suitable non-official can be found. In support of this recommendation the Committee observe that it is clearly established by the general body of opinion that the combination of qualities necessary for the discharge of the functions of the Vice-President cannot often be found. This statement of the Committee is evidently inconsistent with their finding that there is a concensus of opinion in favour of elected non-official Vice-President and to my mind indicates a curious confusion as to the appreciation of the evidence before them.

The Committee further add that for the discharge of the functions of this office a man with leisure, vigor, aptitude for public affairs and public spirit is necessary. Is this combination of qualities to be found in the present-day

official Vice-President? Are they men with sufficient leisure and if so, what about the all round cry that the revenue officers are so overburdened with executive and administrative functions that the sooner they are relieved of their extra duties in connection with the Local Boards and Municipalities the better? Are they the people with aptitude for public business and public spirit? Is it not true that you can easily find among the non-officials more men with public spirit and aptitude for public business than among the officials?

The Committee further observe that there is no disinclination on the part of officials to utilise the services of qualified non-official gentlemen wherever they can be found. I am not prepared to support this statement. I know of a number of instances where the officers of Government have become Presidents and Vice-Presidents of Municipalities where non-official gentlemen far superior to them in ability with plenty of leisure, business aptitude and public spirit had to remain in the back ground.

Whatever may be the personal views of the majority of the Committee the fact remains that there is an almost unanimous opinion in favour of elected non-official Vice-Presidents for both District and Táluka Boards and the Decentralisation Commission also supports this opinion.

19. These, then, are my views on the question of Presidents and Vice-Presidents of Táluka and District Boards. I, therefore, strongly appeal to Government that the existing law on the subject should be so amended as to provide that Presidents and Vice-Presidents of District and Táluka Boards shall be elected non-officials. Half-hearted measures and experiments will defeat instead of promoting the very object which Government have in view as so emphatically declared in their Resolution appointing the Committee. What should have been done years ago I am requesting Government to do now. It is, no doubt, a very difficult task to overcome the opposition offered by a large body of officials whose powers are likely to be affected by the proposed change and it must call for the exercise of all the resources of high courage statesmanship and a resolute determination on the part of any one to introduce this great administrative reform which is long overdue.

20. Lastly, in making this recommendation I do not shut my eyes to the argument that a hard and fast rule of law providing for elected non-official Presidents for all Boards might do more harm than good in a district here or a táluka there where the conditions require a different treatment. To meet such cases provision may be made in the law to invest the Governor in Council with power to direct by a notification in the Government Gazette that the whole or part of the general rule empowering the District or Táluka Boards to elect their Presidents and Vice-Presidents shall not apply to any táluka or district to which for exceptional reasons which shall be stated in the said notification, he shall deem such rule or part of it to be unsuitable.

Non-official elected President and Vice-President should be the rule and official the exception.

PART II.

Finance.

21. Next in importance is the question of the improvement of the finances of the Local Boards. I repeat what I have already stated before that the fate of these bodies will depend mainly upon the manner in which this question and that of the official control are solved by Government. For the purposes of my minute I propose to treat this subject under three heads—

1. Finance in relation to duties of Local Boards.
2. Finance in relation to local taxation.
3. Finance in relation to grants-in-aid.

22. The question of Finance goes hand in hand with that of the duties of Local Boards. Construction and maintenance of Local works of public utility in the early British period have a very interesting history. Village Panchayats and Village Funds soon became things of the past with the increase of imperial and provincial taxation. Local works thus came to be neglected though funds known as Male-Vero in Gujrath were to some extent utilised for the purpose. The Government, therefore, in 1863 introduced the levy of one anna cess on land revenue with a view that the amount realised by it might be of some assistance to them in meeting expenditure on local works. This levy was legalized by the Act of 1869. The principal feature of that measure was that the proceeds of the cess were to be devoted purely to local objects. Sir Barrow Ellis in moving that Bill stated :—“The people should receive by reason of the payment something which they had not before and which but for payment they would not receive at all.” It is to be noted, however, that in the actual administration of these funds the original objects sought to be promoted were departed from and large sums of money out of the cess were expended on objects other than local. Later on, in 1883, a Bill to establish Local Boards was brought before the Legislative Council when the clause defining the duties of those Boards was subjected to much criticism mainly on the ground that it required them to expend the cess money on certain works, the construction and maintenance of which were more properly the concern of the imperial or the provincial Government. The clause was then modified and the duties which were considered to be in their nature more imperial or provincial than local were classified as discretionary and those regarded local, as obligatory. I must point out here that the description of obligatory duties was so worded as to include within its meaning duties which should really fall under the class of discretionary duties. Apart from this, the legislature of that day left another defect in the Act in not including therein any provision to make it obligatory on Government to transfer funds to Local Boards sufficient to meet the expenditure to be incurred by them on any of the discretionary duties. The Government of India in paragraph 5 of their despatch to the Government of Bombay, October 10th, 1881, laid down “It is not the intention of the Government of India that the proposed transfer of the control of expenditure of a specially local character to local bodies should involve any addition to existing local burdens and it will, therefore, be necessary to arrange for the simultaneous transfer of receipts sufficient to meet any net balance of additional expenditure which in any instance may arise. The nature of the receipts to be transferred requires careful consideration. They should, where possible, be of such a character as to afford a reasonable prospect that by a careful administration, with the advantages due to local sympathy, experience and watchfulness, they will so increase as to afford the means of meeting any additional expenditure which may be rendered necessary by the growing wants of each locality. In cases where a larger augmentation may be needed than is yielded by the receipts of a specially local character, it may perhaps be found possible to assign to local bodies the receipts from pounds or a share of assessed taxes, collected within the area of their jurisdiction.”

23. The result of the absence of such a provision in the Act was that the Local Boards, under official Presidents, spent large amounts on what are described in the Act as discretionary duties to the neglect and prejudice of obligatory duties. The Decentralisation Commission, therefore, recommended that the duties of the Boards should be more clearly defined and that the expenditure on such works as veterinary, famine relief and plague should fall on Provincial Funds. It may be noted here that the Punjab Act makes no such classification of duties as obligatory and discretionary. The first part of section 20 of that Act specifies matters under six headings which, it says, shall be under the control and administration of each Local Board and then, it proceeds, in the second part, to describe under eleven headings matters, the control and administration of which, it says, may be transferred by the Local Government to Local Boards. What is more important still is that the Act by section 34 provides for the transfer of Funds to Local Boards by the Provincial Government for the efficient control and management of matters so transferred. The section says “When the control and administration of any matter is by or under this Act transferred to a District Board and at the time of the

transfer the cost of that control and administration is defrayed from Provincial revenue, the Local Government shall from time to time allot to the District Board such funds or place at the disposal of the Board such sources of income as may in the opinion of Local Government and of the Board be sufficient for maintaining the control and administration of the said matter in the state of the efficiency existing at the date of the transfer."

24. It seems to me, therefore, that our law on this subject in section 30 of the Act is materially defective and should be amended in two directions, *viz.* (1) the classification of obligatory duties should be so revised as to definitely restrict them to objects of purely local utility; (2) it should include a distinct provision for the transfer by Government to Local Boards of Funds sufficient to meet the expenditure on objects other than obligatory. I placed these views before the Committee and drew their attention to sections 20 and 34 of the Punjab Act but as no recommendation is made by the Committee on the subject I deem it my duty to invite the attention of Government to them.

25. I now proceed to the consideration of the question of Finance in relation to local taxation. The Committee in paragraph 85 of their report request Government to assent to the proposition that self-taxation is necessary to the success of local self-Government. Without disputing this proposition I should like to impress on the attention of Government the desirability of not associating local self-Government with local taxation to any considerable extent and of the use of great discrimination in the selection of heads for such taxation. Local taxation on any conceivable object or on objects selected without careful inquiry is bound to make local self-Government unpopular. I hope I shall not be misunderstood. I am not opposed to all local taxation. I recognise that circumstances beyond the control of the people have brought about a state of things in the administration of Local Boards, which call for some additional local taxation. The point that I really desire to emphasise is, that the best interests of local self-Government require that it should not be associated with excessive local taxation and that the heads for such taxation should be very carefully selected. If you, for instance, impose a cess on Excise or Forest revenue, local self-Government may not be unpopular on that account. If you, however, raise the land cess from one anna to two it is bound to be felt by the great body of agriculturists. There are very weighty reasons why I say we should proceed, as proceed we have to, in this direction very slowly and cautiously. It was never understood that the introduction of local self-Government in rural areas would involve any further local taxation beyond the one anna cess, nor was it, indeed, the intention of the Government of India when they introduced the system of local self-Government in Lord Ripon's time, to allow the imposition of any further local taxation for this purpose as is evidenced from paragraph 5 of their despatch to Government of Bombay quoted above.

Circumstances have, however, materially changed since. The administration of the country is somehow getting enormously costly year after year—so much so indeed, that some people already begin to doubt whether such costly machinery of administration is desirable or even necessary—new ideas under the civilising influence of the west spring up all around us and if progress has to be made, taxation must come as a matter of course.

I regret to observe that the Committee by a majority recommend that power should be given to Local Boards to raise the one anna cess to two annas and refuse to recommend the imposition of cess on either the Excise or the Forest revenue. I cannot persuade myself to agree with these recommendations and my views on these points are set forth in our joint minute.

26. Lastly, I propose to deal with the question of Finance in relation to Government grant. It appears to me that the recommendations of the Committee on the question of Government contribution towards the expenditure to be incurred by local bodies are far from satisfactory. The net result of those recommendations seems to me to secure to the Boards an addition of only $2\frac{1}{4}$ lakhs to the amount received last year. It is, in my

opinion, absolutely necessary in order to avoid any friction with and dissatisfaction on the part of local bodies that their relations on this question should be placed on a permanently satisfactory basis. In the first place, it must be made clear what exactly are the objects on which law requires Local Boards to expend local funds. It is also equally necessary that the Local Boards should know what exactly the Government contribution in the matter of such expenditure is going to be. It must, likewise, be laid down by statute that if the control and management of any matters not strictly local are transferred to Local Boards there shall be a simultaneous transfer of Funds from Government to Local Boards sufficient for their efficient control and management.

27. The first and third points I have already dealt with but the second, *viz.*, the desirability and necessity of fixing the share of Government's responsibility towards the expenditure incurred by Local Boards on objects which in law are known as obligatory, I propose to discuss now. The Committee recommend that a local taxation account should be opened and that to that account should be credited a two anna share of the excise revenue and a three pies share of the land revenue. The amount of the shares totals Rs. 36½ lakhs on the basis of present revenue under those two heads. I must say, I am not opposed to the principle underlying the scheme recommended by the Committee but, I am afraid, the course proposed is not at all likely to settle the relations between Government and the local bodies on a satisfactory basis unless the proportion of Government contribution towards the expenditure of Local Boards is definitely fixed and provision made to augment the amount in the account by increased shares of those revenues or in any other manner to make up the proportion so fixed. Take for instance that the expenditure of Local Boards goes up to Rs. 90 lakhs in 1916 instead of Rs. 77½ lakhs as in 1913 and Government have to the credit of Local Boards in the local taxation account Rs. 36½ lakhs under the scheme proposed by the Committee, Government may well say that they will not contribute anything more than 36½ lakhs standing to the credit of the Local Boards in their account. The Local Boards will be in a still worse plight if the income of the shares of the two heads of revenue proposed to be transferred to local taxation account goes down in any year. Again to put the other side of the case by way of illustration, suppose that the income of these shares of revenue expands in any given year to 52 lakhs and the Local Boards choose to spend Rs. 62 lakhs only for that year. The result will be that the Boards will be entitled to 52 lakhs standing to their credit in the local taxation account and spend only Rs. 10 lakhs from their own funds. Then again, there appears another difficulty if the recommendations of the Committee are accepted. In paragraph 117 of the report the Committee recommend that so far as Primary education is concerned Government should bear two-thirds of the expenditure on it, whatever the method of allotment may be. Now taking a possible case, suppose in a given year the total expenditure of Local Boards comes up to 80 lakhs of rupees out of which 60 lakhs are spent on education and the local taxation account has, say, 40 lakhs to the credit of Local Boards, Government will then be entitled to say that they will pay Rs. 40 lakhs in proportion of 2 to 1 towards educational expenditure and as in that case nothing will remain to the credit of the Boards in the taxation account after such payment they will be justified in refusing to contribute anything further towards the other expenditure. These and various other difficulties present themselves if the scheme proposed by the Committee is closely examined. No doubt, in paragraph 116 the Committee express a hope that as the expenses of Local Boards will increase Government will place to their credit in the local taxation account increased share of the land revenue. In expressing this hope, the Committee, far from suggesting any definite liability on Government, do not even attempt to point out how far they desire the Government to augment this account by such increased share of land revenue. It is mainly due to these considerations that I was induced to put before the Committee a scheme of my own which stands as scheme C among the schemes commended by the Committee for the consideration of Government in paragraph 118 of their report.

28. In discussing the merits of this scheme I may say at once that the liability of Government to make substantial contributions towards the expendi-

ture incurred by local bodies has not been and can never be denied. In fact, what is known as local self-Government as applicable to rural areas in this country is nothing but the transfer of control and management of certain minor matters of local administration from Government to the representatives of the people. Such a transfer without the simultaneous transfer of funds adequate enough to manage those matters efficiently is, I submit, as one of our members during our deliberations aptly remarked, putting price on local self-Government. For various considerations, however, it has been thought proper to call on the people to make some contribution towards this expenditure, and accordingly the agriculturists of this Presidency have been paying the one anna cess for the last 50 years. This contribution has been fixed by statute; but unfortunately no attempt has been made to fix any such liability on Government in this respect. It only stands to reason that the rights and responsibilities of both sides in this important matter should be clearly defined and placed on a satisfactory basis. Holding these views, I am of opinion that Government grants to local Boards must bear some fixed proportion to expenditure. This view is supported on the high authority of the Chancellor of Exchequer, who in his speech in the House of Commons in May 1914 said "instead of being fixed the grant must bear a direct relation to the expenditure." He condemned the system of local taxation account in vogue in England for 25 years chiefly on the ground that it provided insufficient resources for local authorities and advocated very strongly direct grants-in-aid on a far larger scale. The proposed change, however, has been postponed there owing to the war. The Committee accept this principle in regard to expenditure on primary education and recommend as follows:—

"In regard to Primary education in particular, we recommend that Government be pleased to accept the principle that $\frac{2}{3}$ rd of the expenditure by the District Council may be met from the Provincial grant, whatever may be the method approved by Government for their allotment; and we beg to point out that this proportion of $\frac{2}{3}$ rd has, in fact, been contributed in recent years."

29. It is difficult to understand why the Committee do not recommend the application of the same principle in regard to expenditure on other heads. This partial recommendation does not, in my opinion, improve matters in any way. It is open to Government to say, as pointed out above, that in a given year their contribution for Primary education having exhausted the full amount due to the Board's credit in the account they were not liable to contribute anything towards any other expenditure. The situation will be still worse for the Local Boards if in a particular year the amount standing to the Board's credit be not sufficient even to cover the Government contribution towards expenditure on Primary education. The real solution lies in fixing the proportion Government should bear on both these heads. It is, of course, not easy to decide what that proportion should be. The Committee recommend that this proportion in respect of Primary education should be two-thirds. This finding appears mainly to have been based on the ground that Government have been of recent years contributing two-thirds. My humble suggestion is that the share of Government on this head of expenditure should be $\frac{3}{4}$ th and not $\frac{2}{3}$ rd, as recommended by the Committee. I also suggest in my scheme that the expenditure of local Boards on other works should be borne by the Boards and the Government in equal proportion. Of course, there appears to be no specific standard under which grants on this head of expenditure have been governed in the past, but that is no justification why a definite proportion should not now be fixed. Uncertainty of Government grants for this purpose is really very perplexing to Local Boards and must retard progress.

30. In support of my scheme for fixing these proportions for the Government contribution towards expenditure on education and other works, I beg to invite the attention of Government of the following considerations, *viz.* :—

1. The recommendations of the Committee in respect of the transfer of the control and management of Primary education will entail extra expenditure to the Boards for additional staff for inspection. This expenditure is now borne by Government; and if this fact were taken into consideration in fixing the proportion along with the finding of the Committee that Government have

been contributing two-thirds already, I have no doubt the need to raise the Government share to $\frac{3}{4}$ th will be fully realised.

2. Government have expressed a strong opinion so recently as 1910 that education for the people is essentially a function of the central Government.

3. The demand for more Primary schools is increasing year after year. Even with the larger contributions received from Government in recent years Local Boards have found it not at all possible to meet this growing demand. The recent orders of Government requiring the payment of sanctioned scale pay to trained teachers have added considerably to the Board's expenditure. The margin left for providing school houses is far too small, and it has been found difficult to meet this demand even with contributions by the villagers. The latest report of the Director of Public Instruction in this Presidency shows that in the Northern Division only 44 per cent. of the Local Board schools are held in buildings of their own, in Sind 43, in the Southern Division 36 and in the Central only 25 per cent. The condition of existing school buildings is far from satisfactory. The Honourable Mr. Lawrence in paragraph 5 of his note on the Commissioners' No. 3251, dated the 29th July 1915, says "the next point to which attention is invited is education. One-third of the Local Fund Cess (or Rs. 11 lakhs) is allotted to this head and Government have recently contributed over 20 lakhs. There is a general complaint, however, that the buildings are bad and the masters underpaid, and it is clear that the expenditure must largely increase in volume as soon as funds can be provided.

4. If the imperial policy of the extension of Primary education and the wish of His Imperial Majesty the King-Emperor so forcibly expressed in reply to the Calcutta University address are to be carried into effect, I have no doubt my suggestion will find favour with Government. I quote below the very words of His Imperial Majesty :—

"It is my wish that there may be spread over the land a net work of schools and colleges from which go forth loyal and manly and useful citizens able to hold their own in industries and agriculture and all the vocations of life and it is my wish, too, that the homes of my Indian subjects may be brightened and their labours sweetened by the spread of knowledge, with all that follows in its train, a higher level of thought, of comfort and of health. It is through education that my wish will be fulfilled and the cause of education in India will ever be close to my heart."

5. The conditions of rural areas preclude the possibility of local taxation to any considerable extent.

6. The Honourable Mr. Lawrence himself in his note above referred to shows that the expansion of Local Board Revenue has in no way kept pace with the expansion of Provincial revenues, which have increased from Rs. 380 lakhs to 790 lakhs during the last 25 years, and submits that in view of the importance to rural life of the services controlled by Local Boards a considerable enhancement of the Provincial subventions would be justified. He further points out that the grants for public works alone have increased during the same period from 40 lakhs to over to 100 lakhs, and says that it is for Government to weigh the comparative importance of continuing the progress of public works on the scale recently adopted and of the equipment of Local Boards with adequate financial resources. He also mentions that out of 410 lakhs of additional Government revenue during the above period the increased allotment to District Boards has amounted to 24 lakhs or only 6 per cent.

7. Government retain in their own hands a much larger proportion of the public revenue in this country than is the case with Governments of Western countries.

8. The past history of the administration of Local Boards shows that large amounts of Local Funds have been expended on works other than purely local, and the Boards have, therefore, on that account a special claim on Provincial revenue.

9. Last, but not the least, the intentions of the Government of India as distinctly expressed in paragraph 5 of their despatch quoted above in this

minute clearly indicate an obligation on the part of Government to transfer substantial funds for the Provincial Revenue to cover any additional expenditure required to meet the growing needs of Local Boards.

31. In view of the above considerations, there can be no doubt that the financial relations of Government and the Boards require to be placed on fixed basis, as suggested in my scheme. This all important question should have been pressed for solution on Government attention long ago. The best interests of local self-Government demand that this should no longer be delayed. The scheme proposed by me is simple, brief and easily workable and, to my mind, is a real solution of this difficult problem.

PART III.

32. The Committee in the chapter on functions, no doubt, make certain useful proposals recommending the grant of wider powers of control and management to Local Boards in respect of Primary education and public works. I, however, cannot regard these recommendations as a step in advance towards giving to the Boards and their members enlarged responsibilities and a wider scope for intelligent and useful work unless they are accompanied by the two main reforms I have advocated above. So long as the officials remain Presidents of Boards any such transfer of wider control and management will mean practically nothing more than a mere transfer of them from expert Government officers to the Collector President—a state of things not at all desirable from any point of view. Even where the Collector President will make room for the non-official President the latter according to the Committee's proposals will be nominated and will have to work with executive and clerical staff not responsible to him but appointed and controlled by the Collector. I cannot understand what wider opportunities for intelligent and useful work by the representatives of the people can be expected under such a system. I do not propose, therefore, to deal with the recommendations under the head of functions at length, and shall now proceed to record my views on some of the paragraphs of the report with which I am unable to concur.

33. Para. 4.—The Committee observe that their recommendations are necessarily and purposely elastic as they recognise that the proposed reforms cannot be introduced everywhere and at once. This, it may be noted, is the old argument on which Government supported the elastic nature of the constitutional clauses contained in the existing Local Boards Act when the Bill on the subject was before the Council in 1884. I have already pointed out that the non-official members of those days took exception to those clauses being kept elastic and that they withdrew their opposition on the strength of the assurances then given. In spite of this, no action has been taken all this time, and is it then right to suggest that the law should still stand elastic and unchanged and that, too, in spite of the enormous progress the country has made during the last 30 years.

34. Paras. 8 and 9.—I cannot support the conclusion of the Committee recorded in paragraph 9 that the evidence of the gentlemen consulted shows a wide diversity of opinion on the four points referred to in paragraph 8. My reading of the evidence as a whole convinces me that the official and non-official opinion is mostly in favour of having elected majority, non-official elected Vice-President and against separate representation for any special Communities or sections. It is only on the question of President that there is a diversity of opinion. The result of the evidence on this last point given in paragraph 19 of the report shows that the majority of officials favour official President and the majority of non-officials favour non-official President.

I cannot also accept the conclusion that it is universally admitted that the conditions of the different districts and talukas vary so widely as to necessitate the retention in the hands of Government power by rule to apply different systems to different conditions. What is really wanted, in my opinion, is a general rule applicable to all the districts and talukas of the Presidency with power in the hands of Government to exclude any district or taluka for very exceptional reasons from the operation of such rule.

35. *Para. 10.*—I cannot persuade myself to agree to the proposition that under present conditions a minority nominated by Government is indispensable. I believe that a stage has long been reached when in the true interests of self-Government, it is necessary that the Local Boards should be made wholly elective. Many of the witnesses examined by the Decentralisation Commission including the late Honourable Mr. Gokhale expressed strongly in favour of this view. The same view is also expressed by some of the witnesses consulted in this inquiry. In principle, election is admittedly better than nomination. Nomination by Government has a demoralising effect. It is believed that a nominee must always see eye to eye with the officers to whom he owes his nomination. One of our experienced Collectors Mr. Hatch has rightly described an average nominated member in his reply to a question put by me when he was examined by the Committee. I quote below the question and answer.

Q.—Don't you know that there is a non-official majority on the District Boards at present? Do you suggest that non-official nominated gentlemen would always favour the view taken by the Collector? Is that what you suggest?

A.—They have I suppose a tendency to go in with the official view. I think there is a tendency. I have noticed it.

How is it then that a nominated non-official gentleman has the tendency to support the official view? Is it because of the realisation that the official view is the correct one as Mr. Hatch would have the Committee to believe or is it really because of his anxiety to remain in the good graces of the officers to whom he owes his nomination and to whom he has to look up for re-nomination? The Committee justify the retention of this system to enable Government to make provision for representation of minorities and of gentlemen, who for divers reasons are unwilling to submit themselves to election by ordinary territorial constituencies but who, if on the board, would make very useful members. It seems clear, however, that the Committee by a majority recommend special electorates to provide for the representation of minorities and of the gentlemen referred to. On the Committee's own recommendation, therefore, nomination on Local Boards would appear unnecessary.

The late Mr. Badrudin Tyabji pressed for $\frac{2}{3}$ ths elected majority for District Boards and $\frac{2}{3}$ rds for Taluka Boards in 1884. Is it then too much to now ask Government to make these boards wholly elective? Unless an undivided responsibility is thrown on the people, it is believed, Local Boards will not fulfil their real purpose of serving as training grounds for the education of the people in self-Government.

36. *Paras. 14 and 39.*—I am not for separate electorate for title holders or honorary Magistrates either for the taluka or the District Boards. Their number is small. Besides, most of them will certainly come in under property or educational qualifications. Separate electorate for them is, therefore, not necessary. The seats recommended for them may well be added to those reserved for educated classes.

37. *Para. 27.*—The Committee observe that experience has shown that complete freedom of speech and independence of action are not incompatible with the presence of the Collector. I am sorry I cannot subscribe to this, in face of the evidence before the Committee to the contrary. I have fresh in my mind the evidence of Mr. Apte, President of the Poona Municipality, describing very graphically what actually happens in District Board Meetings with Collector in the Chair.

38. *Paras. 31, 32 and 101.*—Village Panchayats.

I do not know if the recommendations made by the Committees with reference to the Village Panchayats come within the scope of our inquiry. The terms of reference to the Committee do not include the subject of Village Panchayats. Paragraph 10 of the Government Resolution seems to me to indicate that any discussion of this subject is outside the sphere of the Committee. Personally I should have been much pleased had Government empowered the Committee to consider the whole question of Local self-Government beginning from Village Panchayats. In fact, I suggested to the Honourable the Chairman very soon after the appointment of the Committee that he should move Govern-

ment for the necessary powers in that behalf. Later on, during our deliberations on the various questions referred to us we found ourselves confronted with numerous difficulties for want of such powers. We thought that the question of Village Panchayats should form an integral part of our recommendations and the Honourable the Chairman, therefore, wrote to Government inquiring if they desired the Committee to make any recommendations on the subject of Village Panchayats which, it was suggested in that letter, should be the basis of Local self-Government. This view of the Committee has the support also of the opinion of the Decentralisation Commission expressed at page 264 of their report in the following words "The institution of Village Panchayats will furnish an electorate which should certainly not be overlooked by Local Governments in dealing with the methods by which a more effective elective representation on the Sub-District Boards can be procured". The Commissioners also observe at page 239 of their report "it is probable, indeed, that the scant success of the efforts hitherto made to introduce a system of rural self-Government is largely due to the fact that we have not built from the bottom". Government, however, in their reply to the Committee's letter distinctly refused to accept the suggestion that the Committee should make a representation on the subject and added that as at present advised they were opposed to any suggestions that the Village Panchayats should be subordinate or should stand in any direct relationship to the Local Boards, the idea being that these bodies should form administrative entities entirely outside and distinct from the scheme of Local Board organisation. This, then, is the decision of Government, however, regrettable it may be from the Committee's point of view or of the best interests of the Local Self-Government question. The Committee, in my opinion, should under these circumstances have better left the question alone. They have, however, made certain suggestions on this matter in paragraph 32 of the report which, I think, are not supported by any evidence before them. One of these suggestions refers to the imposition of local taxation, *e. g.*, house tax in the villages in which the Village Panchayats may be established. I cannot join in that recommendation in the absence of any materials before the Committee to support it and in view of the express opinion recorded by the Royal Commission in this respect. At page 244 of their report the Commissioners say "we consider it essential to the popularity and efficiency of the Panchayat system that it should not be associated with any new form of local taxation, for, the evidence shows that the imposition of taxation of this character has made such bodies as the existing unions and sanitary committees unpopular".

39. *Para. 34.*—The Committee hold that they are not prepared to recommend the abolition of the Táluka Boards but that they see no reason for modification in the existing law and rules governing the relations of the Táluka and Boards. On this latter point I am unable to agree with their view. The Royal Commission after very elaborate examination of the subject on this point recommend that it is desirable to give Sub-District Boards a large measure of financial independence and to this end they suggest the allotment of one half share of the land cess to those bodies. This view of the Royal Commission is supported by the opinion of a number of witnesses consulted by the Committee and I commend it for the consideration of Government.

40. *Para. 44.*—The Committee recommend that the President of the reformed Council should have a separate office for himself and his staff and that even where the Collector remain President the District Council staff should have a separate room readily accessible to the non-official Vice-President and the members of the Council. I agree with this recommendation. They, however, say that they do not consider it necessary to carry this separation to the Táluka Board. I regret I cannot agree with them in this view. It does not matter much so long as the present system of Sub-Divisional Officer President and Mámlatdár Vice-President continues but once you have a non-official President and a non-official Vice-President or Sub-Divisional Officer President and a non-official Vice-President or non-official President and Mámlatdár Vice-President, it is, I think, absolutely necessary to have a separate office for the Tálukaa Board also.

41. *Para. 60.*—I cannot support the recommendation that the appointment of an Engineer should be subject to the approval of the Superintending

Engineer in view of the fact that such appointments made by the Municipalities are not subject to any outside sanction.

42. *Para. 72.*—Only a dozen non-official witnesses appeared in person before the Committee. None of them, so far as I know, suggested that Primary Education should be transferred to Local Boards free from all central control. All of them were in favour of existing central control being maintained but they were opposed to any *additional* powers being given to the Collector in Educational matters. It was suggested to some of these witnesses in questions put to them by members of the Committee whether it was not necessary that the Collector should be invested with powers to get a school opened or such other thing done when he might think it necessary and they replied that those powers should remain with the expert department and Government as at present. In this view I agree with them and the criticisms of the Committee, on this point, are in my opinion not justified.

43. *Para. 74.*—I am not opposed to the main principle involved in the recommendation that the School Committee should consist of members elected by the Board and nominated by Government and that such Committee should have very wide powers particularly in matter of discipline. I am inclined to think, however, that unless there is a substantial majority of the representatives of the District Board on this Committee the essential feature of the Committee's recommendation, *viz.*, the transfer and control of the management of Primary Schools to Local Boards will be lost sight of. To ensure that the District Boards have real and effective control in the matter of Primary education the Committee should be so constituted as to enable the representatives of the boards to have a preponderating voice in the decision of every question coming up before them. I, therefore, suggest that the Committee should consist of 9 members, six of whom should be elected representatives of the District Boards. This proportion, it may be noted, is in keeping with the recommendations of the Committee on the main question that the boards should have an elective majority of two-thirds.

44. *Para. 81.*—With respect to veterinary work, the Committee recommend the continuance of the existing system. But I may point out that at page 256 of their report the Royal Commission on this subject observe "when the Civil Veterinary Department was organized it was intended that Local Veterinary relief should be a function of rural Boards. They now pay largely for these works but in most provinces have very little control over it, the staff having been provincialised. This policy is defended on the ground of efficiency and of the want of interest taken by District Boards in veterinary work. In present circumstances we think that this work should be made entirely provincial and that the boards should not be obliged to contribute to a service which they do not control. Later on, however, as the scope of veterinary operations develops it may be desirable to hand over the local management to such Boards as wish to undertake it." I agree with the Commissioner's view and cannot, therefore, join in the recommendations of the Committee on this point.

45. *Para. 93.*—The safeguards proposed are in my opinion not sufficient. Motion to raise one anna cess to two annas should, I think, be voted by $\frac{1}{3}$ rds of the total number of non-official members of the board in a meeting composed of non-official members only or by majority of the total number of the elective members of the board in a meeting of the elected members only. Law safeguards the interests of a Chief Officer or a Municipal Commissioner of a Municipality by providing that motion for his removal shall be voted by a at least $\frac{2}{3}$ ths of the total number of members. The necessity for such safeguard is greater in the case of a motion affecting the whole agricultural population of a district.

46. *Paras. 102 and 103.*—Tolls.—Four members of our Committee are opposed to the recommendations on this point. Lord Sydenham's Government ordered the abolition of tolls on Provincial roads in 1908, and in 1914 Government decided to induce the Local Boards to do the same on their roads. The reasons for this abolition are summarised at pages 117 to 120 of the Blue Book quarterly, 1915, second quarter. Any relaxation of the existing burdens on

the rural population is certainly welcome. It is urged that the financial conditions of Local Boards does not permit any measure which will deprive them of any existing source of revenue. I find from page 120 of the quarterly referred to that Government had this very point before them. It is there stated "now the financial position of the Boards is not so strong as that of the Provincial Government. In the somewhat exiguous income of some Boards the revenue from tolls forms a considerable part. Government, therefore, decided to recoup such Boards as would agree to abolish their toll bars in the way prescribed in their Press Note which explains itself." I have only one word to add that it would not be a wise policy to renew a tax so recently abolished.

47. Having thus briefly stated my views on the questions dealt with in some of the paragraphs of the Committee's report I now proceed to refer to the following points, *viz.*,

- (1) Communal representation.
- (2) The alternative schemes referred to in paragraph 22 of the Committee's report.
- (3) Powers of control.
- (4) Removal of members by Government.
- (5) Increase of one anna cess up to two annas.
- (6) Cess on A/bkari revenue.
- (7) Forest cess.

On these points the Honourable Rao Bahadur Sathe and myself differ from the majority and record a joint minute. To that minute I should like to add a few words of my own on points 1, 3 and 5.

Communal representation.

48. When the Local Boards Bill which became Bombay Act I of 1884 was under the consideration of the Legislative Council the late Mr. Badruddin Tayabji as a member of the Council urged that the District Boards should have $\frac{2}{3}$ th elected majority and Taluka Boards $\frac{2}{3}$ rd and observed the real object and scope of nomination by Government ought, I submit, to be nothing more than to correct and adjust any accidental defect in the composition of the Local Boards and to secure a due and impartial representation of the different classes of people and *this, I think, would be sufficiently provided for if the powers were reserved to Government to nominate say, not more than $\frac{1}{3}$ rd of the members of the Taluka Committees and say, not more than $\frac{1}{4}$ th of the total number for District Boards."*

According to the recommendations of the Committee there will remain in the hands of Government power to nominate $\frac{1}{3}$ rd of every Board. That being so, the question of communal representation does not arise for solution according to the view of Mr. Tyabji.

Power of Control.

49. Our minute on this point deals only with the subject of outside control. The Committee, it appears to me, has given undue importance to this subject. If one reads paragraphs 45 to 51 and 106 to 111 of the report in this connection he may, at first sight, be led to think that our law is materially defective in this respect. As a matter of fact I find, on a comparison of sections 62 to 67 of our Act with corresponding sections of Acts of the other provinces on the subject, that the powers of control given by our Act are in no way less stringent but in some respects wider. Sections 44 of the Punjab Act and 38 of the Madras Act allow the controlling powers there described to the Collector only in cases where he is not a member of the Board; and in cases where he is such a member they very properly vest them in the Commissioner. Our section 62 makes no such distinction. To allow one member to have controlling powers over the acts and proceedings of the Board is to crush the independence of all its other members. I brought this to the notice of the

Committee and proposed that wherever the Collector remains a member or becomes President of the Board the powers of control should vest in the Commissioner. This suggestion has not been accepted.

Local Boards Acts of the other provinces contain provisions empowering the Collector to suspend the execution, or prohibit the doing of anything which, in his opinion, is causing or likely to cause injury or annoyance to the public, or a breach of the peace. Exactly similar provision is contained in section 64 of our Act. The Acts of the other provinces give powers in emergency cases to the Collector to provide for the execution of any work, or the doing of anything which, in his opinion, is necessary for the service or safety of the public. Our Act by section 65 also gives similar powers to the Collector when, in his opinion, their exercise is necessary for the health or safety of the public. It may be noted here that the Assam Act expressly gives powers to the Commissioner to rescind or alter any order passed by the Collector in such cases but our Act does not make any such provision.

The Central Government in other provinces have power to provide for the performance of any duty imposed on the Boards by law. The Bombay Act makes similar provision in section 66 of the Act.

Lastly, power is vested in the Central Government in Bengal, United Provinces, Punjab, the Central Provinces and Assam to suspend any Board if it persistently makes default in the performance of its duties or is not competent to perform them or exceeds or abuses its powers. It is worthy of note that the Madras Act gives no such power to the Central Government but our Act does so by section 67.

I might add here that our Act by section 63 gives power to the Commissioner to prevent extravagance in establishment by the Local Boards while the Acts of some of the other provinces give no such power to the Commissioner.

The Committee in paragraph 50 of their report recommend the adoption of the Assam Act as a model in this respect. But if we read paragraphs 47 and 111 of their report it looks as if they mean much more than this. To take paragraph 47 only, they say that neglect in regard to the maintenance of a road or the provision of a school would fall outside the power of the Collector under our Act. I have already made it quite clear that such power of intervention is not vested in the Collector by the Assam Act or by the Acts of any other provinces except in emergency. If as a result of the neglect of a road there is likelihood of immediate danger to the safety of the public the Collector has the power to take action under our Act as much as he has under the Acts of the other provinces. If on the other hand there is no likelihood of immediate danger to the public the Collector can move Government who are empowered to take the necessary action under section 66. This is so also in all the other provinces. It may be stated that neglect of the provision of a school can never be regarded such a matter of emergency as to justify the Collector in any province to take action under the emergency provision. It is difficult to understand what the exact recommendations of the Committee in this respect are. I have carefully compared the provisions of our Act on this point with those of the other provinces and I am of opinion that if any change is needed to bring our Act on a line with the Acts of those provinces, it is at least in the direction of divesting the Collector of the controlling powers in cases where he is himself a member or President of the Board and vesting them in the Commissioner.

Increase of one-anna cess.

50. In paragraphs 90 and the 91 Committee lay great emphasis on the distinction between a compulsory additional cess imposed by order of Government and a voluntary additional cess imposed by the District Council and point out that the idea of the imposition of taxes by the District Councils is a novel conception and difficult of comprehension. They also maintain that it is difficult to find any reasonable ground to withhold from a local body fully representative of the people the power to levy its own taxation. I beg to point out that the idea of voluntary taxation is not a novel one in this country. Some of the other provinces have in their Acts for years past provisions for such taxation. Besides, all the Municipalities in India have been exercising this power ever since they were constituted.

With regard to the second point, I beg to point out that the Punjab Act, though it gives power to the District Board to impose such taxes as may be approved by the Local Government, expressly provides that no such tax shall be imposed by the Local Board in respect of any property subject to the *Local rate*. (*Vide* section 30 of that Act.) Thus the Punjab Legislature, though it provides for voluntary taxation by the Boards, withholds from them the power to levy any *taxation on land*.

51. On the last day of the meeting of the Committee at Poona I placed several suggestions before them for their consideration. Some of those suggestions were accepted unanimously by the Committee and adopted in paragraphs 38, 40, 41, 52, 53 and 64 of the report. Some, however, were rejected, and I take this opportunity to invite attention of Government to a few of them in the following notes:—

Under section 6 of the existing Act every Municipal District containing more than 5,000 inhabitants is entitled to return one member to the Táluka Board and under section 7 every Municipal District containing more than 18,000 population is entitled to return one member to the District Board. I drew the attention of the Committee to the desirability of allowing every Municipality in a táluka irrespective of population to return a member to the Táluka Board and every Municipality with a population of 10,000 to return one member to the District Board. The Committee accepted my view with regard to the first suggestion but rejected it with reference to the other. The principle involved in both cases being the same, I place this matter before the Government for their consideration.

Section 22 of the Act gives power to the Collector to correct any erroneous entry in the lists of voters and candidates. The Act, however, provides no remedy to a person whose application to enter his name in the list is rejected by the Collector. The Bombay Municipal Act provides for an appeal in such a case to the Chief Judge of the Small Causes Court against an action of the Municipal Commissioner. Some such remedy, I suggested to the Committee, must be provided for in the Act. The suggestion was negatived by 4 against 3 of our Committee and is, therefore, also noted for the consideration of Government.

Section 24 provides that if at any election of a Local Board under the Act there is an equal number of votes in favour of each of two or more persons the election shall be made by the Collector by lot. Rules framed under the Act (*vide* page 180 of Cumming's Local Board Manual), however, give power to the Chairman to give a casting vote in case of equality of votes. These rules, therefore, are clearly *ultra vires* of the section and the amendment of the section or the repeal of the rules is necessary. This view, however, did not find favour with the Committee and is, therefore, included in this minute.

Sir Narayan Ganesh Chandavarkar in his written as well as oral evidence advocated the appointment of a Special Officer to guide and advise the Local Boards. In his written replies he says: "The third thing is to appoint a Special Officer to advise, guide and connect into a whole the threads of the Local Boards administration throughout the Presidency. He should be the centre of it and he should move among the people in villages, especially study their local wants and by sympathy arouse their interest in the Local Boards administration. We have a Special Officer for agriculture, we have one for co-operative organisation and both the officers have given life to the causes they have made their own by their devotion and by their movement among the people." Some of the witnesses have supported this view while others have advocated the creation of a Local Self Government Board.

The Committee have made no recommendation with regard to these suggestions but they appear to me worthy of consideration by Government.

Some witnesses have also suggested that the District Boards should be empowered to associate with the Collector in certain matters of general administration affecting the district and stated that law should provide for the election by the District Board of a Special Committee for this purpose. This suggestion is also, in my opinion, deserving of great consideration.

V. J. PATEL.

Mir Ayub Khan's Note.

Province of Sind and proposed amendments to the Bombay Local Boards Act.

It must in the first place be admitted that the state of things in the Presidency proper so materially differs from that in Sind that something for which the Boards of the Presidency proper may be prepared may not be suitable for Sind and though that thing may prove useful enough for them, may very likely have just the contrary effect in Sind. In Sind, which is admittedly a Moslem province, the progress of education has been very slow, specially so in the mofussil places. Even the Hindus of Sind taken as a whole are not so advanced in education as their brethren in the Presidency proper. Such being the case the people of Sind have remained and to a certain extent may continue to do so with the present state of affairs in the Local Boards as managed by the officials, who notwithstanding their having kept them as official concerns have done an immense amount of good. From all this we should not be led away to deduce that the amended Act, when passed, should not apply to Sind. Sind is steadily advancing and people are awaking to their different responsibilities, and may in the near future claim, and rightly too, to be justly treated in the same way as the rest of the Presidency. What is wanted for the present is to apply the amended Act cautiously and by degrees on the following lines.

I. *The Presidents* of the District and Táluka Boards must continue to remain officials as at present. But if a District Board by three-fourths of its non-official element asks for a right to elect its own President (Non-official), it must be given such a right. This privilege should not be extended to the Táluka Boards for the present unless the Collector of a district recommends it.

II. *Vice-Presidents* of the District Local Boards which have an official President, must as a rule be non-officials elected by a majority, subject to the formal approval of the Commissioner in Sind, who may in rare cases withhold his approval if an unfit or unworthy person has been elected. The Boards under these circumstances shall have a right of appeal to the Governor in Council. When the President is a non-official, the Vice-President to be elected under existing rules.

As regards the Táluka Boards executive orders should be given that the Mukhtiyarkars should not be permitted to serve as Vice-Presidents except where no suitable non-official can be found. Such non-officials to be nominated by the Collector and not elected. The Collector in making a choice might consult the members of the Táluka Board.

III. The proportion of the elected to the nominated (including the President, if official) should be 2 to 1 on District as also on the Táluka Boards.

IV. *Engineering establishment*.—I am of opinion that Mr. A. D. Young-husband's scheme as detailed in his letter No. 1165 of 24th June 1912, to the Secretary to Government, General Department, is best suited for Sind. This scheme would most certainly prove a great improvement on the one now existing and would greatly facilitate the work of all the Local Boards in Sind.

Main roads within the Local Board limits which are also used by Government troops and are in nature similar to the Tala-Jungshahi Road should be taken over by Government and provincialized. Such roads have proved to be a white elephant to the boards and absorb a large amount of money.

V. *The educational administration* must also be carried on according to Mr. Younghusband's scheme as detailed in his letter referred to above.

VI. *The representation of minorities* by creation of a special electorate for them, has no application to Sind, because the minority there (Hindus) take good care to have more than the lion's share in election, and manage to come in by nomination also. None the less if it is found by experience or on complaint from responsible and representative bodies that the Mahomedans do not get their proper share in elections and suffer thereby, it would be essential to fix a certain number of seats to be exclusively contested by

Mahomedans and only Mahomedan voters shall have the right to vote. It must be left to the Commissioner in Sind to take such action at the recommendations of the Collectors when necessary.

VII. It would most certainly make the Local Boards more attractive in the public eye if the members of the District Local Boards and Taluka Boards were made "Durbaries" of the Commissioner and Collectors respectively during the term of their office. In this connection I would like to draw attention to the Honourable Mr. G. H. Bhurgri's concluding paragraph (his answers to the questions sent) and would recommend the same most strongly.

VIII. Local Boards may be empowered to levy new taxes for their needs subject to the sanction of the Government, provided such taxes are recommended by two-third non-official majority present at the meeting (of which timely notice must be sent to each member along with full agenda) and provided that Government from its own revenue is prepared to contribute a sum equal to the one raised by such self-taxation.

The raising of the Local Fund Cess up to a maximum of 2 annas I would not advocate unless it was unanimously proposed in the first place and in the second place Government come forward with double the amount raised by such extra tax.

MIR AYUB KHAN.

The Honourable Moulvi Raffuddin Ahmad.

Paragraph 15.—With regard to the enabling clause (section 11 (c) (2) of the Municipal Act) provided for as a remedial measure for the Mahomedans in the municipalities and proposed to be copied in the new Local Boards Bill, it is worthy of note that though it was introduced with the best possible motive it has remained a dead letter. Nothing has caused greater disappointment to the community than the abortive nature of the clause. During the last 15 years it has never been brought into operation anywhere in the Presidency, though cases were repeatedly brought to the notice of Government where its operation in order to do justice to the Moslems was absolutely necessary. For instance, in reply to an interpellation in the Council it was revealed that there were no less than Municipalities in the Presidency proper where no Mahomedan had been elected since the last 30 years. One of these Municipalities is that of the city of Poona where a few years ago a sub-committee was appointed to inquire into the evil, and leading Brahmins like Mr. N. C. Kelkar and Mr. H. N. Apte, who were on the committee, unanimously recommended that seats should be reserved for Mahomedans by election in the Municipality. The general body however rejected the proposal summarily.

The clause can never be otherwise than a dead letter. The fact of the matter is that the personnel of the Government periodically changes and what one Member of the Executive Council in charge of the portfolio of local self-Government thinks today his successor very often does not do so tomorrow. The result is that there is no continuity in the policy of the Government regarding such enabling clauses. But even if a new Member desires to make a departure from the established practice in favour of the Mahomedans, the majority, which is also a strong and an articulate party, set themselves against him in so many ways that he thinks it a safer course to leave things as they are because hostile criticism is the very last thing which a new Member who has reputation to make desires to court. With such experience of the result of the enabling clause in the District Municipal Act, are we not justified in asking for something more definite and binding in the constitution of the new Local Boards ?

I am therefore convinced that the only way to remedy this long-standing evil is for Government to fix by enactment the number of seats in every district and taluka to which the Mahomedan community is entitled in accordance with their numerical strength and importance and other local considerations. Such seats to be filled exclusively by Mahomedans by means of a separate register to be prepared by the Local Government in consultation with the Mahomedan community.

Paragraph 12.—Representation of Mahomedans as a community has been clearly promised in the Municipalities and District Boards by Lord Minto, and it would not be out of place to reproduce here Lord Minto's assurances. Replying to the deputation of Mahomedans on October 1st, 1906, His Excellency said: "The pith of your address as I understand it is a claim *that in any system of representation*, whether it affects a municipality, a district board or a Legislative Council, in which it is proposed to introduce or increase an electoral organisation, the Mahomedan community should be represented as a community. You point out that in many cases electoral bodies as now constituted cannot be expected to return a Mahomedan candidate, that by chance if they did so, it could only be at the sacrifice of such a candidate's views to those of a majority opposed to his own community, whom he would in no way represent. You justly claim a numerical strength in respect to the political importance of your community and the service it has rendered the Empire. I am entirely in accord with you." Further assurance has been conveyed to the Indian Mahomedans by means of a correspondence which took place between myself and the Home Secretary to the Government of India which is given below:—

Sir,—I beg to draw the attention of His Excellency the Viceroy to a misunderstanding which has arisen in the minds of a considerable number of Indian Mahomedans, owing to the ambiguity of an expression in His Excellency's telegram to the Secretary of State for India of 3rd of May last. The words used are:—

"If interpreted literally, that would involve having separate Mahomedan electorates proposed such as presidency corporations, district boards, municipalities,

universities, landholders, and the commercial community. This is manifestly impracticable."

These words are generally construed to mean that the Government of India no longer intend giving separate electorates to Mahomedans in District Boards and Municipalities. Personally I think such a construction of the sentence to be impossible because it would mean the virtual withdrawal of the definite promise given to Mahomedans on the subject by His Excellency in his reply to the Mahomedian deputation of 1906, of which I had the honour to be a member.

Nevertheless, since a widespread anxiety prevails among the Mahomedans, I am sure it would be a source of great satisfaction to them should His Excellency graciously remove the existing doubt upon the subject by assuring the community that the telegram in question referred solely to Council electorates and not to elections of Municipalities and District Boards.

Yours faithfully,
RAFIUDDIN AHMAD.

Simla, 22nd July 1909.

Sir,—In reply to your letter dated 3rd of July 1909, addressed to Sir Herbert Risle, I am directed to say that, as surmised by you, His Excellency the Viceroy's telegram, dated the 2nd of May last, addressed to the Secretary of State for India, referred solely to the electorates proposed for the enlarged Legislative Councils and not to Municipalities and District Boards regarded as local administrative bodies.

Yours faithfully,
HAROLD STUART,
Acting Home Secretary.

Paragraph 14.—The special constituency proposed for the benefit of the Mahomedan Community gives a very inadequate representation to the Mahomedan Community, and unless a larger representation commensurate with its numerical strength and importance is vouchsafed to it by election, continuance of the protection afforded to it by nomination is absolutely necessary. With regard to nominations, Collectors should not be debarred from nominating Mahomedan members if they think they would be useful on the boards only because they belong to a minority which has been provided for by election.

Paragraph 76.—I entirely agree with the opinion of the Government of Bombay expressed in paragraph 66, that "the education of the people was essentially a function of the central Government, which local bodies are not capable of discharging." And I am of opinion that local board schools should be managed by the department as at present. But if control of primary schools is to be handed over to district councils at least girls' schools and Mahomedan schools should be left to the management of the department. We find by experience that wherever the control of the department has been diminished or removed Urdu schools have enormously suffered. Municipalities have been showing great reluctance in opening new Urdu schools.

RAFIUDDIN AHMAD.

Received by the Chairman on 16th December 1915.

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APPENDIX A.

(*Vide* paragraph 2.)

No. 6444.

GENERAL DEPARTMENT.

Bombay Castle, 18th August, 1915.

Resolution of the Government of India, Department of Education (Municipalities), No. 55-77, dated the 28th April, 1915.

Memorandum from the Secretary, Legislative Council, No. 1733-L., dated the 21st July, 1915—

Stating that the resolutions Nos. 5 and 6 moved by the Honourable Mr. V. J. Patel at the meeting of the Legislative Council held on the 14th July, 1915, regarding the proportion of elective members on Local Boards and the election of Presidents of Local Boards were passed in the following modified forms :—

“5. This Council recommends that the Governor in Council may be pleased to consider whether the number of elective members on such of the Taluka and District Local Boards in the Presidency as the Governor in Council may think fit shall be not less than two-thirds of the whole Board.

“6. This Council recommends that the Governor in Council may be pleased to consider the desirability of directing that the Presidents of such of the Taluka and District Local Boards in the Presidency as the Governor in Council may think fit be elected by such Boards.”

RESOLUTION.—Copies of the Resolution should be forwarded to all Commissioners, Collectors, Superintending and Executive Engineers, the Sanitary Commissioner for the Government of Bombay, the Sanitary Engineer to Government, the Sanitary Board, the Director of Public Instruction, the Municipal Commissioner for the City of Bombay, the Accountant General, the Remembrancer of Legal Affairs, and the Educational, Public Works, Revenue and Financial Departments for information. The Collectors should be requested to communicate copies to the municipalities and local boards of their respective districts.

2. With reference to paragraph 6 of the Resolution, the propriety of dispensing with the condition to which the increase of the proportion of elective councillors to two-thirds has, in the case of municipalities other than City Municipalities, hitherto been subject, namely, the selection of a Government servant to be chief executive officer, is now under consideration.

3. With regard to paragraph 7 of the Resolution the Governor in Council has already been pleased to direct, under section 23 (2) (c) of the District Municipal Act, that in future the President of any Municipality for which a Municipal Commissioner has been appointed shall be elected by such Municipality. In accordance with this decision the Municipalities of Ahmedabad and Surat will, in future, elect their Presidents. The question of extending the concession to all other City Municipalities is under consideration.

4. The recommendation conveyed at the conclusion of paragraph 9 of the Resolution should be commended to the attention of the municipalities of the class referred to. For the present there is no evidence of any special need to resort to legislation of the character indicated,* but the Governor in Council will be prepared to take action in this direction in the event of any tendency manifesting itself on the part of municipalities to withhold from their executive officers functions and responsibilities with which, in the interests of good municipal government, it is desirable that they should be invested.

5. In paragraph 23 of the Resolution the Government of India suggest that the Government control in respect to the creation of minor posts on

municipal establishments might be relaxed. Under section 46 of the District Municipal Act all appointments made or allowances granted by a municipality require the sanction either of Government or of the Commissioner as the case may be. The Governor in Council is disposed to think that this degree of control is excessive and that, so far as the creation of posts or the grant of allowances which involve a charge on municipal funds not exceeding Rs. 50 per mensem is concerned, municipalities might be given a free hand. Before coming to a final decision in the matter, he desires to be favoured with the views and recommendations of the Commissioners.

6. While the recommendations of the Decentralization Commission which form the basis of the present Resolution of the Government of India are generally in accordance with the methods of administration already prevailing in the Bombay Presidency so far as municipalities are concerned, it is evident that the administrative system of the local boards of the Presidency falls short of the standard set by the Commission in respect to the organization of these bodies on a popular basis and their emancipation from official control. Although it must be recognized that such causes as the essential difference between urban and rural conditions, the rigidly restricted resources of the local boards, the absence in their case of powers of self-taxation, the extent to which their funds are regularly absorbed by the ordinary maintenance charges of existing works and institutions, and, finally, the comparatively limited scope of their functions generally, militate against progress, it is nevertheless the fact that, in comparison with the substantial advance which has taken place of late years in respect to municipalities, the development of local self-government in the case of local boards has been disappointingly slow. The annual reports on the administration of these bodies testify with monotonous reiteration to the lack of interest and the absence of active co-operation on the part of the non-official members and the almost complete apathy and indifference of the electorate. It is difficult to avoid the conclusion that this state of affairs is to a large extent attributable to the fact that the system of administration of the local boards still remains what it was when these bodies were first constituted under the present Act some thirty years ago and that during all that time there has been no movement in the direction of endowing them with a more liberal organization and releasing them from the guiding strings of official control.

7. In these circumstances the Governor in Council is of opinion that the time has come when the whole question of local board administration in this Presidency should be brought under review for the purpose of ascertaining whether it is not possible to introduce into the existing system certain changes which, while leaving unimpaired the power of Government and their officers to intervene when maladministration or the culpable neglect of obligations on the part of local boards occurs, will not only confer on these bodies a freer scope and greater responsibility in the management of their affairs but will also ensure that they themselves are by the nature of their constitution more widely and truly representative of the interests which they administer. In other words, the object which he has in contemplation is the infusion of a more vital and real spirit into the principle of local self-government as applied to the administration of the rural boards of this Presidency.

8. With this aim in view the Governor in Council has decided to appoint a Committee comprising both officials and non-officials and representative of every division of the Presidency for the purpose of considering and reporting what changes it is desirable to effect in the constitution of the district and taluka local boards and their system of administration in order to secure a greater measure of progress in the development of this form of local self-government. The members of the Committee will be as follows :—

The Honourable Mr. H. S. Lawrence, I. C. S., *Chairman.*

Mr. F. G. Pratt, I. C. S.

Mr. C. N. Seddon, I. C. S.

*Mr. G. E. Chatfield, I. C. S.

* Mr. J. R. Martin, I. C. S., was appointed in place of Mr. G. E. Chatfield, I. C. S., by G. O., G. D., No. 7430 dated 24th September 1915.

The Honourable Rao Bahadur G. K. Sathe.
 The Honourable Mr. V. J. Patel, Bar.-at-Law.
 Rao Bahadur B. C. Artal, I.S.O.
 Mir Ayub Khan *walad* Jam Mir Khan of Lasbela.

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Among the questions which the Committee will more particularly consider in the course of their deliberations are those referred to in paragraphs 27 to 30 and paragraph 34 of the Resolution of the Government of India relating to elective majorities on rural boards, the selection of the chairmen of such boards, their financial resources, their powers of taxation, and the degree of supervision to be exercised over the estimates for and the execution of their public works. The Governor in Council hopes that it will be possible for the Committee to submit their recommendations not later than the end of October next.

9. In the concluding portion of paragraph 32 of their Resolution the Government of India announce certain concessions additional to those mentioned in Government Resolution No. 3895, dated the 10th May, 1915, relating to the means which district boards may adopt for raising the resources required to enable them to undertake railway projects. These bodies, under the present orders, will be permitted to raise a public debenture loan on the security of the prospective railway, while at the same time no obligation will rest on them to accumulate a special sinking fund for the redemption of the debentures. The Collectors of districts should be requested to invite the attention of the district local boards to these orders.

10. With regard to that portion of the Resolution which deals with village organization, the Governor in Council has decided to prepare two separate Bills in place of the existing draft Village Panchayat Bill, the one dealing with the question of civil jurisdiction and the other providing for village administration. These measures are still under consideration.

J. L. RIEU,
 Secretary to Government.

APPENDIX B.

(*Vide* paragraph 2.)

LIST OF WITNESSES EXAMINED ORALLY.

On 24th September 1915.

Mr. H. F. Beale, M.Inst.C.E., Secretary to Government, Public Works Department.

The Honourable Diwan Bahadur K. R. Godbole, Retired Executive Engineer.

On 28th September 1915,

Major F. G. H. Hutchinson, I. M. S., Sanitary Commissioner to the Government of Bombay.

Major G. K. Walker, C.I.E., F.R.C.V.S.; Superintendent, Civil Veterinary Department.

On 30th September 1915.

The Honourable Mr. W. H. Sharp, M.A., Director of Public Instruction.

— The Honourable Moulvie Rafiuddin Ahmad, Bar.-at-Law, was subsequently added to the Committee.

On 1st October 1915.

Mr. G. W. Hatch, I.C.S., Collector of Poona.
 „ E. J. Bolus, I.C.S., Assistant Collector, Poona.
 „ F. B. P. Lory, M.A., Deputy Director of Public Instruction.
 „ G. F. Keatinge, I.C.S., Director of Agriculture.

On 15th October 1915.

Khan Bahadur Syed Shamsuddin Kadri, I.S.O., B.A., F.B.U.
 Mr. H. N. Apte.

On 19th October 1915.

Mr. R. P. Karandikar.
 Sir Narayan G. Chandavarkar, Kt.
 Mr. G. K. Chitale.
 „ Daji Abaji Khare.
 „ N. C. Kelkar, B.A., LL.B.
 The Honourable Mr. D. V. Belvi, B.A., LL.B.

On 20th October 1915.

Rao Bahadur N. T. Vaidya.
 The Honourable Mr. Upasani, B.A., LL.B.
 Mr. Jivanji Limjibhai.
 The Honourable Rao Saheb V. S. Naik.

APPENDIX C.

(Vide paragraph 7.)

Paragraph 794 of the Decentralization Commission's Report.

794. With few exceptions, official opinion is unanimous in favour of retaining the Collector as President of the District Board. The preponderance of non-official opinion, especially in Madras, the two Bengals, and the Central Provinces, is in favour of an elected non-official President. Some of the non-official witnesses, however, desire to retain the Collector as President; others, again, recognized that competent non-official Chairmen could not easily be found, in many districts, and that the displacement of the Collector must be gradual

Evidence for and against the Collector's presidency of the District Board.

APPENDIX D.

(Vide paragraph 28.)

Extract from Local and Central Government by Percy Ashley, M.A. (pages 89—91).

The Councils-General represent in the main the middle class, the *bourgeoisie*; M. Hanotiaux describes the Council-General of the Department of the Aisne as consisting of ten manufacturers, eight farmers, seven men of independent means, three doctors, six lawyers (three retired from practice), a publicist, a contractor, and an architect. He adds:—

“The men who form the Council-General, whatever the political party to which they belong, are certainly by intelligence, education, and merit, at the head of the small area which has elected them. The majority of them keep their seats for years, and so acquire valuable experience. These assemblies, if I may judge by the one with whose work I am acquainted, are really excellent in every way, except that a slight oligarchical tendency and a somewhat excessive regard for the interests of the *bourgeoisie*

class cause them sometimes to close their eyes to the needs and reasonable aspirations of the democracy. However that may be, I do not think that in all our constitutional system there is any assembly in which one can acquire a better or more exact knowledge of public affairs. There the aptitude of the race for self-government really appears. The praises which we often bestow on certain foreign institutions might be given, at least in part, to these local, reasonable, and unobtrusive assemblies, which in their quiet way are truly an ornament to our politics and constitution."

The office of President is one of distinction, and is frequently held by men prominent in national life. Thus at the August meetings in 1905 amongst the presidents elected were a former Prime Minister, some other present and past ministers, about thirty senators, and nearly a score of deputies. The elections to the Councils-General are fought generally on political grounds, and at the commencement of the session political resolutions are frequently passed,* but after that the councils settle down to their work, and national politics pass into the background.

APPENDIX E.

(Vide paragraph 51.)

Section 7 of the Assam Local Self-Government Bill of 1914.

Removal of members. 7. The Chief Commissioner may remove any member of a Local Board—

- (a) if he refuses to act or becomes incapable of acting ; or
- (b) if without an excuse sufficient in the opinion of the Chief Commissioner he absents himself from four consecutive meetings of the Board ; or
- (c) if, where he is a salaried servant of Government, his continuance in office is, in the opinion of the Chief Commissioner, undesirable ; or
- (d) if he becomes subject to any of the disabilities stated in clauses (i), (ii), (iii), (iv) and (v) of the proviso to section 4, subsection (4), clause (d) ; or
- (e) if his continuance in office is, in the opinion of the Chief Commissioner, dangerous to the public peace or order or likely to bring the administration of the Board into contempt.

APPENDIX F.

(Vide paragraph 51.)

Extract from paragraph 32 of letter No. 7273, dated 10th October 1913, from the Government of Bombay, General Department, to the Government of India, Department of Education (Local Boards).

The Bombay Local Boards Act does not give power to Government, as in the case of municipal councillors (*vide* section 16 of the Bombay District Municipal Act, 1901), to remove from office an elected member (other than a President or Vice-President) who is guilty of misconduct in his duties, or of any disgraceful conduct, or becomes incapable of performing his duties. With

* Thus, at the commencement of the August session of 1905 many resolutions were passed on the proposed separation of Church and State.

a view to removing this defect it is proposed to add after section 11 of the Bombay Local Boards Act, 1884, the following section :—

“ 11-A. The Governor in Council in the case of District Local Boards, and the Commissioner in the case of taluka local boards, may, if he thinks fit, on the recommendation of the local board remove any member of the local board elected or appointed under this Act, if such member has been guilty of misconduct in the discharge of his duties or of any disgraceful conduct or has become incapable of performing his duties as a member of the local board.”

With regard to the concluding clause of paragraph 798 I am to state that disputes of the first kind are already under section 25 of the Bombay Local Boards Act referable to the Courts. There is no other statutory provision regarding other disputes, and they would presumably be decided by the Commissioners, or possibly, if the matter were of an important nature, by Government. But such disputes must be of extremely rare occurrence, and in the opinion of the Governor in Council it is scarcely necessary to make special provision for them.

APPENDIX G.

(Vide paragraph 55.)

Extract paragraph 15 from letter No. 7273, dated 10th October 1913, from the Government of Bombay, General Department, to the Government of India, Department of Education (Local Boards).

15. The proposal that local boards should engage their own engineers, either by borrowing from the Public Works Department, or by recruiting independently for the execution of the works will have an effect directly opposed to that just contemplated. It involves a duplication of the staff for the performance of the same amount of work. At the same time it affords no solution of the question of cost which has been referred to above. After careful consideration therefore, His Excellency in Council is unable, at present advised, to recommend its general adoption in this Presidency, and will rather rely on the policy indicated in paragraphs 13 and 14 above for bringing about the desired improvement in the system of the execution of local fund works, although, as already indicated, he has no objection to recourse being had to it experimentally as a temporary expedient and to meet exceptional conditions.

APPENDIX GG.

(Vide paragraph 57.)

Extract paragraphs 122 to 124 of the Madras Local Fund Code.

122. The Engineer and his subordinates will be appointed by the President of the District Board in accordance with the rules given below. The sanction of Government is necessary, as in other cases, for all appointments carrying a maximum salary of Rs. 250 per mensem or upwards. The engineering establishment will be completely under the orders of the President.

G. O. No. 1231-L., dated 29th June 1887, L. F., P. W., Rule 2.

G. O. No. 758-L., dated 25th May 1908.

G. O. No. 228-L., dated 13th February 1912.

1. Local Boards should employ only Engineers locally born and trained or locally trained, and should recruit their staff from that source.

G. O. No. 478-L., dated 2nd May 1905.

2. The total cost of the engineering establishment should not exceed 20 per cent. of the outlay on works.

G. O. No. 721-L., dated 26th June 1886 (paragraph 68).

122-A. All persons who may be appointed to the office of District Board Engineer will be required to pass the third-class test in the chief vernacular of the district in which they are employed. The test will be conducted by the Board of Examiners.

A period of two years will be allowed for an officer to qualify in a vernacular language and until he so qualifies he will be considered to be on probation. If he fails to do so within that time, his appointment will be terminated except in special cases in which a short extension may be granted by Government on the recommendation of the President on special grounds.

G. O. No. 608-L., dated 14th May 1904, as modified in G. O. No. 113-L., dated 28th January 1907.

G. O. No. 1198-L., dated 23rd August 1912.

122-B. No person shall, without the express sanction of Government, be appointed to the office of Assistant Engineer, unless he has obtained either the University degree of B.E. or the Civil Engineering College certificate of the Engineer class.

G. Os. Nos. 999-L., dated 12th September 1905, and 753-L., dated 25th May 1908.

122-C. No person shall, without the express sanction of Government, be appointed to the post of Overseer or Sub-Overseer, either by promotion from a subordinate grade or otherwise, unless he has obtained one or other of the following certificates, namely :—

For the post of Overseer.—A certificate of the Sub-Overseer and Surveyor class of the College of Engineering, Madras, or a certificate as Lower Subordinate of the College of Engineering, Roorkee, or a certificate as Sub-Overseer of the College of Engineering, Sibpur or Poona.

For the post of Sub-Overseer.—A certificate of the draftsman class of the Engineering College, Madras, or a certificate as Mechanical draftsman or draftsman and computer of the College of Engineering, Roorkee, or a certificate as Sub-Overseer of the College of Engineering, Sibpur or Poona.

G. O. No. 969-L., dated 15th August 1906.

1. Presidents of District Boards are authorised to exempt unqualified persons for employment as Overseers and Sub-Overseers in temporary and acting vacancies for periods not exceeding six months at a time, if no qualified men are available, subject to the condition of the pay of acting men, is calculated on the minimum pay of the lowest grade of Overseers or Sub-Overseers as the case may be.

G. O. No. 947-L., dated 2nd July 1908.

123. The Engineer can transfer his subordinates from one range to another only with the previous approval of the President.

124. The following scale of salaries which is mainly based on the mileage of roads supervised and the amount of expenditure on Public Works, which the Engineers are required to control, is recommended for adoption by District

Boards. This scale will not be applicable to Engineers in the service on the 7th October 1903, except with the special sanction of Government in each case, but will apply to appointments made after that date. In filling up vacancies, preference shall be given to men already holding the appointment of Engineer or Assistant Engineer, provided that they are considered otherwise thoroughly suitable.

LOCAL FUND ENGINEERS.

Seven, first-class, on Rs. 600-10-900 each in the districts of Godavari, Guntur, Kistna, Madura, Malabar, Tanjore and Tinnevely.

G. O. No. 1380-L., dated 27th October 1900.

G. O. No. 150-L., dated 9th February 1905.

Five, second-class, on Rs. 500-10-700 each in the districts of North Arcot, South Arcot, Coimbatore, Salem and Vizagapatam.

Seven, third-class, on Rs. 400-10-600 each in the districts of South Canara, Chingleput, Cuddapah, Ganjam, Nellore, the Nilgiris and Trichinopoly.

G. O. No. 1635-L., dated 24th December 1904.

Three, fourth-class, on Rs. 300-10-500 each in the districts of Anantapur, Bellary and Kurnool.

Note.—The increments will be annual in all cases.

G. O. No. 1261-L., dated 7th October 1903.

G. O. No. 1423-L., dated 5th October 1912.

ASSISTANT LOCAL FUND ENGINEERS.

First class	...	...	Rs. 250—5—300
Second class	...	...	„ 200—5—250
Third class	...	...	„ 150—5—200

The number and grade of Assistant Engineers to be entertained in each district will be determined by Government from time to time. The above scale will not be applicable to Assistant Engineers in the service on the 24th December 1904 except with the special sanction of Government in each case, but will apply to appointments after that date.

G. O. No. 1631-L., dated 24th December 1904.

SUBORDINATE ENGINEERING STAFF.

The following scale of pay for the subordinate engineering staff is recommended for adoption by District Boards :—

				<i>Overseers.</i>
				Pay.
First grade	...	...	...	Rs. 100
Second grade	...	...	...	„ 80
Third grade	...	...	...	„ 60

Sub-Overseers.

First grade	...	...	...	Rs. 50—4—70*
Second grade	...	...	...	„ 40—2—50*
Third grade	...	...	...	„ 30—2—40*

G. O. No. 86-L., dated 16th January 1887.

G. O. No. 1675-L., dated 18th November 1907.

APPENDIX H.

(Vide paragraph 59.)

Extract paragraphs 6—9 from letter No. 7273, dated 10th October 1913, from the Government of Bombay, General Department, to the Government of India, Department of Education (Local Boards).

6. With regard to the proposal that the boards should maintain an engineering service of their own, the following alternative arrangements are discussed in the joint report of the Commissioners :—

- (i) that each individual board should appoint its own engineer and staff ;
- (ii) that all the boards comprised in a single division should jointly maintain a general cadre of engineers who would be interchangeable between such boards ;
- (iii) that Government should lend to individual boards the services of engineers on the Public Works Establishment in the same way that Government lend the services of their officers to municipalities for employment as Chief Officers, the boards paying the usual pay plus pension contribution.

7. The Commissioners represent that the last named system is free from the serious disadvantages which they have cited in paragraphs 7 and 8 of their joint report as attaching to the other two alternatives, and they recommend that Government should intimate to selected local boards their willingness to place at the disposal of any of them to services of a Public Works officer provided that such board agrees to pay him a salary commensurate with his position in Government service and the responsibilities of his new duties. They further suggest that a beginning in this direction might be made in two specified districts of the Presidency in which the Executive Engineer is exceptionally busy with purely Government work.

8. The Commissioner in Sind, on the other hand, is inclined to favour the entertainment of a well paid and highly qualified local fund engineer for the whole Province of Sind at the joint expense of all the local boards, with an assistant in each district (or possibly in some cases an assistant for two districts), such engineer, while technically in subordination to the several district local boards, being in practice controlled on their joint behalf by the Commissioner.

9. The Bombay Government have given very careful consideration to the several arrangements referred to above. With regard to the three alternatives discussed in the joint report of the Commissioners, they recognize the validity, so far at least as the Presidency proper is concerned, of the objections urged against that which contemplates the joint maintenance of a cadre of engineers by all the boards comprised in a single division, but they are not prepared to admit that the difficulties stated to exist in connexion with the engagement by individual boards of their own engineers would be insuperable, especially in the case of an exceptionally wealthy board having an unusually extensive programme of works for execution. While they are prepared, therefore, to approve the proposal recommended by the Commissioners in the joint report, they consider that the local boards concerned should not necessarily be required to draw on the ranks of the Public Works Department for the engineers they desire to employ, but should be given the alternative of engaging their engineers from outside the Government service should they consider it in their interests to do so.

* Biennial increments.

APPENDIX I.
(*Vide* paragraph 60.)

No. D/134 OF 1915.

PUBLIC WORKS DEPARTMENT:
Mahableshwar, 27th October 1915.

To
THE PRESIDENT,
Local Funds Committee.

Sir,

I have the honour to supply the information you asked for in your letter No. L. S. G./29, dated 24th September 1915.

2. From the figures at my disposal I have first of all divided the District Local Boards into three classes according to their expenditure on all works, Statement I.

1st Class	...	... spending over Rs. 2 lakhs.
2nd „	...	between Rs. 1 and 2 lakhs.
3rd „	...	under Rs. 1 lakh.

3. In Statement II, I have taken the approximate Public Works Department charges on works carried out by them. I have taken 10 per cent. but this is not correct; the only figures I had were for Belgaum, and these gave 9.9 per cent., 9.9 per cent. and 12.2 per cent. for the 3 years. For the purpose of Statement II, 10 per cent. is close enough. I then assume that in future the Public Works Department will not carry out more than one-fourth of the work they have done hitherto (column 5), and the saving in Public Works Department charges will therefore be three-fourths of column 3 = column 4.

If this be accepted the figure in column 4 gives the maximum cost permissible for the increase in Local Fund Engineer establishment charges.

4. I then proceed to estimate the cost of a staff necessary to deal with the expenditure of each district, in three classes. Certain officials can be lent by the Public Works Department, as stated in my evidence, and the rates entered are based upon this supposition.

The provisions made may appear somewhat liberal, but it is easy to underestimate requirements and then to experience difficulties in obtaining a qualified and trustworthy staff. The figures put down are averages and include therefore a provision for occasional promotion, *i. e.*, men would have to be appointed on lower pay to commence with. All districts are supposed to contain 2 sub-divisions. If 6 talukas go to the district, each sub-division would have 3 talukas in the 1st class district in charge of the 2 Upper Subordinates, and the Engineer would have command of the whole district.

In the 2nd and 3rd class districts, the Engineer would have command of the whole district and keep in his immediate charge either one or two talukas, and place the remainder under the Upper Subordinate.

A Lower Subordinate is provided for each taluka. The annual expenditure estimated is—

				Rs.
1st Class	...	...	...	30,792
2nd „	...	...	...	20,916
3rd „	...	...	...	16,392

The last are therefore the most expensive in proportion to their expenditure. I am not aware of the present Local Fund expenditure on engineering establish-

ment, but if it is roughly Rs. 9,000 per annum in each district, the increase in cost will be—

					Rs,
1st Class	...	...	...	...	22,000
2nd „	...	...	...	...	12,000
3rd „	...	...	...	...	7,000

Turning to Statement II we may compare—

22 with	...	{ 12 Thána, 20 East Khándesh.
12 with	...	{ 13 Sholápur, and about 6 average for the others.
7 with	...	{ 15 Broach, and about 4 average for the others.

But the Public Works Department charges in Sind are so low that it would certainly not pay to employ a staff of the nature outlined above in that province. The cost of the 3rd class establishment is about equal to what the 2nd class districts in the Deccan will save in Public Works charges, and it might be advisable to commence by appointing such an establishment for one of these districts in each division, with the single difference of the Engineer, who should be of the Sub-engineer class.

5. Statement III shows the powers I think may be entrusted to the Local Board Engineers. These powers may be looked on as maximum powers, and I would suggest that the lower powers, say for 3rd class, may be given to 2nd class Engineers in the first instance until the system has been tested for a year.

6. Finally I propose that the provisions of the Madras Local Fund Code be adopted, with some modifications as shown in the accompanying notes.

Where the new recommendations do not clash with the provisions of the existing Bombay Local Fund Code, as regards Engineering matters, these should generally be allowed to stand.

Account matters have not been dealt with. These can be settled in consultation with the Accountant General. Where the proposals affect officers of another department, *e. g.*, Sanitary Commissioner, the Committee will no doubt first consult that department before adopting the article.

I have the honour to be,

Sir,

Your most obedient servant,

H. F. BEALE,
Secretary to Government,
Public Works Department.

Documents accompanying—

Notes and statements referred to.

STATEMENT I.

Statement showing the total expenditure incurred by various Local Boards on works and repairs on their own account and by the Public Works Department on their behalf.

District.	1912-13.	1913-14.	1914-15.	Total.	Average.	
1	2	3	4	5	6	
<i>Deccan and Gujardt.</i>						
		In thousands of		Rupees.		
1st Class ... {	1. Thána ...	3,26	2,55	2,31	8,12	2,71
	2. East Khándesh ...	3,79	2,88	3,20	9,87	3,29
	3. Sholápur ...	99	72	4,02	5,33	1,94
	4. Ahmedabad...	1,08	82	1,14	3,04	1,01
	5. Belgaum ...	1,22	1,27	1,36	3,85	1,28
	6. Dhárwár ...	1,30	2,04	77*	...	1,67†
2nd Class... {	7. Sátára ...	1,78	1,43	1,03	4,24	1,41
	8. West Khándesh ...	99	1,57	1,15	3,71	1,24
	9. Násik ...	1,46	1,33	99	3,78	1,26
	10. Poona ...	1,36	1,74	1,58	4,68	1,56
	11. Surat ...	...	...	...	...	...
	12. Broach ...	2,88	2,86	2,72	8,46	2,82
	13. Kolába ...	...	80	93	...	86*
	14. Ratnágiri ...	45	65	15*	...	65
	15. Bijápur ...	76	93	96	2,65	88
3rd Class ... {	16. Kánara ...	73	65	63	2,01	67
	17. Panch Maháls ...	...	...	...	...	...
	18. Kaira ...	1,72	3,54	3,85	5,26	1,75
	19. Ahmednagar ...	98	77	81	2,56	85
<i>Sind.</i>						
2nd Class... {	20. Karáchi ...	81	1,33	1,35	3,43	1,16
	21. Hyderabad ...	1,50	91	32*	...	1,21*
	22. Lárkhána ...	74	96	36*	...	85*
	23. Sukkur ...	85	78	...*	...	82*
3rd Class ... {	24. Mirpur Khás ...	1,06	99	90	2,95	98
	25. Upper Sind Frontier ...	59	77	61	1,97	66
	26. Nawábshah ...	29*	86	10*	...	86
						one year's figure.

* Local Fund figures not available.
† = Average for 2 years.

STATEMENT IA.

The expenditure incurred in the various districts in the Deccan and Gujarát by the Public Works Department on behalf of Local Funds.

District.	1912-13.	1913-14.	1914-15.	Total.	Average.	
1	2	3	4	5	6	
		In thousands of Rupees.				
1. Thána ...	1,97	1,52	1,41	4,90	1,63	
2. East Khándesh ...	3,34	2,40	2,42	8,16	2,72	
3. Sholápur ...	74	46	3,83	5,03	1,63	
4. Ahmedabad ...	46	44	59	1,50	50	
5. Belgaum ...	82	78	69	2,28	76	
6. Dhárwár ...	64	1,13	77	2,00	67	
7. Sátára ...	1,31	93	51	2,75	92	
8. West Khándesh ...	64	1,26	78	2,68	89	
9. Násik ...	1,02	90	55	2,47	82	
10. Poona ...	75	1,06	89	2,70	90	
11. Surat ...	} 1,21	} 1,41	} 1,13	} 3,75	} 1,25	
12. Broach ...						
13. Kolába ...	...	16	13	29	14*
14. Ratnágiri ...	45	21	15	86	18*	
15. Bijápur ...	40	58	41	1,39	46	
16. Kánara ...	22	28	23	73	24	
17. Panch Maháls ...	} 90	} 1,06	} 1,13	} 3,09	} 1,03	
18. Kaira ...						
19. Ahmednagar ...	54	47	69	1,70	85	
NOTE.—These figures do not include Establishment and Tools and Plant charges.						
<i>Sind.</i>						
20. Karáchi ...	...	56	24	80	27
21. Hyderabad ...	26	22	32	80	27	
22. Lárkhána ...	...	16	36	52	17
23. Sukkur ...	...	1	...	1	3
24. Mirpur Khás ...	35	42	35	1,12	37	
25. Upper Sind Frontier ...	...	14	8	22	7
26. Nawábshah ...	29	18	10	57	19	

* = Two years' average.

STATEMENT I (D).

The expenditure incurred by Local Boards on Works and Repairs, carried out by their own staff.

District.	1912-13.	1913-14.	1914-15.	Total.	Average.
1	2	3	4	5	6
<i>Deccan and Gujarát.</i>					
				(In thousands of rupees.)	
1. Thána ...	1,28	1,03	90	3,21	1,07
2. East Khándesh ...	45	48	78	1,71	57
3. Sholápur ...	25	26	19	70	23
4. Ahmedabad ...	62	48	55	1,65	55
5. Belgaum ...	40	49	67	1,56	52
6. Dhárwár ...	66	91	A	...	78*
7. Sátára ...	47	50	52	1,49	50
8. West Khándesh ...	35	31	37	1,03	34
9. Násik ...	44	43	44	1,31	44
10. Poona ...	61	68	69	1,98	66
11. Surat ...	1,67	1,45	1,59	4,71	1,57
12. Broach ...					
13. Ratnágiri ...	35	44	A	...	39*
14. Kolába ...	48	64	80	1,92	64
15. Bijápur ...	36	35	55	1,26	42
16. Kánara ...	51	37	40	1,28	43
17. Panch Maháls ...	84	2,48	76	4,08	1,30
18. Kaira ...					
19. Ahmednagar ...	44	30	21	95	32
<i>Sind.</i>					
20. Karáchi ...	81	77	1,01	2,59	86
21. Hyderabad ...	1,24	69	A	...	96*
22. Lárkhána ...	74	80	A	...	77*
23. Sukkur ...	85	77	A	...	81*
24. Mirpur Khás ...	71	57	55	1,83	61
25. Upper Sind Frontier ...	59	63	53	1,75	58
26. Nawábshah ...	A	68	A	...	68 (one year)

A = Figures not available.

* Two years' average.

STATEMENT II.

Statement showing approximate cost of works which must remain to be carried out by the Public Works Department and probable saving to Local Funds.

District.	Average cost of works carried out by Public Works Department.	Public Works Department Charges.	¾ of Public Works Department Charges.	Cost of work which will remain with Public Works Department.
	(Rupees	in thousands.)		
1st Class ... { 1. Thána ...	1,63	16	12	41
2. East Khándesh ...	2,72	27	20	70
3. Sholápur ...	1,68	17	13	42
4. Ahmedabad ...	50	5	4	12
5. Belgaum ...	76	8	6	19
6. Dhárwár ...	67	7	5	17
2nd Class... { 7. Sátára ...	92	9	7	23
8. West Khándesh ...	89	9	7	22
9. Násik ...	82	8	6	20
10. Poona ...	90	9	7	22
11. Surat ...	30	3	2	7
12. Broach ...	20	2	1.5	5
13. Kolába ...	*14	1	.75	3
14. Ratnágiri ...	*18	2	1.5	4
3rd Class ... { 15. Bijápur ...	46	5	4	11
16. Kánara ...	24	2	1.5	6
17. Panch Maháls ...	53	5	4	13
18. Kaira ...	50	5	4	12
19. Ahmednagar ...	85	8	6	21
<i>Sind.</i>				
2nd Class... { 20. Karáchi ...	27	3	2	7
21. Hyderabad ...	27	3	2	7
22. Lárkhána ...	17	2	1.5	4
23. Sukkur ...	3	0.3	0.2	0.1
3rd Class ... { 24. Mirpur Khás ...	37	4	3	9
25. Upper Sind Frontier ...	7	0.7	.5	2
26. Nawábshah ...	19	2	1.5	5

* = Two years' average.

STATEMENT III.

Powers of various Local Board's Engineers.

Powers.	First Class Board.	Second Class Board.	Third Class Board.
<i>Original Works.</i>			
	Rs.	Rs.	Rs.
1. To sanction new works or additions to the extent of .	2,000	1,500	1,000
2. To sanction trifling alterations in the constructive details of works during their execution in cases of necessity, reporting, as a general rule, their action to the Government Executive Engineer.	...	...	...
3. To divert the provision for contingencies to new works or repairs not provided for in the estimate to the extent of for each item.	500	200	50
4. To sanction the sale of surplus articles at site of any work at their full value up to a limit of.	500	200	50
5.* Construction of works properly estimated and sanctioned.	50,000	20,000	10,000
<i>Repairs.</i>			
6. To sanction ordinary repairs within limits of ...	B u d g e t	B u d g e t	B u d g e t
7. To sanction emergent repairs in case of imminent danger to structure provided that the estimate is sanctioned subsequently by proper authority.	allotment.	allotment.	allotment.
	...	Reasonable	amount.
<i>Contracts.</i>			
8. To accept tenders for the execution of sanctioned works by contract up to.	2,000	1,000	500
<i>Tools and Plant.</i>			
9. To sanction the purchase or manufacture of Tools and Plant (not including office furniture and live stock) for each estimate.	300	100	50
10. To sanction the repair of Tools and Plant to each estimate to the extent of.	300	100	50
11. To sanction the writing off the Return of Tools and Plant the full value of which has been recovered.	Subject to	Local Board's approval.	
12. To order any stores in part of a regularly sanctioned estimate subject to the conditions laid down in Appendix and to the limits of.	300	100	50

* See notes at end.

Plans and Estimates.

1. Works costing over Rs. 2,000, Rs. 1,500 and Rs. 1,000 for First Class, Second Class and Third Class Local Boards must have their plans and estimates approved by the Government Executive Engineer.

2. The Government Executive Engineer may sanction plans and estimates for works the cost of which does not exceed Rs. 2,500. For works costing more than Rs. 2,500 plans and estimates must be technically approved by the Superintending Engineer, provided the cost is met wholly from Local Funds.

The Government Executive Engineer is empowered to deal with such cases of the sale of surplus materials, acceptance of tenders for contracts, the

purchase, manufacture, sale and repairs of Tools and Plant to the extent of his powers in accordance with the Public Works Department Code.

Such cases as may be beyond his powers will be submitted by him to the Superintending Engineer of the Division and dealt with by that officer according to his powers.

But in the case of all works being constructed by the Local Fund Engineer whenever higher sanction is wanted it must be obtained from the Local Board.

Executive Engineer should be considered the technical adviser of the President of the Local Boards on all Engineering works.

He will not be responsible for any work being carried out by Local Fund Engineer, but if asked to do so he will inspect the work and give necessary orders.

STAFF REQUIRED BY FIRST CLASS LOCAL BOARD.

Public Works Department officials lent for 3 years—deputation at 1/5 over pay.

		Rs.
Engineering	... 1 Engineer (Provincial Assistant Engineer) ...	480
Subordinate	... { 1 Upper subordinate (Sub-Engineer) ...	300
	... { 1 do. do. (Overseer) ...	100
Assuming 6 talukas .	6 Lower subordinates at Rs. 50 consolidated...	300
Accounts and Clerical.	{ 1 Accountant, 4th Grade ...	100
	{ 7 Clerks (3 for Engineer and 4 for Upper subordinates, at Rs. 60, 40, 30, 2 at 20 and 2 at 30, respectively) ...	230
Drawing ...	... { 1 Draftsman ...	50
	... { 2 Tracers ...	60
Menial ...	... { 3 Peons for Engineer at Rs. 10, 9 and 8 ...	27
	... { 2 Peons for Upper subordinates at Rs. 8 ...	16
	... { 1 Chowkidar ...	8
Accommodation	... { Office for Engineer—Rent ...	100
	... { Office for Upper subordinates (2) ...	40
Stores ...	... { 1 Storekeeper ...	60
	... { 1 Store clerk ...	30
Travelling Allowances.	{ Engineer ...	120
	{ Subordinates { (Upper 3 + 1) ...	120
	{ (Lower 6 × 1) ...	180
Stamps, petty items, cart hire, office boxes, etc. ...	{ Clerical and menial Re. 1 per day ...	45
	{ Office contingencies ...	200
Total ...		2,566
Annual Expenditure ...		30,792

STAFF REQUIRED BY SECOND CLASS LOCAL BOARD.

With deputation Allowance Rs. 300 to 360.

Engineering	... 1 Upper subordinate (Sub-Engineer) (average)	330
Subordinate	... { 1 Upper subordinate (Overseer) ...	120
	... { 6 Lower subordinates at Rs. 50 consolidated .	300
Accounts and Clerical.	{ 1 Accountant ...	80
	{ 5 Clerks (3 for Engineer and 2 for Upper subordinate, at Rs. 60, 40, 30, 30, and 20).	180

					Rs.
Drawing ...	...	{	1 Draftsman	50	
			1 Tracer	30	
Menial ...	...	{	3 Peons for Engineer (at Rs. 10, 9 and 8) ...	27	
			1 Peon for Upper subordinate (Overseer) ...	8	
			1 Chowkidar	8	
Accommodation	...	{	Office for Engineer—Rent	80	
			Office for Upper subordinate	20	
Stores ...	...	{	Storekeeper	50	
			Store clerk	20	
Travelling Allowances.		{	Upper Subordinate, Rs. 3	90	
			Subordinates { Upper, Rs. 1-8-0	30	
			{ Lower, 5 × 1 Re.	150	
			Clerical and menial, Re. 1 per day	30	
			Office contingencies	150	
Total ...					1,743
Annual Expenditure ...					20,916

STAFF REQUIRED BY THIRD CLASS LOCAL BOARD.

Engineering	...	{	1 Upper subordinate (Supervisor)	210	
			1 Upper subordinate (Overseer)... ..	100	
Subordinate	...		6 Lower subordinates at Rs. 50 consolidated... ..	300	
Accounts and Clerical.		{	1 Deputy Accountant	60	
			5 Clerks at Rs. 40, 30, 30, 20 and 20	140	
Drawing ...	...		1 Draftsman	40	
Menial ...	...	{	3 Peons (at Rs. 10, 9 and 8)	27	
			1 Peon for 2nd man (Overseer)	9	
			1 Chowkidar	8	
Accommodation	...	{	Office for Engineer—Rent	60	
			Office for subordinate (Overseer)	20	
Stores ...	...	{	1 Storekeeper	40	
			Store clerk	20	
Travelling Allowances.		{	Upper subordinate, Rs. 2	60	
			Subordinates { Upper, Rs. 1-8-0	30	
			{ Lower, 6 × 1 Re.	120	
			Clerical and menial, Re. 0-12-0	22	
			Office contingencies	100	
Total ...					1,366
Annual Expenditure ...					16,392

LOCAL BOARD ENGINEER AND STAFF.

Madras Local Fund Code.—Section 122. Adopt and add “who may ask the Executive Engineer, Public Works Department, to advise him, or to examine any work being carried out by the Local Board Engineer. The Executive Engineer will not thereby render himself responsible for such works”.

Section 122A. Adopt, modified as may be required.

Section 122B. The Superintending Engineer will advise on the point of appointment of Engineer for a Local Board. The person shall have obtained the University degree of B.E. or the L.C.E. degree of the College of Engineering, Poona, or an equivalent degree from another University, or the engineering certificate of the D. J. College in Sind, or Rurki College, for the post of Engineer.

Section 122C. For the post of overseer or upper subordinate the person shall have obtained the B.E. or L.C.E. degree, or certificate of D. J. College in Sind or Rurki College. For the appointment of Upper Subordinates, Executive Engineer, Public Works Department, will advise. For the post of sub-overseer the person shall have obtained a certificate of sub-overseer of the College of Engineering, Poona, or D. J. College in Sind, or some equivalent training.

Section 124. The following scale of average salaries is recommended for adoption by Local Boards :—

Local Fund Engineers.

	Average.
First Class (Assistant Engineer) ...	Rs. 480 per month.
Second „ (Sub-Engineer) ...	„ 330 „ „
Third „ (Supervisor) ...	„ 210 „ „

Subordinate Engineer Staff.

1st Class Board ...	{	Sub-Engineer ...	Rs. 300 per month.
		Overseer ...	„ 100 „ „
		Sub-overseer ...	„ 50 „ „
2nd „ „ ...	{	Overseer ...	„ 120 „ „
		Sub-overseer ...	„ 50 „ „
3rd „ „ ...	{	Overseer ...	„ 100 „ „
		Sub-overseer ...	„ 50 „ „

Details of Public Works allotments.

Madras Local Fund Code.—Section 302, Statements, *Part III and *Part IV. All works whether new or repairs should be separately entered in these statements.

Section 303. Unsanctioned projects for new works must not be entered.

Section 304. Adopt.

CODE FOR LOCAL BOARD ENGINEERS.

Plans and Estimates.

Madras Local Fund Code.—See Chapter XIII—Plans and estimates.

Sections 426, 427, 428 may be *left out* as these definitions are given in sections 16 and 17 of Bombay Local Board Rules.

Sections 429, 430, 431. Adopt.

Section 432. Adopt 3rd clause and add :—“Marryat’s specifications are the standard in the Bombay Presidency and they should be adopted.”

Sections 433, 434, 435. Adopt.

Section 436. Alter earthwork to 100 c. ft. unit and instead of 1,000 c. ft., adopt 1 cubic foot instead of 1,000 c. ft. for buildings, measuring external dimensions to the height measured from ground level to $\frac{1}{2}$ height of roof.

Section 437. Adopt. Public Works Department schedules will be available.

Sections 438, 439. Adopt. Where “Superintending Engineer” appears substitute “Executive Engineer”.

Sections 440, 441. Adopt.

Section 443. Adopt.

* These parts pertain to Bombay Local Fund Rules.

Sections 444, 445, 446. Adopt.

Section 447. Omit "without the sanction of Government".

Section 448. Adopt. Instead of "without . . . Government" say of the Local Board.

Section 449. Adopt but no diversion of the provision for contingencies to any new work or repair which is not provided for in the estimate may be made without the sanction of the Local Board.

Sections 451, 452. Adopt.

Sections 453, 454, 455. Adopt.

Section 456. For "article 428" read "paragraph 17 of Bombay Local Board Rules". For form 72 some suitable form should be adopted.

Section 457. Adopt.

Section 458. Adopt—alter Form No.

Section 459. Adopt with suitable modification.

Section 460. The powers of Taluka Local Boards can be settled by Local Board Committee.

Section 461. Estimates for original works to be carried out by any Local Board may be sanctioned subject to the provisions contained in article 462 *post* and to the limits* laid down for the three classes of Local Boards.

Section 462. Government Executive Engineer's approval to be obtained to all estimates for original works over Rs. 2,000 up to Rs. 2,500 and Superintending Engineer's approval for works costing more than Rs. 2,500. In the case of other works costing less than Rs. 2,000 Executive Engineer may be consulted.

Section 463. For "Rs. 5,000" substitute "Rs. 2,500", add "over Rs. 2,500" after "costing" in the fourth line of this article. Delete "not more than Rs. 20,000" and for the sentence "But estimates . . . to Government" substitute "But estimates of works to be carried out by Public Works Department, when exceeding the Superintending Engineer's sanction according to the Public Works Code must be referred to the Chief Engineer".

Sanitary Works.

Section 464. Adopt.

Sections 465 to 471. The Sanitary Engineer and his staff's services will be available, in the same way as those of the Superintending Engineer and Executive Engineer.

(For other provisions the Sanitary Board may be consulted by the Local Fund Committee.)

Section 472. Adopt.

Sections 473, 474, with the necessary modifications. Adopt.

Section 476. Delete "where Government authority". Exclude Note 1.

Section 477. Adopt.

Section 478. „ Alter Form No.

Section 481. „

Section 482. „

Section 483. „ Delete "or Rs. 100 whichever is less".

Section 484. „ with necessary modification.

Execution of Works.

Section 485. Adopt.

I	II	III
50,000,	20,000,	10,000,

Sections 486, 487. Adopt.

Utilization of savings. Section 487-A. This may be considered by Local Boards Committee.

Section 488. Adopt.

Section 489. The portion pertaining to minimum allotment will be considered by Local Board Committee. The rest may stand.

Section 490. Adopt.

Section 491. „

Section 492. Delete "A" system contracts.

Section 493. Adopt.

Section 494. Omit last sentence after words "sanctioned estimate".

Section 495. Adopt.

Sections 497, 498. Adopt.

Section 499. Acceptance of tenders as given for the various classes of Local Boards Rs. 2,000, 1,000 and 500 for works, and Rs. 300, 100 and 50 for tools and plant and stores.

The names of firms should be as on Bombay Government Lists.

Section 500. Adopt.

Section 501. Modify as required.

Section 502. Adopt.

Section 503. Modify as required.

Section 504. Adopt.

Section 506. „

Section 507. Government pattern measurement books, forms, etc., should be adopted.

Sections 508 to 513. Adopt.

Sections 514, 515. „

Section 516. Delete "in addition to 79-A" and insert a suitable sentence relating to measurement book adopted.

Sections 517, 518. Adopt.

Sections 519, 520, 521. Adopt.

Section 523. Adopt, and modify as required.

Section 524. Adopt. "The Engineer Government, Public Works Department." The district will ordinarily be divided into two sub-divisions, and a suitable number of talukas in charge of lower subordinates. In a second class district the Engineer will hold charge of a small sub-division in addition to the whole district, and also in a 3rd class district.

Section 525. Adopt.

Sections 526, 527. Adopt.

Section 528. Substitute "sub-overseers" for "Range officers". The Engineer and sub-divisional officers should inspect the work of the lower subordinates as often as they can.

Section 529. Adopt.

Sections 530, 531. Adopt. Suitable form being adopted.

Section 532. Adopt.

Section 533. „

Sections 535, 536, 537, 539, 540. Adopt.

Section 541. Adopt.

The clauses relating to procedure in regard to payments, accounts and returns of Subordinates, Engineers' accounts and records have not been considered. These can be settled in consultation with the Accountant General.

APPENDIX II.

*(Vide paragraph 65.)**Paragraph 787 of the Decentralization Commission's Report.*

787. Here, again, such large outside control materially reduces the independence of the boards. We are, however, in favour of some control over them in the matter of establishments. Where the district board entertain engineers, paid secretaries or district health officers, the sanction of the Commissioner should be required to the settlement or alteration of the emoluments of such posts or to the appointment or dismissal of the holder. Such control is desirable in order to secure full qualified men for such important posts and to protect officials who may have to incur some local unpopularity in the conscientious discharge of their duties.

In regard to the ordinary rural board establishments, we consider that a sufficient measure of control will be obtained through the promulgation, by the local Government, of model bye-laws or schedules, which shall lay down general rules in respect to such matters as leave, acting and travelling allowances, pensions or provident funds, and the maximum salaries to be given to board officials of various classes. If a board considers that its circumstances warrant the modification of such bye-laws or schedules, the variation desired should require the sanction of the local Government, or, in the matter of salary limits, of the Commissioner.

In other respects, however, we would give the boards a free hand in regard to the creation and filling up of appointments, and full power to punish or dismiss their officials. The appointment, promotion and serious punishment of these should be by the collective board, on the recommendation of the president, while minor punishment might be inflicted by the president, subject to an appeal to the board. We would not, however, allow appeal to an outside authority.

APPENDIX J.

*(Vide paragraph 67.)**Extract from Chapter III of the Central Provinces Education Manual.
(Paragraphs 36 and 37.)*

36. The rules laid down in the Education Manual regarding general management, curricula, discipline and moral and physical training as applicable to a Government school apply equally to Board schools.

Application of Departmental rules to Board schools.

37. Subject to revision by the Deputy Commissioner, the appointment, promotion, transfer within the district, grant of leave of absence, fining, suspension, reduction and dismissal of teachers in Board schools shall (except as hereinafter provided) rest with the local body.

Control of teachers.

The pay of a teacher employed in a District Council school prior to the date (1st April 1885) of its transfer from Government, and who is consequently rendering pensionable service, shall not be altered, nor shall he be transferred nor dismissed without the special sanction of the Deputy Commissioner:

List of teachers rendering pensionable service in Board schools shall be sent annually by each District Council and Municipality concerned to the Comptroller.

The appointment and transfer of teachers in Municipal High and Anglo-Vernacular Middle schools is vested in the Director. Provided that when the Director proposes to transfer any such teacher with a view to promotion, he shall give due notice to the Municipal Committee, so that if the latter choose to give the increased pay to be gained by transfer they may, submit proposals for retaining the teacher whom it is proposed to move. This power may be delegated by the Director to the Inspector as regards teachers drawing pay not exceeding Rs. 25 per mensem.

Without the written permission of the Inspector, or as a purely temporary measure, a person shall not be appointed to be a teacher unless he has the requisite teacher's certificate. A half-yearly statement of newly appointed teachers shall be forwarded by the Local Body to the Inspector.

New appointments on the teaching staff of a District Council shall not be created nor shall any addition be made, whether by way of increase of pay or grant of gratuities or rewards, or otherwise, to the remuneration of any existing appointment on that staff except in accordance with the rules for the time being in force regarding District Council establishments.

APPENDIX K.

(*Vide* paragraph 87.)

No. 3251 of 1915.

From

THE HONOURABLE MR. H. S. LAWRENCE, I. C. S.,
Acting Commissioner, Southern Division ;
F. G. PRATT, ESQUIRE, I. C. S.,
Acting Commissioner, Northern Division ;
C. N. SEDDON, ESQUIRE, I. C. S.,
Acting Commissioner, Central Division ,

To

THE CHIEF SECRETARY TO GOVERNMENT,
Revenue Department, Bombay.

Poona, 29th July 1915.

SIR,

The Commissioners have had under their consideration for the last year the question of the improvement of the financial position of the District Local Boards in this Presidency. In view of the recent discussion on this subject in the Legislative Council we consider it desirable to place Government at once in possession of the result of the enquiries which we have so far conducted, and we submit a note drawn up by one of our members (the Honourable Mr. Lawrence) showing in greater detail the views he holds. With most of the suggestions contained in this Note the Commissioners, Northern and Central Divisions, sympathise; if they do not entirely accept it, it is because they think some further enquiry and discussion desirable before the expression of opinions so definite.

2. It is unnecessary to elaborate the argument that our local revenue is inelastic and wholly insufficient to meet the demands of local needs. The spread of education is awaking a demand for social reform in the widest sense, and the financial resources of District Boards are strained even to maintain the standard of public conveniences provided in the past.

3. Various suggestions have been made in order to secure additional revenues. The Collectors of Districts in which Irrigation, Forests and Excise are important branches of revenue, all press the claim of their Districts to a share on behalf of the Local Board. The weakness of these suggestions lies in the inequality of the assistance that would thus be rendered. For instance, while an Irrigation cess would assist Poona, Ahmednagar and Násik, it would be no help to Kaira or the Panch Maháls; while a Forest cess would bring rupees one lách of revenue to the Kánara Board, it would bring nothing to Broach; while an Excise cess in Surat would bring in more than rupees one lách, in Bijápur it would bring in Rs. 28 thousand.

4. We have the honour to recommend to the consideration of Government the following suggestions :

- (1) That Local Boards be empowered to raise the Local Fund cess up to a maximum of 2 annas in the rupee ;
- (2) That the scope of Chapter XIV of the District Municipal Act, 1901, be extended to include a larger number of important villages and that Notified Areas (which we should prefer to term village panchayats or committees) should assume their share of responsibilities of self-government ;
- (3) That Local Boards be permitted to levy a cess upon the Income Tax ;
- (4) That Provincial subventions be largely increased. (We invite attention to the fact that in 1905 the Government of India granted a subvention of Rs. 7 lakhs on the basis of a contribution of 25 per cent. of the land cess, and expressed the hope that the grant would be maintained by the Local Government at this proportion. This request appears to have been overlooked and the grant has remained unchanged.)

5. The Royal Commission on Decentralization in paragraphs 753 and 754 of their report proposed that District Local Boards should have the management of primary education.

This Commission further proposed in paragraph 749 that the restrictions imposed by law on the execution of Public Works by Local Board Agency should be removed.

We are of opinion that the existing system should be fully examined, and that it may be necessary to revise the law and the regulations on these points.

6. These latter recommendations involve the entertainment by District Local Boards of a well paid Agency of their own, and the details required to be fully considered in consultation with the Educational and Public Works Departments. We content ourselves now with expressing the opinion that the change of system proposed would be beneficial to the administration of these two departments and would result in infusing a new spirit of energy and responsibility into District Local Boards.

We have the honour to be,

Sir,

Your most obedient servants,

H. S. LAWRENCE,

Acting Commissioner, S. D.

F. G. PRATT,

Acting Commissioner, N. D.

C. N. SEDDON,

Acting Commissioner, C. D.

NOTE.

The Government of India in the Review of local self-government which they published with their Resolution dated 28th April 1915 drew attention to the view of the Royal Commission on Decentralization that the want of success of the present system was due "largely to the circumscription of the powers and resources" of the rural Boards. An examination of these two points is therefore desirable.

2. First, in regard to financial resources. A comparison of the growth of the Provincial and Local Board revenues in the last 25 years shows that the expansion of the Local Board revenues has in no way kept pace with the expansion of the Provincial revenues.

During this period the provincial revenues have increased from Rs. 380 lakhs to Rs. 790 lakhs.

The Local Board revenues inclusive of Government subventions have increased from Rs. 43 lakhs to Rs. 81 lakhs, and exclusive of these subventions from Rs. 33 lakhs to Rs. 47 lakhs.

Thus, out of Rs. 410 lakhs of additional Government revenue the increased allotment to District Local Boards has amounted to Rs. 24 lakhs or only 6 per cent.

3. In view of the importance to rural life of the services controlled by Local Boards it is submitted that a considerable enhancement of the provincial subventions would be justified. In order, however, to awaken and strengthen the sense of responsibility of Local Boards, it is most important to give them the power of self-taxation for the benefit of their local areas, and to encourage them to use that power.

This system has been adopted with conspicuous success for the improvement of the roads in England by the Road Board which was created there in 1909. That Board has given large grants to local Highway authorities and has contributed 75 per cent. of the net cost of the improvements. A similar policy would probably be effective in developing a similar spirit of enterprise amongst Local Boards.

4. The first obstacle, however, lies in the Local Funds Act of 1869, which in section 6 fixes the limit of the Local cess at one anna in the rupee, and the first step necessary is the revision of this section. It is true that the Royal Commission in paragraph 774 of their Report disapproved of any proposal to raise this cess. But the Government of India in paragraph 30 of their Review clearly indicate that they are prepared to consider such a proposal on its merits. It is submitted therefore that the law may be amended in this respect and authority be conferred on District Local Boards to raise the Local Fund cess up to the limit of 2 annas in the rupee of the land assessment.

This cess represents Rs. 33 lakhs, or as shown in the Government of India Review, 43 per cent. of the total income; and an increase of this cess would therefore be by far the most important source of revenue derived from additional taxation.

5. The next point to which attention is invited is education. One-third of the Local Fund cess (or Rs. 11 lakhs) is allotted to this head; and Government have recently contributed over Rs. 20 lakhs. There is a general complaint, however, that the buildings are bad and the masters underpaid and it is clear that the expenditure must largely increase in volume as soon as funds can be provided.

6. It is notorious, however, that the schools are attended largely by the sons of traders who pay little or nothing to the rates. In 1899 Government proposed to remedy this anomaly in some degree by enabling the larger villages to be constituted Notified Areas. It was intended that such Notified Areas should levy taxation and contribute to the cost of their schools, medical relief, roads, etc. It was estimated that 246 such local authorities would be established. The Act was modified in Council, however, so as to limit such areas to Taluka Head-quarter towns and towns on the Railway, and in place of 246, last year, there existed in the N. D. 7, C. D. 4 and S. D. 8 Committees. And during these fourteen years since the enactment was framed, the main purpose of the provision has been lost sight of, and very few Notified Areas make any such contribution. The omission can, and, should, be now repaired, and it is suggested for the consideration of Government that the law should be amended by a revision of the definition of a Notified Area in accordance with the original plan. If this were done they should be in a position to give effective assistance to Local Boards in lightening the burden of educational expenditure on the principal schools and in improving, by contributions, the condition of the Local Fund roads, with which their interests are closely bound up.

7. The development of these Notified Areas is of special importance for they represent a most hopeful step in the progress of village self-government; while it is remarkable that their existence and the legal provisions on the subject have escaped the attention equally of the Royal Commission and of the Government of India in their recent Review. Much has been written regarding a village panchayat and the desirability of legislation to establish this body.

In the Notified Area there exists the village panchayat of five persons, and the legal frame-work is ready. It will be a simple matter to bring the provisions into force within the limits now allowed by law, and if the amendment is accepted the system is capable of wide extension.

8. The other sources of revenue proposed by the Collectors are cesses on Irrigation and on the Income-tax. The Irrigation cess is already under the consideration of Government and needs no further discussion. If the suggestion of an increase of the Local Fund cess meets with the approval of Government, the time-honoured problem of the exemption of the non-agricultural classes from all contribution to Local Board revenues will assume still graver proportions ; and it would be well to examine afresh the arguments which have in the past prohibited a local levy on the income-tax. The main objection alleged is understood to have been interference with a source of Imperial revenue. In view, however, of the recent development of income-tax in England and of the fact that the tax in India has remained for nearly 30 years at approximately $2\frac{1}{2}$ per cent. of the income, there seems to be little force in the view that a local levy of 2 annas in the rupee of income-tax would in any degree hamper the operations of the Imperial Exchequer. Such a levy would undoubtedly be popular with the agricultural rate payer and representing as it would 5 annas in rupees one hundred of income it could scarcely be denounced as an injustice by the income-tax payer.

In this connection attention is invited to paragraph 744 of the report of the Royal Commission. The Government of the India were prepared in 1882 to allow Local Boards to levy a license tax. This was merged in the income-tax : and it is now clearly possible to retain the administration of the income-tax under Government management and at the same time to grant to Local Boards a share in the additional revenue that may be levied.

9. To return now to provincial subventions—suggestions have been made that all District Local Boards should share in the Forest and Excise revenues collected within their districts. This measure would result in grave anomalies. However, the fact that these and other resources of the Provincial Government have increased greatly in recent years appears to justify the claim of all District Boards to liberal assistance. It is true that liberal grants have been made in recent years for specific objects. But it is very respectfully submitted that this system of ear-marked doles is not fully adopted to awaken a spirit of responsibility in Local Boards.

Two objections of weight will no doubt be urged :—

Firstly—that if the system suggested in paragraph 3 of an allotment in proportion to local contributions be adopted, more assistance will be given to the richer boards than to the poorer. To this it may be replied that the adoption of this principle would not debar Government from granting such further assistance as may be necessary in cases of genuine poverty.

Secondly—that the provincial revenues do not permit of liberal grants. In reply, it may be pointed out that the grant for Public Works alone has increased in the last 25 years from Rs. 40 lakhs to over Rs. 100 lakhs, and that the necessities of the current year have been met by reduction from Rs. 105 lakhs to Rs. 72 lakhs.

It is for Government to weigh the comparative importance of continuing the progress of Public Works on the scale recently adopted and of the equipment of Local Boards with adequate financial resources.

10. There remains for consideration the question of the powers of the District Boards, and this question assumes chief prominence in respect of the Educational and Public Works Departments.

11. *Education.*—The educational expenditure of District Local Boards has increased from 14 lakhs in 1891 to 32 lakhs in 1913-14. The number of schools has increased as shown in the margin. The three Educational Inspectors are responsible for all questions connected with the appointment, promotion, transfer and leave, etc., of 12,000 village school masters. Such centralization is detrimental to efficiency. All these officers are

		<i>No. of Schools.</i>	
		1891.	1914.
N. D.	...	1,195	1,751
C. D.	...	1,539	2,857
S. D.	...	1,237	2,100
		<hr/>	<hr/>
		3,971	6,708

overwhelmed with petty details of unimportant work. It is submitted that in accordance with the practice followed in certain other provinces of India the management of primary schools should be entrusted to an educational committee of the District Local Boards.

12. *Public Works.*— The restrictions on the power of the District Local Boards are contained in sections 57 and 61 of the Local Boards Act. The law requires that for every work which costs in the case of a road over Rs. 50 per mile or in any other case Rs. 500 in total, the plans and estimates shall be prepared and approved by the Government Executive Engineer, and the executive orders of Government further prescribe that every work which costs over Rs. 2,500 shall be executed by the Government Executive Engineer.

13. The result has been, firstly, to discourage the District Local Boards from entertaining a competent staff of their own, and, secondly, to overwhelm the Government Executive Engineers with a volume of work of comparatively trivial importance. Moreover, the increase in purely Government work of the Department has been out of all proportion to the increase in the staff of the Department. Twenty-five years ago, the Public Works Budget averaged some Rs. 40 lakhs. In 1913-14, it exceeded Rs. 100 lakhs. The increase in staff has been in comparison very slight. There can be no doubt that if the District Local Boards were enabled to entertain an efficient staff much relief would be given to a department which is now taxed to the limit of its resources.

14. Finally, with reference to the staff of District Local Boards. At present all the supervision and a large share of the executive work are given to Local Boards free of cost by the Revenue and Educational Departments. It is unnecessary to consider at this stage what connection the Revenue Department should retain in this work, but it would appear desirable to create for the District Local Board a separate executive establishment.

For educational work the Educational Department will probably be able to transfer the services of several Deputy and Assistant Educational Inspectors, and Government would be able to contribute the sum represented by their salaries.

For Public Works, the District Local Boards are already charged 10 per cent, if the work is executed by the Government Engineer and $1\frac{1}{2}$ per cent. for the use of Provincial tools and plants, and $2\frac{1}{2}$ per cent. if the plans and estimates are prepared by this officer. Savings on these items will go some way to meet the cost of the Local Fund Engineering staff.

A secretary will be required of a position enabling him to exercise authority over these departmental officers. But the total additional cost of this reorganized staff should work out to a small percentage of the revenue and expenditure for which they would be responsible.

23rd July 1915.

H. S. LAWRENCE.

APPENDIX L.

(*Vide* paragraph 96.)

Extract from "Public Finance" by C. F. Bastable, M.A., LL.D., p. 369.

Income and property taxes are equally unavailable, though for a different reason. Both are essentially personal and apply to a given individual. Now to tax a person on his income for the service of the locality in which he resides is open to the double objection that it is likely to be evaded and is grossly unfair. Local authorities have no efficient machinery for detecting concealed incomes, they are in a worse position than the English revenue officials in regard to foreign investments where failure is admitted. The mere moving from the area for part of the year would upset the arrangements. As to unfairness, Mr. Goschen's view seems conclusive. "It appears to be impossible to devise an equitable local income tax, for you cannot localise income. An attempt was made in Scotland, and it broke down when an English Lord

Chancellor, who drew his £10,000 a year in London, but had a small place in Scotland, was made to pay income tax on the whole of his income in that country as well as in this." No real correction could be made without exempting all income earned outside the district, or in other words, changing the income tax into a partial produce tax. No matter how large the local division may be the same objection lies. American States and Swiss cantons are as little suited for the application of separate income taxes as England, Ireland and Scotland. Owing to the variety of modern incomes and the trouble of following them to their sources, the income tax should always be general.

APPENDIX I-1.

(*Vide* paragraph 96.)

Extract from the Report of the Royal Commission on Local Taxation in England and Wales, p. 13.

The Elizabethan Poor Rate was perhaps originally intended to be something like a local income tax, and the practice of rating on "means and substance," which continued in some parts of Scotland down to our time, was very similar. It is, however, clear on reflection that a local income-tax, *i. e.*, an income-tax imposed and levied by Local Authorities within their own district tends more and more to be incompatible with modern social and political arrangements. The very conception is indeed obscure, for to what locality does an income belong? To the place or places from which it is derived? Or to the place or places where it is enjoyed, *i. e.*, where the recipient more or less permanently resides?

• In the first place it is probably becoming less and less common to find persons in receipt of large incomes who have a single fixed place of residence, and the problem at once arises as to the allocation of the taxable income among the two or more districts in which the recipient from time to time resides. And the class of persons who for considerable periods have actually no fixed place of residence, but move about irregularly as business or pleasure suggests, though not very great, would be enough to cause most serious administrative trouble and expense.

But even if these difficulties were surmounted, they are small compared with those involved in the question whether the income should be taxed at its source, or its destination. It is, of course, conceivable that income should be taxed at its destination only, *i. e.*, when it reaches the hands of the recipient in the district where he resides. The technical objections alone would, in fact, be fatal to such a scheme, for it would dislocate our income tax system, and multiply indefinitely the fraud which that system has slowly reduced to a minimum. But apart from this practical difficulty, would a local income tax on such lines really satisfy anyone? Circumstances not unnaturally often lead wealthy people to congregate in districts far from those in which the sources of their wealth lie. In such districts the present system of local taxation is not oppressive, and relief is little needed. But many purely agricultural and industrial districts number very few wealthy residents, and a tax on the incomes of the inhabitants would be more burdensome and less productive than the present rates.

Probably, however, any scheme for a local income tax would attempt to tax incomes at their source as well as at their destination. But the difficulties here are still more baffling. Thus the income of a great landowner would have to be divided up not only between the districts in which he may reside, but also between those in which his property is situate. This, however, is a simple case. There are many large organisations which carry on business in scores of districts in such a way that it is almost impossible to say what proportion of their profits is derived from any of those districts. In what districts are the incomes of the thousands of shareholders in these concerns to be taxed? Instances of the chaos that would ensue might be indefinitely multiplied.

APPENDIX L-2.

*(Vide paragraph 96.)**Extract from "National and Local Finance" by J. W. Grice (pp. 295-298).*

In order that any proposal to allow the local authorities to levy additions to the central income tax on the pattern of Prussia may be adequately considered in full knowledge of all accompanying conditions, it is necessary to point out certain essential differences between the Prussian income tax and our own.

First, it is fixed for a number of years; it is not so much regarded by the central authority as the "sheet anchor" of its finance and liable to frequent alterations to make up deficiencies from other sources of revenue. Again, it is more highly graded, and all incomes over 3,000 marks are compulsorily "declared"; the land and business taxes are concurrent and not absorbed on the pattern of the English schedules, therefore there is to some extent double taxation; finally, and most important of all from the point of view of allowing additions to it, it is much less in amount for central purposes than in England (in Prussia it realised only £9,300,000 in 1903), and it is not, as in the English case, very largely levied at the source.

It will be remembered that the income tax additions of the communes, which constitute a surtax on the State income tax, on the same assessment and according to the same scale, are the only form of personal tax allowed to the local authorities, the complementary tax on capital being reserved to the central Exchequer. The State income tax includes all incomes over 900 marks, but the communes may subject to their additional percentages all incomes commencing from 420 marks, the prescribed rates below 900 marks being— from 420 to 660 marks, 2 marks, 40; from 660 to 900 marks, 4 marks. The communal authority draws up the list of tax-payers, which is submitted to the Assessment Commission, and is subject to revision by the Appeal Commission, and finally by the highest administrative tribunal—the Oberverwaltungsgericht.

As with the State tax, those subject are—(a) all persons who reside in the commune; (b) or stay there for three months; (c) or, without residing, or staying the statutory period, have landed or house property, commercial or industrial establishments, or exercise there a business or trade; (d) companies; (e) any other body of public utility (including the State) holding property therein or engaged in any profitable enterprise. Many professional persons and service functionaries both military and civil, and philanthropic foundations and institutions are by law exempt.

With respect to the State contributions, the tax is paid on the total income. But as soon as we enter the area of the local additions many perplexing problems arise. Any particular commune primarily has only a claim on that part of the income arising out of property held or business carried on in its own area.

On the one hand, for sample, a person may live in Berlin and possess there no property, nor pursue any vocation, and draw income from sources situate in other communes; and if those sources be situate in a number of communes, as is becoming more frequently the case, their interests as against one another and Berlin at once come into conflict. Two general rules serve as a first guide in allocating the proceeds, which are complementary or mutually exclusive according to circumstances. First, the quarter of the income of the tax-payer is subject to the communal additions of the commune where he resides usually, or where he has resided during any three months of the year, even if the sources of income are not situate in the commune. If he has resided in two or more communes for the legal period, even if his income is derived from none of them, the quarter of the tax will be shared among the communes in which he is liable. By the second rule, the income arising from immoveable property is only subject to tax in the commune where it is situated.

By virtue of the first rule, when the income has its source outside Prussia, or partly in Prussia and partly outside, the commune where the tax-payer resides will receive the tax on a quarter of his total income, and not merely on

that portion arising from a source in Prussia. Thus a tax-payer pays, for example, at Berlin 52 marks of tax to the State for an income of 2,800 marks from business carried on there: but if he possesses property in Vienna which brings him in 30,000 marks, his total income is 32,800 marks, and Berlin, in its capacity as the place of residence, will levy a tax on a quarter of his whole income, namely, 8,200 marks.

By virtue of the second rule, the right of levying the tax belongs in the first instance to the commune in which is situated the fixed property, or where the business or industrial concern is carried on from which the profits arise. If other communes have also the right of levying a tax, because the tax-payer has resided there more than three months, the first commune will lose a part of its right to the whole amount.

From this circumstance arise contingencies and possible cases for which a whole code of numerous and complicated rules have had to be formulated, and which are rendered possible in working by (1) the Prussian system of registration and close administrative control of all the various kinds of fixed property and sources of income; (2) the very general opinion that in spite of the many apparently vexatious regulations the system does, in the long run, work out fairly; and (3) the readiness with which the required self-declaration has been accepted for all incomes over 3,000 marks.

APPENDIX L-3.

(*Vide* paragraph 96.)

Extract from the Report of the Departmental Committee on Local Taxation in England and Wales (pp. 75-76).

(2) *Local Income-Tax as a Subsidiary Source of Local Revenue.*

278. The principal exponent of the second proposal was Lord St. Aldwyn, who cited the Prussian system of local taxation and wishes to see the question fully examined by experts in the light of the experience gained in that country. This was, in fact, done by Messrs. Braithwaite and Ninnis, of the Inland Revenue Department, in 1910.

By the courtesy of the Commissioners of Inland Revenue we have been supplied with a copy of their report, and it is published, for the first time, in the Appendix to this Report.

279. Some of the witnesses before the Committee were in favour of the proceeds of the local income-tax being applied to national services in part satisfaction of the claim of local authorities on the Exchequer in respect of these services. This would, however, be open to the objection as placing on one class of contributors to the national Exchequer a burden which should be borne by the nation as a whole.

280. But under the scheme sketched out by Lord St. Aldwyn there would be a direct contribution from the general revenues of the Exchequer to local authorities for certain services in place of the present system of assigned revenues and the local income-tax would supplement the rates as a source of local revenue.

To minimise the administrative difficulties he proposed that the power of imposing the tax should be restricted to the county and county borough authorities. The actual machinery of assessment and collection would be in the hands of the Board of Inland Revenue, the local authority merely sending in its precept for the sum required. The proportions in which revenue would be raised from rates and the local income-tax would be determined according to certain rules, somewhat on the analogy of the Prussian system. All unearned income that could be localised would be taxed in the area from which it was derived, the income from enterprises extending into several rating areas being divided among those areas in proportion to the rateable value of the property occupied in each. Earned income and income from foreign investments would be taxed in the area of residence. In all cases the tax would be

levied on the same basis as the present income-tax, *i. e.*, subject to the same exemptions, abatements, etc.

281. We have submitted these proposals to the Board of Inland Revenue, and in a reasoned memorandum, printed in the Appendix, they have expressed the opinion that they are incompatible with the present system of collecting income-tax at the source. We agree with their arguments and their conclusions.

They state, however, that subject to two conditions it would not be impossible, though difficult, to work the combination of a local income-tax at varying rates with an imperial income-tax at a uniform rate, while maintaining the principle of collection at the source. These are

- (1) that the local income-tax should be assessed and collected in the first instance, at a maximum rate, subject to the right of individual taxpayers to repayment of the difference between the tax at that rate and at the rate imposed in the area in which they reside ;
- (2) that the proceeds of the tax be allocated by reference to the place of residence of the individuals who receive and enjoy the income.

But the Board point out that the first condition would involve the withdrawal of considerable sums from the taxpayer in excess of the amount ultimately due, and cause much trouble and expense in connection with repayments. The second condition would, in the opinion of the Committee, give rise to such inequalities between residential and industrial districts as practically to destroy the value of the scheme.

282. The only alternative, the Board consider, would be to adopt the system of direct assessment for local purposes based upon returns from individual taxpayers. They adduce convincing reasons against the adoption of this method of collecting the national tax, and we think that the risk of evasion and the difficulty of allocating the income of each taxpayer between the several areas from which it is derived, or in which he resides, would be too great to justify the setting up of a separate system for local purposes only.

In addition to the administrative difficulties referred to above, we are of opinion that a local income-tax would materially interfere with the usefulness of national income-tax as a source of revenue. On the above grounds we are unable to recommend the proposal.

APPENDIX M.

(*Vide* paragraph 99.)

Extract from the Report of the Royal Commission on Local Taxation in England and Wales (p. 21).

It is, however, to the other classes of the revenue, surrendered by Mr. Goschen in 1888, that we are inclined to look for the means of taking the first practical steps for placing Local finance on a sounder and broader footing, *viz.*, to what are known as the Local Taxation Licenses.

Local Taxation Licenses might furnish further assistance to local funds.

These Licenses are of two descriptions, (a) those required to be taken out by particular classes of traders whom the State desires, for one reason or another, to place under supervision or regulation, and (b) those to be required to be taken out in respect of particular items of more or less luxurious, or at least non-essential expenditure, *viz.*, the Establishment Licenses taken out for Male Servants, Carriages, Armorial Bearings, Guns and Game, and Dog Licenses.

Trading Licenses might, in some cases, be increased.

With regard to the Trading Licenses we may observe that they appeared to Mr. Goschen, as they do to ourselves, to afford a most appropriate means by which the burdens imposed upon the owners and occupiers of rateable property may be relieved. Many of those Licenses are required to be taken out in respect of particular premises, and the profits of the trader are drawn for the

most part from the immediate locality in which his business is carried on. Some of them, at any rate, might be substantially increased without any great hardship, and although it is, perhaps, beyond our province to consider this side of the question, we may at least refer to a suggestion which has obtained considerable support, *viz.*, that a sufficient proportion of the value attaching to the Licenses for the sale of intoxicating liquors is not in all cases, *e.g.*, in the case of hotels, reserved for the benefit of the community. We would also refer to the fact that the Stamp Duties paid on the licenses and certificates, required to be taken by bankers and solicitors—and there are one or two other similar imposts—still form part of the Imperial scheme of finance although there is no distinction in principle between these imposts and those which have already been surrendered.

Certain Stamp Duties might be diverted to Local Taxation Account.

The Establishment Licenses appear to us, also, to be particularly well adapted for assignment to the Local purse, and to be capable of considerable development. Indeed, by this means, some of the great drawbacks to the existing system from the point of view of the occupier, may be counterbalanced. We have already called attention to the fact that a man's rent does not increase in proportion to his income, and that many a man of comparatively small means is compelled by family or other considerations to occupy a house of equal or even greater value than his richer neighbour. Anomalies such as these can readily be adjusted by means of the License Duties on expenditure of the character referred to.

Establishment Licenses are capable of development.

The increase and development of these Duties, and those on the Trading Licenses to which we have referred, would involve no increased draft upon the existing resources of the Exchequer, and in them the ratepayers may be said to possess a property capable of development and improvement, and one which may be made the means of affording considerable relief from the existing burdens of local taxation.

Proposals concerning Local Taxation Licenses would entail no further drafts from Exchequer.

APPENDIX N.

(*Vide* paragraph 99.)

Extract from the final report of the Departmental Committee on Local Taxation (pp. 76 and 77).

283. In default of a local income tax, Lord St. Aldwyn suggested that the basis of local taxation might be broadened in the following ways:—

- (a) By extending the system of local license duties and handing them over to the county and county borough councils.
- (b) By remodelling the inhabited house duty with reference to the comparative cost of house accommodation in different parts of the country and transferring it to the same authorities.
- (c) By empowering these authorities to levy other local duties, such as a tax on amusements.

Similar suggestions were put forward by Mr. Haward on behalf of the London County Council, and the transfer of the inhabited house duty was also supported by Mr. Sabin, a representative of the Surveyors' Institution.

284. In this connection we have also had under consideration the provisions of section 91 of the Finance (1909-10) Act, 1910, assigning to local authorities one-half of the land value duties levied under that Act. The operation of this section has been suspended by section 16 of the Revenue Act, 1911, until Parliament shall otherwise determine, but not beyond 31st March 1914.

(1)—*The Retention of the Establishment License duties by Local Authorities.*

285. At first sight there would appear to be something to be said for making an exception in the case of the Establishment License Duties to our

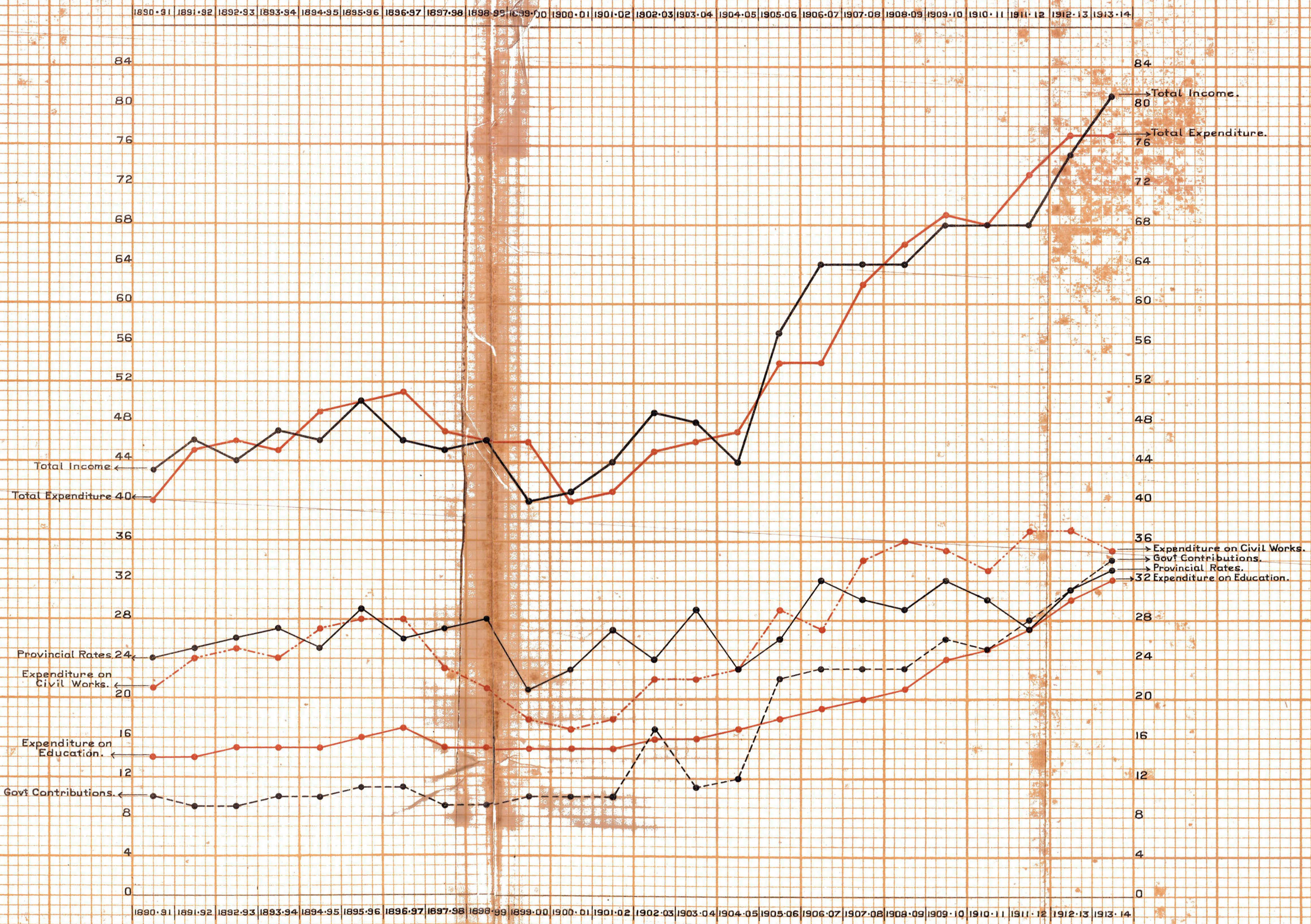
general recommendation in favour of the reversion of the assigned revenues to the Exchequer. These duties possess marked local characteristics, and their collection locally presents no great difficulties; in fact the responsibility for collection rests at present with the local authorities. The justification for several of these duties lies not in their revenue-producing capacity, but in the fact that they bring the license-holder to some extent within the sphere of police control.

On the other hand it may be pointed out that they still retain many of the characteristics of a national tax. The duties are fixed by Parliament uniformly over the country and the licenses in respect of which they are levied have a national currency. Also the absence of any restriction on the licensee to take out his license in any particular local Government area, *e. g.*, that in which he resides or in that in which he carries on his business, makes an equitable allocation of the proceeds of the duties extremely difficult.

A still more serious objection, in our opinion, is that the continued assignment of these revenues to local authorities involves depriving the Imperial Exchequer of a potential source of Revenue. If at any future time the Chancellor of the Exchequer wishes to draw on these objects for additional taxation, it would be necessary either to restore them to the Exchequer or to convert them into fixed grants.

The question does not, in our view, affect the amount of the Exchequer aid, but only the form in which it should be given. In these circumstances we prefer the method which is best calculated to promote the efficiency of local administration and to reduce the inequalities between local Government areas, *viz.*, that of direct grants.

286. We propose, therefore, that the Local Taxation License Duties should revert wholly to the Exchequer, and it would logically follow that local authorities should be relieved of all responsibility in connection with their collection.



INCOME & EXPENDITURE OF LOCAL BOARDS.

FIGURES EXPRESSED IN
LAKHS OF RUPEES.

Black lines show Income.
Red " " Expenditure.

APPENDIX P.

(Vide paragraph 115 (2).)

Summary of the Schedule of License Fees levied in Madras City.

Class.	Arts, Professions, Trades and Callings that are taxed.					
	Companies.	Yearly fee.	Salaries.	Yearly fee.	Others.	Yearly fee.
		Rs.	Rs.	Rs.		Rs.
I	Capital exceeding Rs. 20 lakhs...	500	Exceeding 5,000 monthly	350	(1) Merchants, bankers, contractors, ship-owners, traders, auctioneers, Commission Agents or any Agents or servants in charge of business of the aforesaid persons when the principals are non-resident. (2) Editors or Proprietors of Newspapers. (3) Keepers of any Warehouse or produce Depôt. (4) Dubashes, Brokers, etc. (5) Practising Barristers, Pleaders, etc. (6) Practising Physicians, Surgeons, Architects, Civil Engineers ...	250
	Capital ranging from Rs. 3 lakhs to 20 lakhs ...	150-350	3,000-5,000	250	(7) Owners of Markets, Hotel-keepers, Shop-keepers, etc. (8) Owners of any Printing Press, Press for cotton, jute etc., of any Coffee cleaning establishment, Mill or other industry. (9) Professional Artists, Manufacturers, Painters, Photographers, Actors, Musicians, Dancers, and dealers of every description not specified above.	
II.	Capital from Rs. 2 lakhs to 3 lakhs ...	100	2,000-3,000	150	Do do.	not assessed under class I, and Veterinary Surgeons, Surveyors, Apothecaries, etc. 150
III.	Capital from 1 to 2 lakhs ...	50	1,000-2,000	75	Do. do.	not assessed under class I or II and Hakims, Vaidyas and Native Medical practitioners. 75
IV.	All other companies ..	35	750-1,000	35	Do. do.	not assessed under Class III ... 35
V.	.....	...	500-750	20	Do. do.	not assessed under Class IV ... 20
VI.	.....	...	200-500	10	Do. do.	not assessed under Class V ... 10
VII	.....	...	100-200	5	Do. do.	not assessed under Class VI ... 5

ORAL EVIDENCE OF WITNESSES

EXAMINED BY

THE COMMITTEE APPOINTED BY THE GOVERNMENT OF BOMBAY

TO CONSIDER AND REPORT

ON THE QUESTION OF

THE EXTENSION OF THE PRINCIPLES OF

LOCAL SELF-GOVERNMENT

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VOLUME II.

Annexure to the Report of the Committee appointed by the Government of Bombay to inquire into and report on the question of the extension of the principles of Local Self-Government in regard to Local Boards.

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APPENDIX TO THE REPORT
OF THE
COMMITTEE APPOINTED BY GOVERNMENT RESOLUTION,
GENERAL DEPARTMENT, NO. 6444, DATED 18TH AUGUST 1915.

ORAL EVIDENCE.

H. F. Beale, Esq., M.Inst.C.E., Secretary to Government,
Public Works Department; examined on 24th Sept. 1915.

The Chairman. Q.—Have you got all the papers ?

A.—No. They have not come. If you want any definite figures it would be better to meet on Tuesday. I could get any figures that you may require by then. I have made a few notes.

The Chairman. Q.—The main question we are thinking about is to what extent it is possible to release District and Taluka Boards from the restrictions on the preparation of plans and estimates, on the execution of works by their own agency, and what kind of agency is possible for District Boards to entertain their own staff. We assume that it is desirable that so far as possible District Boards should have an agency of their own to carry out more works on a larger scale. We assume that on the ground of the development of local self-government. That being so, we want your advice as to the best method to adopt as to the recruitment of these Engineers, as to their capacity for carrying out works without detailed supervision by Executive Engineers, and as to the rules that should be laid down regarding the nature of the control that should be exercised by Superintending Engineers or any superior professional agency.

A.—I think the last question as regards the question of control might be taken first. At present the agency is a subordinate agency. I understand that you have got people that we call Overseers and Sub-Overseers, and they have very limited powers. I think that the control should be very much the same as it is now. It would not be a safe thing at all for Local Boards to have an independent Engineer. I should say that the Engineer ought to be a man whose work should be under the supervision of the Executive Engineer, in the case of all large works certainly. In the case of small works and small repairs which are of no great importance, and small original works these should be carried out by your engineers as far as they may be given powers. That will depend of course on their pay; but in every case they ought to be under the supervision of the Executive Engineer. For the larger works I should say automatically they would come under the Executive Engineer, and for the smaller works, I should say, that whenever the Collector thinks it is necessary that the Local Fund Engineer's work requires examination, he should be at liberty to call upon the Executive Engineer to give his opinion. So the Executive Engineer then would be really holding a kind of supervision charge, but he would not be responsible for expenditure. The Executive Engineer will be only giving his opinion upon the value or soundness of the work, except of course in the case of large works where he would be responsible for the design. Then I may say that I don't think that we could arrange to have the Superintending Engineer as the direct superior

to control a Local Fund Engineer ; it does not matter what rank the Local Fund Engineer may hold, whether he draws Rs. 500, Rs. 600 or Rs. 800. In any case I would not have him directly under our Superintending Engineer. I say that our Executive Engineer should always be considered a Senior officer to him.

The Superintending Engineer's work is in connection with 6 or 7 districts that he may have under him, and he controls those districts through his Executive Engineers. They are men on whom he can rely ; he can give his instructions and they will carry out everything that he suggests, whereas if he has direct control over Local Fund Engineers, he could not possibly rely on them to the same extent as he could on the Executive Engineers.

Mr. Seddon. Q.—What is the least pay that an Executive Engineer gets ?

A.—Rs. 535 in the Provincial Service and Rs. 800 in the Imperial Service.

Mr. Seddon. Q.—Then a man on Rs. 535 might be given charge of a district as Executive Engineer.

A.—Yes.

Mr. Seddon. Q.—It is necessary to keep a *cadre* of Local Board Engineers on lower grades of pay.

A.—Of course, if you take seniority by rates of pay, that would be so. I should think it would be advisable.

The Chairman. Q.—You lay stress on the point that they should be retained on the grade of Assistant Engineers even if he was a highly qualified man and drawing a pay of Rs. 600 or Rs. 700, and you do not want that he should deal direct with the Superintending Engineer.

A.—No.

Q.—That is solely from the point of view of the convenience of the Superintending Engineer ?

A.—Yes.

Q.—Do you know the Madras System ?

A.—I do not know it. But I know that the Local Fund Engineers are independent.

Q.—They deal directly with the Superintending Engineer.

A.—Apparently that is so.

Mr. Seddon. Q.—You say the Board Engineers should be styled as Assistant Engineers and that they should be under the control of the Executive Engineers of the district.

A.—Yes. I say that they ought to be under the control of the Executive Engineer of the district, but I do not suggest that they should be under their control automatically for all their work. Only for the larger works, I say, they should come under the automatic control of the Executive Engineers, and for the smaller works, in which they will have considerably greater powers than at present, they should be under control at the option of the Collector. The Executive Engineer's aid should be invoked without hurting their feelings and without reducing their status.

Hon. Moulvie Rafiuddin. Q.—Do you think that it is on account of prestige that they should not deal directly with the Superintending Engineer ?

A.—Not at all. I do not think that the Superintending Engineer should be called upon to have all this extra work added to him. If the work is sent up to him through the Executive Engineer, it would be much easier for him to deal with that work coming through his officer, than to deal with work coming from a separate officer. It is easier for him to deal with 6 officers as Executive Engineers with double the amount of work, than with 12 officers.

Mr. Seddon. Q.—Then it is simply to save the Superintending Engineer's extra labour.

A.—Yes. It will have another effect too; that is, I think, it will safeguard Local Funds to a considerable extent. I think it will be advisable to begin very cautiously with an innovation of this kind. I am suggesting that you might give the extra powers you propose to give, whatever they may be, to say one district in a circle or a division under a Commissioner.

Mr. Seddon. Q.—The fact is that at present there are no Board Engineers at all. The idea is to create Board Engineers with a suitable staff under them for the purpose of carrying out certain of the Board's works.

A.—Whatever staff you may provide for, whether the engineer be a man on Rs. 150 only; or whether he will be on Rs. 500, I suggest that they should be introduced in a single district in each division as a trial in the first instance. I would not plunge into an innovation which you might find cannot be properly provided for.

The Chairman. Q.—Then I suppose the way in which the experiment can be tried is also limited by the possibilities of obtaining suitable officers.

A.—Yes..

Q.—And as to that, will you tell us whether you are prepared to lend the services of any Assistant Engineers to District Local Boards?

A.—We should find it very difficult at this moment to detach men for the purpose. We might possibly be able to give you one or possibly two men. But what I am hoping is that we shall get sanction for our increased *cadré* which we have asked the Government of India for, both for the Engineer establishment and for the Subordinate establishment of the service. When we have got that sanction I think I may say that we should be able to give either two or three men from each *cadré*, that is from the Engineers establishment and from the subordinate establishment.

Mr. Pratt. Q.—Not more than two or three in the whole presidency?

A.—I could not promise more.

Q.—Including Sind?

A.—I suggest your proceeding slowly. We could not possibly give you 40 or 50 men.

Mr. Seddon. Q.—You have sent up a scheme for increasing your *cadré*. In framing your scheme, have you taken into account all the work that you will be doing for the Local Boards now?

A.—Yes. We have.

The Chairman. Q.—Then again, has not your work this year been reduced by 30 per cent.

A.—Well, it has been reduced as regards expenditure. You cannot gauge the reduction in work by the amount of money that is taken away. That is not a direct gauge at all.

Mr. Seddon. Q.—If you provide for all work that is going to be done both on account of Local Boards and on account of provincial work, why could you not get a sufficient staff for Local Boards? Could you not get a sufficient staff at all?

A.—The reason is this, that one man can do a great amount of work, which, when divided amongst two men, would not mean that each man had to do half. For example, if we want an extra 20 men and we gave those twenty men to you; they would not be fully occupied. The distribution is different. And personally I should say that we could not spare any in that way at all. Supposing we have got the full number of men, and if the

whole of the Local Fund work were taken away from the P. W. D., I should still say that we want the full number of men for our work. I would not reduce them. There are two reasons for that. One is that we want more men than we have been granted. We asked for 38 and got 25.

Mr. Seddon. Q.—In other words, you are not having a sufficient *cadré*.

A.—Yes. We put on temporary men to make up for that. We have got now in our establishment of engineers 30 temporary engineers. If we add these extra men to our permanent establishment which is 100, we should have 130 men on the permanent establishment, and theoretically we should be able to get rid of our 30 temporary engineers. But that is only theoretically, not practically; because they are all very hard worked men and should have some relief.

Mr. Seddon. Q.—Then including your temporary men, you would like to have additional staff.

A.—Yes. We shall always put on temporary men as we require them.

Mr. Pratt. Q.—You will have no difficulty in adding to your staff in any number you require.

A.—I won't say that we would have no difficulty. But we put on temporary men, when necessary, and the numbers have been growing in recent years.

Mr. Pratt. Q.—Would that source of supply be equally available for the Local Boards?

A.—Yes. But we choose men very carefully, indeed. We get rid of men from time to time, who are not satisfactory. We can do that, because we have got our Superintending and Executive Engineers constantly watching what happens, and finding out whether a man is good or bad. We can get rid of men without feeling the loss very much, because we can always get a substitute to take over the work for a time, while the Local Board would not have this advantage.

The Chairman. Q.—That is why we want so much to borrow from you, Mr. Beale. If you give us a bad man, we will send him back to you.

A.—We certainly should not lend you any bad men. I welcome this proposal of having engineers for Local Funds for the reason that it will give a chance to our good men. We should, I hope, be able to give you men to whom it would be a little promotion to get into the Local Board. I would suggest that they should come back to us. Because, I think, that the mere fact that they will be sent to the Local Board for a short period and that they will return to us, would make them work hard, would keep them straight, and would prove an inducement for all the other subordinates or engineers to aspire to such posts.

Mr. Seddon. Q.—Do you mean to say that they will be given promotion by taking one of our posts; or that they would be expecting some extra allowance?

A.—I think, they will always get an extra deputation allowance.

Hon. Moulvie Rafiuddin. Q.—Have you any of your own officers in Foreign Service?

A.—Yes. We have five or six.

Q.—In Native States, or where?

A.—One is Sir Frederic Sprott, in Bombay, and four or five others, in foreign service or deputation to special duty.

We have one in the Native State of Mysore, Mr. Karpur Srinivasrao, as Chief Engineer.

We have also some four or five subordinates lent to Native States or deputed on special duty.

Mr. Seddon. Q.—You have lately lent a man to the Municipality of Satara.
A.—Yes, I believe so ; but he is a subordinate.

Hon. Moulvie Rafiuddin. Q.—I want to know whether you can spare men for foreign service.

A.—We are not allowed to ask for an increase on that account. When we wrote to the Government of India on a previous occasion for an increased *cadre*, we mentioned that some men were in foreign service. They said that fact could not be taken into account and that if we put our men on foreign service, we must arrange for filling their places.

Mr. Seddon. Q.—Supposing we were to advise Government and Government accept the opinion that we ought to get some men, then is that no reason for your asking for a further increase to your *cadre* ?

A.—That is certainly a good idea. In that case we shall have to go to the Government of India for sanction to the scheme ; but I think it is a very good proposal.

Mr. Pratt. Q.—Would there not be some difficulty about this? For the increased staff the Government will be paying the pension contribution for the period during which they would serve in the Local Boards.

A.—I take it that your view is that we should be getting more permanent men on the *cadre* than we could employ in the P. W. D.

Mr. Pratt. Q.—The objection would be the same objection which the Government of India, I understand, raised when you asked for an increased *cadre* ; When you said that your men were in foreign service, I have no doubt that the foreign service employing them pays their pension contribution all the time, and I think, you should increase your *cadre* so as to suffice for your own domestic service and foreign service as a whole.

A.—Do you mean the whole number ?

Mr. Seddon. Q.—If your total is 40, you would suggest 10 or 12.

A.—Yes ; I think, that would be a very reasonable proposal.

Mir Ayub Khan. Q.—Do you think that we can conveniently appoint a highly qualified Local Fund Engineer for the whole province of Sind with an Assistant in each district as suggested by the Commissioner in Sind ? Would that work in Sind, because conditions differ materially from those prevailing in other parts of the Presidency ?

A.—It strikes me that it would mean too great an area for a single officer to superintend in Sind. It is a big place. And you want an Executive Engineer, as this man would be, to be responsible for the works and to examine all the works as frequently as possible. I think, it will be too large an area for a single man to manage.

The Chairman. Q.—You know that Mr. Younghusband has suggested in para. 3 of his letter No. 1165, dated the 24th June 1912, the entertainment of a well-paid and highly qualified Local Fund Engineer for the province of Sind at the joint expense of all Local Boards.

A.—I think, it is too great a charge for a man of the nature that is indicated here. We have got two Superintending Engineers and one Chief Engineer in Sind, and that is because we have much work ; but at the same time the area of supervision must be considered for an executive officer who is also responsible for accounts, construction, management and other things.

The Chairman. Q.—Then your objection to the scheme proposed by the Commissioner in Sind is that the area is so large as to render it inefficient. That is your main objection.

A.—Yes.

Q.—You could not have one Executive Engineer for the whole of Sind ? I take it that you do not recommend that scheme.

A.—No.

Mr. Pratt, Q.—I have a letter from the Superintending Engineer, N. D., in which, he says that the law might be amended so as to give the Local Boards power to prepare plans and estimates for works up to Rs. 2,500, provided they entertain an efficient staff for the purpose. I understand that to mean that the local staff would have a perfectly free hand up to those figures and outside supervision would only begin beyond those figures. Would you agree to a Local Board Engineer having power up to these limits and outside supervision only beginning beyond those limits? You yourself have suggested that the Collector should always have power in any particular case inside these limits to ask for assistance. That would reduce the amount of work of the Superintending Engineer.

A.—I want to maintain my point that I do not want the Superintending Engineer to be appealed to direct by the Local Board Engineers at all.

Q.—Would you still maintain your objection if it were shown that the number of cases in which appeals would go to the Superintending Engineer would in the nature of things not be very numerous?

A.—It is a question of the number of the people that he will have to control, and I do not want to increase the number of men, especially because I do not think that the officers who will be put in charge of the whole lot of your District Boards as engineers will be up to the standard that we have as Executive Engineers, and I do not think it is fair to saddle the Superintending Engineer with these duties.

Mr. Seddon. If we took away all his concerns from a large number of small works up to Rs. 500, that step alone will relieve him of a good deal of work.

Mr. Pratt. Q.—You speak of the number of men he would have to deal with; but is it not the right point of view and perhaps a more accurate point of view that it is not so much the number of men but the number of cases that he will have to deal with? But, if it were shown that the number of cases would not be excessive, then does the objection still hold good?

A.—Well, if you exaggerated and said that there would be only one case coming from each district in a year, I would say, yes. I do not consider that it would be a right thing. I won't put it entirely on the ground of excessive work, that the Superintending Engineer could not get through his duties and that sort of thing; but I do not think that it will be a convenient form of control at all.

Mr. Pratt. Q.—There are three Superintending Engineers. Each of them would only deal with 6 districts and the number of cases from 6 districts would be very few.

A.—Then you are assuming that your Board Engineer is going to be a man of the same qualifications as our Executive Engineer. That is your assumption of course when you put the question.

Mr. Pratt: Not necessarily the same.

Mr. Beale: I do not think that a man of less qualifications should be placed under the direct supervision or control of Superintending Engineers. I should prefer to look upon him as an officer of smaller qualification whose work initially shall pass through the hands of the Executive Engineer and through him to the Superintending Engineer.

Mr. Pratt. Q.—It is not all the work, but only the cream of it.

A.—I should say that the cream should go to him through the Executive Engineer.

Mr. Pratt. Q.—Your objection then comes down to a question of what my friend was calling prestige or status.

A.—It is not for the purpose of prestige. It is for the purpose of giving him control over officers of a certain rank, and not giving him control over men, whom for convenience I will call men belonging to an inferior rank.

Rao Bahadur Artal. Q.—That is to say it comes to this, that there should be Assistant Engineers for the Local Boards subordinate to the Executive Engineer.

A.—Yes; that is it. He will be subordinate only for the larger works; but for the smaller works he will be practically independent.

The Chairman. Q.—Will you refer to page 64* of the file?

Witness. A.—Well, I believe, what is stated there, is correct.

Mr. Seddon: You think that is right. Rs. 50,000 is a large sum compared with 500.

Mr. Beale: Rs. 1,500 means that all the technical details, design and execution are in his hands, whereas the Rs. 50,000 limit means that you have had an estimate properly prepared and designed and sanctioned by a higher authority, and that the Local Fund Engineer is to make all the arrangements and carry out the works.

The Chairman. Q.—That is according to the Madras system.

A.—Take a bungalow or big house as an example of such a work. I have not got my papers, but I think that Rs. 50,000 is the figure I put down.

Mr. Seddon. Q.—It is suggested that Rs. 50,000 is a clerical error for Rs. 5,000.

A.—I do not think it is so. An Engineer of the qualifications you mention, having received a sanctioned plan and estimate for a bridge that is going to cost Rs. 50,000, is supposed to have the necessary knowledge of construction of works, to be able to make all the arrangements required for the purpose. At the same time, if under the scheme that I suggest, the Collector thinks that his Local Engineer is not capable of carrying out such a work, he would then be able to ask the Executive Engineer to help.

Mr. Seddon. Q.—By Collector you mean the President of the District Local Board?

A.—Yes; I mean that. Is he not usually the Collector?

Mr. Seddon: Yes, he is; but it might be possible to say that in the future a non-official might be appointed.

Mr. Beale: I meant the authority to whom the Local Board Engineer looks.

Hon. Rao Bahadur Sathe. Q.—Considering the nature of the work which the Local Boards have to execute, are you of opinion that sub-engineers will be competent to hold executive charge of public works?

A.—Yes; under the system that I suggest, I do think so.

Hon. Rao Bahadur Sathe. Q.—You put them in charge of sub-divisions practically of large works.

A.—Yes.

Chairman. Q.—Sub-Engineers on what salaries?

A.—Sub-Engineers drawing Rs. 250 to Rs. 400.

Chairman. Q.—And supervisors?

A.—Rs. 150 and Rs. 200.

To the Chairman.—You know that case of the State Engineer that you were asking for. Well, the man that I proposed is drawing Rs. 200 now, and he is on the brink of getting sub-protem promotion of Rs. 250. He is the next man on the list. That is

* Where the appointment of such an Engineer has received the approval of Government that officer should be permitted to sanction estimates for original works up to a limit of Rs. 1,500 and to execute works estimated to cost not more than Rs. 50,000.

the man I suggest. If you are going to have an expenditure of about a lakh, I think that man is capable, of taking up the appointment.

Mr. Pratt. Q.—That is for a Native State.

A.—Yes.

Mr. Seddon: Capacity is not the only thing required, is it?

Mr. Pratt: It depends on what sort of capacity he has.

Mr. Beale: We look to all the requirements.

Hon. Rao Bahadur Sathe. Q.—Suppose, for instance, we take two superior officers from Government and allow the District Local Boards to employ the inferior staff; do you think the efficiency would be affected?

A.—I think, they must make those appointments. We certainly cannot supply the inferior staff.

Hon. Rao Bahadur Sathe. Q.—But if you do that, do you think the efficiency will suffer?

A.—I have assumed, that we shall be able to give a selected number of our men to 30 or 40 districts.

Mr. Seddon. Q.—You said, you could give two or three men from your *cadré*. What do you mean by “your” *cadré*?

A.—“Our *cadré*” means the engineers *cadré* and *cadré* of the Upper Subordinates. The Engineers are all men from Assistants up to the Chief Engineer, and the others are from Overseers up to Sub-Engineers. Those are the two *cadrés*.

The Chairman. Q.—The Upper Subordinates are Overseers upto Sub-Engineers.

A.—Yes. That is to say, men from Rs. 60 to Rs. 500 maximum with allowances.

Chairman. Q.—Over that you have the upper staff.

A.—Above that is the Engineering Staff.

Chairman. Q.—Starting with Assistant Engineers upto the Chief Engineer?

A.—Yes. Assistant Engineers from Rs. 250 Provincial, and Rs. 380 Imperial, upwards.

I think you might ask for Provincial Assistant Engineers in the more important districts. There is Belgaum that spends a lakh in a year and Poona a lakh or more.

The Chairman. Q.—20 or 25 districts spend over a lakh.

A.—I should think for the larger ones you would probably ask for Assistant Engineers.

Chairman. Q.—We prefer an experienced Sub-Engineer.

A.—An Assistant Engineer of 5 or 6 years service would do very well for you. He would draw about Rs. 400. A Provincial Executive Engineer may be drawing only Rs. 475 but gets Rs. 535 when he is put in charge.

Chairman. Q.—You could let us have two or three Assistant Engineers of the provincial service (I do not want to bind you), and two or three supervisors or sub-engineers, 6 men in all, for the whole Presidency. Do you think you would be able to do it?

A.—We have an increase sanctioned for our Upper Subordinate staff, but may not appoint the men due to the war. I think, we are likely to get an increase, to our Engineer *cadré* sanctioned by the Government of India and so you may say that in a few months' time, say six months, we shall be able to provide half a dozen men.

Mr. Seddon. Q.—Surely you ought to be able to give us some if we relieve you of a certain amount of expenditure?

A.—As I say it will be an advantage to our men to get this Local Fund experience and extra pay. But I do not think we should be able to give you more than 6 men.

The Chairman. Q.—Do you think that having two sets of men is an extravagant and wasteful thing to do ?

A.—I do not think, you can call it duplication. The men that you put on will do a full day's work.

Q.—Look at para. 15. Don't you fully agree with that ?

A.—Two sets of people can be working in the same area without what you may call duplication. I quite grant that in certain cases there may be overlapping. For example, suppose there is a short length of outlying road, and the Executive Engineer has got his provincial roads; leading to it he certainly could look after the outlying road very much more economically than your staff. To that extent it would be cheaper, if we continued to hold charge of it; but the duplication as I say, will be nominal or partial.

Mr. Seddon. Q.—It is wasting your time now ?

A.—A lot of small work which we look after, does take up time, and if we could spare time from that, we could spend it on our own work.

The Chairman. Q.—You look forward to the day when you will be able to transfer the work of this nature to the Local Fund Agency.

A.—Yes; certainly, provided the men were properly qualified. Small isolated things might be transferred. An example was brought before me to-day when I was discussing the matter with some one else. Outlying buildings, a long distance from any other work, which required white-washing and the like, might be easily have such work done on them by the Local Fund Engineer.

Mr. Seddon. Q.—You mean to give them a percentage.

A.—Yes; similiar to our charge.

Hon. Mr. Patel. Q.—Do you know that such a system is prevailing in another part of India where Government transfer their work to the Local Board Agency ?

A.—No; I do not know.

The Chairman. Q.—I think, it is done in the Central Provinces.

A.—I do not know.

Hon. Mr. Patel. Q.—But you would not object to Government transferring certain works to Local Board Agency.

A.—I think, we should be very pleased to transfer such work from time to time, to men properly qualified.

The Chairman. Q.—So the Local Fund Engineer and the Executive Engineer will prepare a system which will be convenient to both of them.

A.—That is the point with which we started.

Hon. Mr. Patel. Q.—How would the system suggested by Mr. Younghusband work in the Presidency proper ? I mean having one Superintending Engineer for the whole division, with an Assistant Engineer and the staff for each of the districts under him ; how would it work in each of the divisions ?

A.—That is to say, you would have a parallel P. W. D. for Local Funds. I think, it would be a very big business.

Hon. Mr. Patel. Q.—One man for the whole division, a Divisional Engineer ?

A.—If you have a Divisional Engineer, he will be under very many masters.

Mr. Seddon. Q.—That is practically under no master.

A.—Yes; if he were made an independent man certainly. I do not know under whom he would be.

Hon. Mr. Patel. Q.—He will be under the Commissioner.

A.—I am afraid, that would not do. I should call it a very uneconomical scheme, and one which I would not recommend.

Hon. Moulvie Rafiuddin. Q.—That would be duplication.

A.—Certainly. Also the pay of the man would be very high.

Mr. Seddon: Q.—He would be a Government Engineer under the suggestion.

The Chairman. It will be having a second Superintending Engineer responsible to nobody except to the chief Engineer.

Mr. Pratt. Q.—Is it not a fact that your District Engineers are really overburdened with work? Now without imputing the least blame to them, that being so, is it not likely that the Local Board work must be got through hurriedly and with scant attention? And if that is so, don't you think that the Assistant Engineer would give his full time to the Local Fund work, subject to outside control where necessary; and that it would be a distinct improvement on the present system?

A.—Yes. I quite agree with that. But I do not grant that work for Local Funds is done hurriedly and with scant attention. All work is treated alike and equally. I think so.

Hon. Moulvie Rafiuddin. Q.—Comparatively is there more P. W. D. work in Sind?

A.—I cannot answer that off hand. I should say no.

The Chairman. Q.—Mr. Beale accepts the statement in para. 13 of my note*?

A.—Yes.

Mr. Seddon:—That is simply measured by the amount of money you have spent.

Mr. Pratt. Q.—An arrangement of this sort would result in increased attention and better results, and therefore increased economy and efficiency. Would it not follow?

A.—Increased efficiency, I should say. I am doubtful about economy.

The Chairman. Q.—Who should appoint these engineers? Supposing a District Local Board wants an Assistant Engineer on Rs. 400 and applies to you and you say that you cannot spare one. Do you think District Local Boards will be able to judge and appoint a suitable man themselves; or do you consider that any advice or control should be exercised by the P. W. D.?

A.—I should suggest, the advice of the P. W. D. is necessary.

Q.—Through which particular officer?

A.—Through the Superintending Engineer.

Q.—In fact the Superintending Engineer should select from the applicants.

A.—Yes.

Q.—You think there will be a great danger in the District Local Boards selecting and appointing their own men?

A.—Yes.

Mr. Pratt. Q.—What means have the Superintending Engineers to judge?

A.—They are likely to know more about the candidates than the District Local Boards concerning technical qualifications.

Q.—Supposing now they want a District Engineer in Karwar. Then the applicant would have to go to the Superintending Engineer at Belgaum?

A.—Yes; I think so. It is worth the while.

Hon. Moulvie Rafiuddin. Q.—Supposing a man like Dewan Bahadur Godbole was asked to select instead of a Superintending Engineer.

A.—Mr. Godbole would probably be a very good judge.

Hon. Rao Bahadur Sathe. Q.—In fact, your objection is that selection will be made by non-expert people?

A.—I want people who know all about a man's professional qualifications.

Hon. Rao Bahadur Sathe. Q.—Would you give the District Local Boards a final voice to appoint in consultation with Superintending Engineers.

The Chairman.—Consultation is a very vague term.

Hon. Rao Bahadur Sathe. I am coming to the next question.

Mr. Beale.—When engineers are required for the Municipalities—I am talking of mechanical engineers for driving pumps, etc—it is found that it is always better for the men to be selected by experts. The Municipal authorities may get hold of a man who showed good certificates and who apparently has good knowledge, but they cannot possibly gauge his value unless they are expert engineers themselves.

Mr. Pratt. Q.—What is the practice now? The Municipalities get assistance from your Department in the selection of these men. Is there any man in your Department to interview the candidates?

A.—Yes. The Mechanical Engineer does it.

Q.—Does he actually see them?

A.—I should be practically safe in saying that he sees them in every case.

Hon. Rao Bahadur Sathe. Q.—My point is that just as in the case of foreign service, the local authorities may mention certain names out of whom to select. Similarly, should they not have a right to place before the Superintending Engineers certain names for approval?

A.—Out of which one would be selected by the Superintending Engineer. You are assuming of course a great deal of competition.

Hon. Rao Bahadur Sathe. Q.—I am assuming that. Instead of leaving the final word to the Board, would you leave the final word to the Superintending Engineer?

A.—Is it necessary to make a rule on that subject?

Mr. Pratt. Q.—Supposing all the 5 or 6 candidates who were selected are found unfit?

A.—We often have great difficulty in finding suitable men for vacancies we wish to fill.

Hon. Moulvie Rafiuddin. Q.—In the Medical Department there is a list of qualified practitioners. Similarly have you got any list of qualified engineers?

A.—No. We have not got a list like that.

(Mr. Seddon remarked that the University degree was a guarantee of qualification.)

The Chairman. Q.—What line of distinction do you draw. Which men should be appointed by these District Local Boards, and which should be appointed with the sanction and approval of the P. W. D? Have you seen the Madras Rules?

A.—No.

Q.—I suppose, some rules would be required similar to those appearing on page 122 onwards in the Madras Rules.

A.—In Madras apparently the District Board Engineer, the chief man, is appointed by the Government, *i.e.*, the sanction of Government is necessary. The assistant Engineer is appointed by the District Board if he has certain qualifications, otherwise Government sanction is necessary.

Q.—Then from amongst those the District Board can appoint in Madras.

A.—For those appointments; not for the engineer.

Q.—The engineer's appointment starts from Rs. 250. Is it not?

A.—The sanction of Government is necessary for all appointments carrying a maximum salary of Rs. 250 and upwards.

Q.—Would you be prepared to prepare rules for the guidance of the District Boards of that character?

A.—Yes. I think so.

The Chairman. Q.—Then again they have very elaborate chapters, 13 to 18, all 5 chapters dealing with engineers and local fund service. There is no such Local Board Code in Bombay.

A.—No, but we have got a Public Works Code, and if you are going to have a service of this nature, it will be necessary to have a Local Board Code.

Q.—Will you be prepared to prepare such a Code?

A.—We should have to put a man on special duty. I am quite prepared to make suggestions for the appointment of a staff, but not for a whole code like this.

Q.—It could be done under your supervision.

A.—Yes; it could be done. I could get it done. Not the whole Code, but so far as the engineering part is concerned. We should have to put a man on special duty. It will take a long time.

Q.—I think the account matters could be done in the Accountant-General's Department.

A.—Yes.

Q.—You have recommended a limit of Rs. 1,500—for original works to be carried out by the Local Fund Engineer. Now Rs. 1,500 would not suffice for even a fairly small village school. Ought not the Local Board build a building according to the standard plan?

A.—I should prefer you to put that question in writing. I should prefer to prepare a list of limits for different grades of men. I mean in this way. Supposing you said that you divided your local fund works into three heads: the minor, the middle and the major districts according to their importance. I should suggest different limits for the men in charge. There are certain districts for which we should recommend Supervisors, others sub-engineers; for others we should recommend engineers. I should give different limits to different grades of men.

Mr. Seddon. Q.—The question is rather what the Board Engineer would do.

Mr. Pratt.—Major includes the minor works.

A.—I say you will have in one district, where you spend three lakhs or more, a senior man, the best man. For such a man I should propose a higher limit. Where you have to spend a smaller amount, say 50 or 80 thousand rupees, I would put a man of lower qualifications, and give him less power.

Mr. Pratt. Q.—Both of them would be men of your superior grade.

A.—No. I have said that for the lower paid appointments we should recommend men like supervisors, for the higher paid appointments we might recommend Assistant Engineers.

Mr. Seddon. Q.—Then you do not agree with those hard and fast limits of 1,500 Rupees and 50,000 Rupees?

A.—I cannot quite remember how the figures were chosen, but I remember that a very high figure was suggested, and I thought that 1,500 Rupees and 50,000 Rupees would be very fair working limits for the class of men that you were going to put on.

The Chairman. Q.—At that time you had no suspicion that you were going to put on men of Assistant Engineers grade?

A.—No, as far as I can recollect. I had no idea that you were proposing to pay Rs. 500 or Rs. 600 as far as the Boards are concerned.

Mr. Pratt. Q.—Would it not be wrong to have one standard for a district like the Panch Mahals and the same for the Upper Sind Frontier and for Karachi?

A.—That is what I have been trying to express. I think, we ought to have different standards. Therefore what I suggest is that, the question may be put to me in writing, and I will prepare a list of what I suggest should be the different classes of districts and the limits for different grades of men to be employed.

Hon. Rao Bahadur Sathe. Q.—The limit would vary according to the grade of the officer you will have at the head of the district.

A.—It is better to say that the limit would vary with the importance of the district. The grade of the officer would vary with the district. All would depend upon the district in the first instance.

The Chairman: .I think a rule of that kind will come in very admirably in the Code that you would prepare for us. You can divide the districts into A. B. C. D. divisions, and say for class A district the limit should be so much, the staff employed should have such and such qualification, and be of such and such a grade, something of that kind. That is the same thing as they have in Madras.

The Rao Bahadur Sathe. Q.—Would it be expedient to have a different public works service of inferior officers for the whole of the Presidency or division, in order that those subordinates may have opportunities of promotion ?

A.—By the inferior service, do you mean the overseers ?

Q.—I mean that for that service those subordinate officers only should have opportunities of promotion.

A.—I do not think, that will be a practicable arrangement. At present, we have got an Upper Subordinate Service in the Public Works Department. It was suggested some time ago that Government were taking too much upon themselves in arranging for promotions of all the Overseers, that is men rising from Rs. 60 upwards, and that the promotions might be handed over to the Superintending Engineers. We made very careful inquiries all over the Presidency, and we found it quite impossible to adopt this plan. From the day they enter until they are made Sub-Engineers their promotion is always regulated from the headquarters, and the reason for that is obvious ; they all come from practically one centre. All these men start from a Technical College, the College of Engineering. It is a training ground which is common to all, and there is competition straightaway from their first appointment. Then they are transferrable from district to district. We want men with universal experience. And so if we put some men say into the S.D. or N.D. and left their promotion to the individual Superintending Engineers of those divisions, there would be a tremendous variation in the progress of their promotion. Men would rise at different rates, not only because of their efficiency, but sometimes by luck or personal favour, or some other irregular manner.

The Chairman. Q.—Then your argument would appear to lend to the conclusion that there should be a provincial service of Overseers under Local Boards.

A.—No; I do not think so. I should have absolutely independent men for each district, because the Local Boards do not want a man of universal experience. We have irrigation and public works of all sorts to provide for, and we have got a large service in which we have to keep all our men constantly engaged.

Hon. Rao Bahadur Sathe. Q.—The disadvantage of that system is that those sub-ordinate officers will have to spend the whole of their life in the District Board under which they are employed, and by non-touch with other districts they might get some interest created in their district, and it is to safeguard such things that Government own transfers men from one district to another.

A.—You can very well arrange such transfers with other districts when required.

Q.—My point is, whether you could arrange a service including all Local Boards.

A.—I should think it will be an unwieldy concern.

The Chairman. Q.—What do you suggest should be the staff necessary for a district that is spending a lakh and half of rupees ?

A.—I could give you roughly an idea ; but is it necessary to do so at once ? It would be part of the answer to the question which I have asked you to put me in writing.

Q.—I do not think that it has anything to do with that question. That is a very large financial question. We want to have an idea what staff would be required.

A.—That is to say, you would like me to supply you an estimate for a definite staff for Poona, for Belgaum and so on, and compare it with the amount of money that you are spending on P. W. D.

Q.—Yes, can you do that ?

A.—Yes ; I can do that.

Q.—Then we would know when we have our independent staff whether it is likely to be economical as you suggest ; I mean economical from the establishment point of view.

Mr. Pratt: I think 12½% would pay handsomely.

A.—It will only pay for the superior staff. You must remember that when you have got an establishment of this kind, you have to provide for clerks and so on. Generally you want an Engineer, an Assistant who may be a man on, say Rs. 250, and who should be able to take the place of the Engineer if he fell ill. In addition to that you want sub-divisional officers. If you improve the condition of your Taluka Board men they might become sub-divisional officers. Then your headquarters staff would require a clerical establishment of about 6 clerks depending on the amount of work to be done. In our Executive Engineers' offices we never have less than 5, in the majority the number is 7 or 8 ; in the bigger offices we generally have 13 or 14 clerks. Then you will have your accounts, and for this you will require an Accountant. When you take over larger works you will have more difficulties with accounts.

The Chairman. Q.—In Madras they reckon that the establishment may cost upto 20 per cent. of the total sum. Do you think, that is excessive ?

A.—I do not think it is excessive. You have got to take into account the fact that the establishment there is for the full year. I think you will find 20 per cent. is not an unfair estimate.

Q.—I think the Chief Engineer said before the Decentralization Commission that the supervision costs 24 per cent. and they really were giving Local Funds 12 per cent. free.

A.—We are not supposed to charge for the superior Engineer establishment.

Mr. Seddon. Q.—What do you charge for plans and estimates ?

A.—I think it is 2½%.

Q.—What do you charge for sanctioning ?

A.—One per cent.

The Chairman. Q.—Have you a schedule of rates for each district ?

A.—Yes ; we have a schedule of rates.

Q.—It will be quite easy to provide a schedule of rates for the use of the Local Fund Engineers in each district.

A.—Yes.

Q.—Have you seen the works in the Sangli State ?

A.—No ; I have not seen them.

Q.—I understand that the Sangli Engineer is a very efficient man.

A.—I have not been there.

Q.—One Mr. Vaz is the man.

A.—Yes, I know him. He was in the Improvement Trust for a time and then he was recommended to the State. I think, he went direct there from Mr. Kembball's office.

Mr. Seddon. Q.—In the execution of the works which the Local Boards are carrying out, I suppose the members never take any interest in it.

A.—I cannot tell you whether they do or not.

Q.—They should not interfere in any way.

A.—No; they should not. But if they wish, they may take an interest in the work.

The Chairman. Q.—Do you relieve them of all responsibility?

A.—Yes. We relieve them of all responsibility.

Q.—But in works carried out by Local Boards are the members of the Local Board expected to take any interest in it?

A.—I do not know to what extent they have a right to say anything to the Local Fund Work Engineer.

Hon. Rao Bahadur Sathe: The members of the Works Committee have a right.

Mr. Seddon. Q.—Do you think it would tend to increase the interest of the Local Board in carrying out works, if they had their own Engineer?

A.—I think it would. They will feel more responsibility in the case of funds and such other things.

The Chairman. Q.—In a case where the work is carried out by the Public Works Department they would rather get rid of him and tell him to go away; whereas if it was a Local Board work carried out by a Local Board Engineer, he might not be treated lightly and might be shown what is being done.

A.—If he came there with an intention of looking round the works, he might be shown the work, but if he came along without giving any warning at all to the Public Works Officer, of course, it depends upon his attitude how he would be treated. If he came along with the knowledge of the Executive Engineer, they would be only too delighted to show him everything. The reason is obvious. The workmen and the whole establishment are under the Executive Engineer, who is the only man who can say anything to them, and therefore naturally an outsider coming as a critic would not be tolerated.

Q.—You recommend that the existing system should continue and the new system be introduced gradually?

A.—Yes; very gradually.

Hon. Rao Bahadur Sathe. Q.—In selecting a district do you start with rich ones for experiment or with an average one?

A.—It would not matter. While the engineer that we may lend you is working in the district; of course, his subordinates will be under training, so to say: he will be training them, and so when he vanishes, I daresay, his Second or Assistant would be able to take his place. I should not suggest that one particular district should always have the lent engineers.

Mr. Pratt. Q.—It all depends upon the supply of men available. If it turns out that a sufficient supply was available for providing some of the districts simulataneously such as Ahmedabad, Surat, etc.,—all flourishing and wealthy. I do not see any reason why we should not make a start if the men were available.

A.—I should not put it down entirely upon the supply available. It seems to me that it is a system that requires examination, while you are introducing it; but I think, you may find that you want to make certain modifications. I should start with only one district in each division, and then modify the system as required before starting fresh districts.

The other question is about the men available. The men that you are referring to as available, will be what I may call outsiders, men who have not had Public Works Department experience. I should be very very cautious with the appointment of those men.

There is no hold on them. We have got a hold on our men. We have no hold on outsiders.

Mr. Seddon. Q.—In a case where the cost is more than Rs. 1,500, the plans and estimates would be prepared for him.

A.—Yes. The design, of course, will all be given and the rates also by the Public Works Department. The actual construction and the good or bad quality of the work will be, according to that sentence, entirely a matter of Local Fund Engineer's own concern. But I started off by saying that I would suggest the optional control by the Executive Engineer, i.e., the Collector or the President of the Board should ask the Executive Engineer to examine important works. Beyond that limit of Rs. 50,000, the control by the Executive Engineer would come in automatically. In any case, that the Local Fund Engineer should be without control at all, I think would be a mistake. I think there ought to be some control possible even for the smaller works.

The Chairman. Q.—Could you give us a rough draft of the principal rules relating to the employment of these Local Board Engineers. You said you would give us a cadre and salaries. Could you also put down a few rules as to what you think should be the relations of the Local Board Engineers to the Executive Engineers in the matter of sanction and execution of works?

A.—Yes. If you will write a letter and state what information you want, I should be very pleased to do it.

Q.—I think it was suggested that a Local Fund School costing not more than Rs. 1,500 will be quite in the competence of the Local Fund Engineer. Do you want to have a limit for separate classes of work?

A.—No.

Mr. Seddon. Q.—Don't you think that Rs. 1,500 is a very low figure?

A.—No; it is not really so.

The Chairman. Q.—I thought it would depend upon the class of men.

A.—Rs. 1,500 would be a fair limit for the class of men proposed.

Hon. Mr. Patel. Q.—Suppose a school house is to be built.

A.—The P. W. D. Executive Engineer's power is upto Rs. 2,500 only. Above that he goes to the Superintending Engineer. It becomes a matter of routine in the case of standard designs. It goes up and comes back sanctioned.

Mr. Seddon. Q.—A Standard plan is only a general guide.

A.—A standard plan is generally adhered to, but small improvements may be introduced at any time.

Hon. Rao Bahadur Sathé. Q.—At present the District Local Boards have got Works Committees and these Works Committees are given certain duties of supervising the works. My question is, what duties you would prescribe for such Works Committees, so that their inspection will not conflict with the supervision of the Local Board Engineer, and it might at the same time give to the non-officials an opportunity to go and inspect and supervise the works.

A.—I beg your pardon. Did you say supervision? I am not suggesting any alteration to the existing system.

Q.—Do you mean to say that the present system works well?

A.—I should think so.

Q.—Do you think, the same duties should be continued even in respect of larger works?

Mr. Pratt: I see no harm in continuing it.

Rao Bahadur Sathé: I do not myself see much difference between inspection and supervision.

A.—Supervision means examining the work with such authority that if anything is being wrongly done you can point out the error. Inspection means going round to examine the operations ; but you cannot interfere with any technical details.

Hon. Rao Bahadur Sathe: Then it seems to me that the Works Committees are not doing their work properly. My point is, if they do not do their work properly, whether it is worthwhile continuing them. My information is that any member showing any energy in the work of inspection is resented by the officer in charge of the works.

The Chairman: I think the thing is, I may venture to suggest, that a good many people do not know the difference between inspection and supervision. If they make comments upon professional details, it is naturally resented. But if they go and see that the work is progressing, that the labourers are there, which are very useful and necessary functions of the Works Committee, their presence would not be resented.

Hon. Rao Bahadur Sathe: It was on that account that I wanted specific mention to be made of the duties.

Witness: That is not a point that you wished me to refer to, I presume. I have nothing to do with the Committee of Local Boards.

The Chairman: We are extremely obliged to you, Mr. Beale, for having given us so much of your time and having answered so many questions.

**THE HONOURABLE DEWAN BAHADUR KASHINATH
RAMCHANDRA GODBOLE.**

(24th September 1915.)

The Chairman. Q.—Well, Dewan Bahadur, you know, we are discussing about granting larger powers to Local Boards in regard to execution of Engineering Works, and we shall be glad, if you can give us your advice. In the first place, we want to know, what you think should be the starting pay that a District Board should give to an Engineer and what work should such an officer be capable of undertaking and with what degree of control.

A.—I think that in Bengal and Berar they have got District Board Engineers and we could make similar appointments in the case of Districts like Poona and East Khandesh. We can have a District Board Engineer starting on Rs. 250 per month and rising to Rs. 400 a month. He should do the District Board work, and in addition, some Provincial Engineering work, also. In the case of a district like Poona he need not be an officer of very high attainments; all that will be required is that, he should be capable of carrying on the ordinary duties of an Engineer and be honest. I think, if an Engineer is appointed and placed in charge of District Board Works and some of the simpler work of the Public Works Department in the district is transferred to him, and if this Engineer is made Subordinate to the Superintending Engineer of the division as regards professional control, the arrangement will work alright. If he had charge only of the District Board Works, I do not think there would be any difficulty, but I do not think he will have sufficient work. I mean the volume of work to be done by him will be too small.

(Q)—Do you know what it is ?

A.—In the case of Poona District I do not think it will be more than Rs. 50,000.

Q.—It is lakh and a half. At any rate, out of the 26 districts, 19 or 20 have over a lakh.

A.—Then I think where the volume of work is considerable. I would place the Engineer, in charge of District Board Works only.

Q.—Here are the Poona figures :—

1912-13 Rs. 82,000, Public Works.

Do. Rs. 72,000, Civil Agencies.

1913-14 Rs. 91,000, Public Works.

Do. Rs. 81,000, Civil Agencies.

A.—But what I am driving at is this, that we should not have double agency if we can avoid it. For instance, on the same road where we have a Public Works Officer, we should not be paying both the Public Works Engineer and the Local Board Engineer.

Hon. Mr. Patel. Q.—You say that that can be avoided by transferring the works to the Local Board subject to the control of the Superintending Engineer ?

A.—Yes; provided the volume of work to be done by one Engineer is kept within reasonable limits.

The Chairman. Q.—You do not think that there will be any extravagance in the appointment of these new officers ?

A.—No; provided you give them sufficient work. In the case of boards like Sholapur, the amount of work to be done may be very small.

Mr. Sedden. Q.—What is your object in changing the present system ?

A.—In the first place, the present system is very expensive. The establishment charges in the case of Public Works Depart-

ment vary from 20 to 25%, that is to say, for every work of Rs. 5 you have to pay Re. 1 to Re. 1-4 for establishment. For simple work like road repairs much technical skill is not required.

Hon. Mr. Patel. Q.—Do you know, the Public Works Department merely charge 12½% for the Local Board works?

A.—I think, the Board should execute their own works.

Q.—Because they spend money, they ought to have control?

A.—Yes; then they will take better interest in their own affairs.

Rao Bahadur Artal. Q.—You say, the Local Board Engineer should be Subordinate to the Superintending Engineer; why not to the Executive Engineer?

A.—It may sometimes happen that the Executive Engineer and the District Board Engineer may be men of the same standing; I have no objection, however, to the Board Engineer being Subordinate to the Executive Engineer, as probably the Executive Engineer could look after the District Board Works better being on the spot.

Hon. Mr. Patel. Q.—If both gentlemen hold the same qualifications, would you still put the one in a subordinate position to the other? It very often happens like that. Supposing the Local Board Engineer draws a pay of Rs. 800 and the Executive Engineer draws Rs. 500 or 600, would you still put him under him?

A.—No; I would rather not do it; but this is not likely to happen. Professionally I would place the Board Engineer under the control either of the Executive Engineer or the Superintending Engineer.

The Chairman: We had Mr. Beale tell us that, he would object to a Superintending Engineer having to deal with 12 officers instead of 6.

Rao Bahadur Artal: It is very desirable, he should be under the Executive Engineer.

A.—Place him under the Executive Engineer; but in the case of difficult work it is desirable to go to the Superintending Engineer also for advice.

The Chairman. Q.—Do you know, what sort of autocratic gentlemen these Executive Engineers usually are?

A.—Well, we can control their autocracy.

Mr. Seddon. Q.—You would put him under the Executive Engineer for everything, or only for important works? I mean professional control.

A.—If the President of the Local Board thinks that an Executive Engineer's or a Superintending Engineer's advice is wanted, he should be at liberty to apply for and take it.

Hon. Mr. Patel. Q.—Well, is that optional?

A.—Yes.

Mr. Seddon. Q.—Are there any works in which you would not make it optional but obligatory—say for an estimate of Rs. 15,000? Would it require the approval of Government, or the P.W.D. authorities?

A.—I would have some limit imposed in the case of large works. For large works, high technical knowledge is wanted, but such is not the case in regard to repairs of roads, and other simple works.

The Chairman. Q.—Would you draw the line by the nature of the work, or by the amount of money spent on it?

A.—I think, the matter should be left to the discretion of the President of the Local Board.

Q.—But we want to make rules, and we want to know the amount. Would Rs. 50 or Rs. 500 be suitable in your opinion?

A.—If you appoint a properly qualified District Engineer, I would raise the limit in the case of works from Rs. 500 to Rs. 2,500, and in the case of roads from Rs. 50 to Rs. 150. At present the limit for roads is Rs. 50.

The Chairman. Q.—That is for repairs, and not for making roads?

A.—Yes. As regards repair estimates, etc., I would raise the limit from Rs. 50 in the case of roads, to say Rs. 150, and in the case of building works like school houses and dispensaries, for which there are standard plans, I would raise the limit to Rs. 2,500.

Mr. Seddon. Q.—If he is a man of qualifications and has to deal with the foundations, etc., you would put the limit up to Rs. 5,000?

A.—I would allow him to prepare his own estimates up to Rs. 2,500.

The Chairman. Q.—So you would allow the preparation of plans upto Rs. 5000 on the Local Fund Engineer's sole authority without any check, supervision or sanction or scrutiny?

A.—I would place the limit at works costing not more than Rs. 2,500.

Mr. Seddon. Q.—And for the construction work itself, for the actual carrying out of the works?

The Chairman. Q.—According to instructions sanctioned by superior authority?

Hon. Dewan Bahadur. A.—Up to Rs. 10,000 a qualified District Engineer should have a free hand.

Hon. Moulvie Rafiuddin. Q.—Is that the limit now for an Executive Engineer?

A.—No; he can carry out any work costing even a crore of rupees under certain restrictions if the plans and estimates are sanctioned by higher authority.

Hon. Mr. Patel. Q.—Supposing the Executive Engineer sanctions a plan and estimate of work costing Rs. 15,000, would you object to the Local Board Engineer carrying out that work according to those plans and estimates sanctioned by the Executive Engineer?

A.—I would entrust him with the work, but would have it inspected by a higher professional authority.

Mr. Seddon. Q.—Well, what limit? You said, Rs. 2,500 for plans and estimates. Well, after plans and estimates have been approved, upto what limit would you have the engineer carry out the work without any supervision or control?

A.—I would fix the limit at Rs. 10,000 for a properly qualified District Engineer.

Q.—You mean for construction?

A.—I would like to have works costing Rs. 2,000 or Rs. 3,000 even inspected by the Executive Engineer occasionally, if the President of the Board considers such inspection to be desirable.

Q.—Supposing they cost Rs. 4,000 or 5,000.

A.—It all depends upon the qualifications of the District Engineers that you appoint.

Q.—Would you have an Assistant Engineer of 4 years' standing, whose pay is Rs. 500?

A.—Well, if I have an Assistant Engineer of 10 years' standing, I would raise the limit. We will have to settle the qualifications first, and then, when those have been settled, and we have secured a man with good technical training and 10 years' experience behind him, then I would entrust him with execution of works up to Rs. 10,000; execution according to sanctioned plans and estimates.

The Chairman. Q.—Execution upto Rs. 10,000 only; why not more? What are you afraid of? Want of technical skill, or want of honesty?

A.—Well, occasionally a man is liable to commit mistakes. For instance, in the case of reinforced concrete work, a District Engineer working in East Khandesh may be a man who has not seen such work. So it is advisable in the case of works costing more than Rs. 10,000, that there should be supervision by Engineers who are in touch with the newer methods and the latest practices of the profession.

Mr. Seddon. Q.—You mean, that men in the Public Works Department, would have no idea how to carry it out?

A.—I mean, sometimes, new methods will have to be introduced. During construction and in dealing with the question of foundations, &c., it may, sometimes occur, that even a skilled Engineer will make mistakes. So, we ought to secure the advantage of higher skilled supervision in the case of very large and more difficult works.

Hon. Mr. Patel. Q.—That is, where the President of the Local Board wishes it, and not in all cases?

A.—The limit should be Rs. 10,000.

Mr. Seddon. Q.—How far would you go in ordinary cases?

A.—Well, in the case of a properly trained man, who has had ten years experience behind him in the Public Works Department I would raise the limit to Rs. 10,000.

The Chairman. Q.—When the President has called for an Engineer's advice is that to be paid for?

A.—No; according to the present rules, the advice of the Executive Engineer, is always to be given free.

Q.—Is that included in the 12½%?

A.—No; it is distinctly laid down, that the Superintending and the Executive Engineer's advice should be given free, just like the Sanitary Commissioner's.

Hon. Dewan Bahadur: Have we got any information as to how District Board Engineers in Bengal work?

Mr. Pratt. A.—It is stated in the Decentralization Commission's Report. (Reads). (Pages 252 of the D. C. Report, paragraph 750).

The Chairman. Q.—Is there any reason to suppose that the Bengal System is good?

A.—In the only case that I know of; unfortunately, it was not good.

The Chairman. Q.—100 per cent. failure!

A.—Yes. Unfortunately, the Engineer concerned was not the right sort of man.

Hon. Moulvie Rafiuddin. Q.—Have you any acquaintance with Madras Work?

A.—Yes; I have heard about it.

The Chairman. Q.—Good, or bad?

A.—I should say, bad.

Q.—Now, Dewan Bahadur, what is your experience as regards the employment of Engineers, by private persons, or Local Authorities and Government? Can you get as good men and as cheap, for private work, or for work by Local bodies as Government do?

A.—It depends upon the locality. For instance, in Bombay, you will get cheaper Engineers and equally efficient. There are many good Engineers in Bombay City, and they take much less for supervision than Government are spending.

Q.—Now take Sholapur Municipality. Will they get a man at the same rate as Government can; or will they have to pay more, or less?

A.—I believe about 20% more. It all depends upon the locality, and the conditions under which the men are appointed;

whether the service is pensionable or not, and similar considerations.

Q.—I mean, in similar conditions on both sides—Government service Pensionable, and the Municipal service also Pensionable—all conditions being equal, will Government get men cheaper, or the Municipality?

A.—I think, Government will get them cheaper. Qualified men would serve Government and would even take slightly lower pay, because Government posts are looked upon as stepping stones for something higher.

Q.—Well, I asked Mr. Patel, whether it would be cheaper for a District Board to get a man from Government and give him the pay of a higher grade and 25% pension contribution, or whether the District Board would get a cheaper man, as good and with the same qualifications in the open market.

A.—I would prefer Government men, and my reasons are—

Q.—It is not a question of what you prefer, but what would be cheaper for the District Board.

A.—Government service men would be cheaper on the whole.

Q.—Now tell us, why you prefer Government men.

A.—Because in the case of a Government man he has trained officers over him. If he goes wrong, he has much to lose, as his prospects in the Department will be marred. He even stands the chance of being dismissed; but in the case of an outsider, if he gets an opportunity to fill his pockets, he may swindle money and go away.

Mr. Seddon: In other words you think that Government servants are more honest having more to lose?

The Chairman: I would like to know whether Mr. Patel accepts your view.

Hon. Mr. Patel. A. No.

Hon. Moulvie Rafiuddin. Q.—Have you any acquaintance with the Engineering work at Sangli? They have recently appointed an Engineer, Mr. Vaz; do you know anything about him?

A.—No; I have not seen his work at Sangli.

Q.—At Kolhapur?

A.—Yes, I have. I think the Kolhapur Engineer gets about Rs. 400; he is a good man. He is an L.C.E.

Q.—He was an Overseer and was taken over by the Maharajah. Will a similar man do for the Local Board?

A.—He would do, if he were an Engineer, but not, if a mere Overseer.

Mr. Seddon. Q.—You were a member of the Public Works Department. Do you think that they spend a lot of money in Public Works?

A.—I believe, they are an expensive agency. Their establishment charges are very heavy. For carrying out a work of Rs. 100, they will spend about Rs. 25 in establishment. They however do good work.

The Chairman. Q.—Do you think, the Establishment charges are reasonable at 25%?

A.—No; we ought to have a cheaper agency.

Q.—What should be the percentage?

A.—It should not be more than 15%. At present, the Local Boards pay 12½% for works carried out by Public Works agency.

Mr. Seddon. Q.—I think, that is very reasonable; they get a good deal of supervision free at that. Don't they?

A.—The Executive Engineer's service is free.

The Chairman. Q.—What about the Superintending Engineer?

A.—He only does occasional supervision of work.

Mir Ayub Khan. Q.—If the Local Board wanted to engage an Engineer, would it be better to take him from Government service than to get him from outside ?

A.—I think, it would be advisable to get a Government servant.

Q.—If he is not good, we can ask Government to take him back?

A.—We can even get him punished for bad work.

Rao Bahadur Artal. Q.—Do you mean, to take all men from the Government service ?

A.—Only Engineers.

Hon. Moulvie Rafiuddin. Q.—If Government cannot spare, what is the best agency ?

A.—We will have then to make private arrangements.

Hon. Mr. Patel. Q.—What do the Municipalities do ?

A.—They select the best men they can secure in the open market. But there is a difference between Municipal works and Local Board works. In the case of a Municipality all the work that the Engineer has to do is under the eyes of the Members. Whereas in the case of a District Local Board the Engineer may have to carry out works far away from Headquarters. Under these conditions, the Municipal Engineer seldom goes wrong, whereas the District Board Engineer has many opportunities of going wrong if he is so inclined.

Hon. Moulvie Rafiuddin. Q.—Have you any experience of the Poona Engineering College ?

A.—Yes; the first man gets the Assistant Engineer's post and the succeeding three are appointed Overseers.

Hon. Dewan Bahadur. We should try to have men with 10 years experience behind them.

Q.—You mean, Government trained men ?

A.—Yes.

Mir Ayub Khan. Q.—Well, in the case of want of Government servants, the only way is to recruit privately. What do you propose in that case ? Should Government send their Engineers to advise, or should it be open to the Board to advertise for some qualified men ?

A.—It all depends upon the constitution of the Boards themselves. If the Boards have competent men in their body, then they need not go to the Government Engineers at all in the matter of selection.

The Chairman. Q.—You would not lay down any rule ?

A.—I would lay down rules regarding the qualifications of the men to be selected. The selections should at first be subject to approval by Government in the Public Works Department.

Hon. Mr. Patel. Q.—The selection must lie with Government, not with the District Board ?

A.—If the District Boards like, they might select; but the approval of Government ought to be taken at first.

Mir Ayub Khan. Q.—But as you just now said, supposing the Board has no man with sufficient experience to know what the Engineer's qualifications are, what would you advise ?

A.—When you come to the making of rules you can provide for this contingency.

Mir Ayub Khan. Q.—You mean to say it should apply to everybody, whether qualified or not ?

A.—Make general rules for guidance in selection.

Mr. Seddon. Q.—Have you been carrying out any Engineering work since your retirement ? Might I ask, how you get men for them, and is it satisfactory ?

A.—Well, in many cases, I have been able to select staff from my own personal knowledge. I have come across several professional

subordinates while I was doing Government work and I have been very successful in the choice I have been making.

Hon. Moulvie Rafiuddin. Q.—On the Sabarmati Railway you have got your own men?

A.—I presume, you are referring to Baramati and Jamner Railways. The G. I. P. Railway are constructing these on behalf of Branch Line Companies.

Hon. Mr. Patel. Q.—Well, I take it that you are in favour of taking the staff of Engineers from Government for District Local Boards.

A.—Provided you have sufficient work for the Engineers taken.

Hon. Dewan Bahadur. Well, a District Board may require three or four Overseers to look after their works. These may be appointed by the Board themselves.

The Chairman: You know, how these charges are made up? For compiling accounts there will be clerks required.

A.—There will be work establishment also.

Rao Bahadur Artal. Q.—Suppose, a District Board has only to spend about Rs. 15,000 in the year.

A.—Then I would not have a separate Engineer.

Q.—Will you not have a Supervisor?

Hon. Dewan Bahadur. Q.—Do you propose keeping men of lower standing and qualifications?

Rao Bahadur Artal. A.—Yes; Supervisor or Sub-Divisional Officer.

The Chairman. Q.—You would retain Government supervision. You won't advocate a change in any case in which the Board spends less than what sum?

A.—I should say, Rs. 1,00,000; it also depends upon the extent of the District.

Rao Bahadur Artal. Q.—Supposing the District Board has less than 1 lakh, what will you do?

A.—The objective should be that all Establishment charges should be kept within 15% and if you keep that objective in view it won't pay in the case of a Board which has only Rs. 15,000 or Rs. 16,000 to spend to keep a separate Engineering staff.

Q.—Yes; but in that case why not have a Supervisor or Sub-Engineer?

A.—Then you will have probably to make him subordinate to the Executive Engineer to a large extent.

Hon. Mr. Patel: Excepting in the case of a District Board Engineer where the approval of Government is needed you would advocate the appointment of all officers by the District Local Board?

The Chairman. Q.—Would you include the Assistant Engineer also?

A.—There will generally be no necessity for Assistant Engineers under District Boards.

The Chairman. Q.—I would just show you the Madras rule. Do you approve of that?

A.—Well, I would insist upon all qualifications noted in the case of Assistant Engineers; but the appointment must rest with the Board, and no sanction of Government should be necessary.

Q.—Well, the appointment is of a maximum of Rs. 250. Therefore if a Supervisor begins on Rs. 150 rising to Rs. 250, though it begins in Rs. 150, Government sanction is necessary. Do you approve of that?

A.—I don't approve of that. Only District Engineers and persons who are likely to occupy the position of a District Engineer should be appointed, subject to Government sanction. But in the case of Supervisors and Sub-Engineers the power of appointment should be with the Local Boards.

Q.—How are you going to judge, who will be required ?

A.—If there is a large District, there may be scope for an Assistant Engineer's appointment; but in an ordinary District I do not think, he will be wanted.

Q.—Well, in the case of an Assistant Engineer, after experience he will become a District Engineer.

A.—If he begins with Rs. 250, Government sanction may be made necessary.

Q.—Well, you don't approve of that rule ?

A.—Well, I think I would keep this rule, only that if the appointment is of Rs. 250 ; the Approval of Government will be necessary.

Hon. Mr. Patel. Q.—Supposing a man is on Rs. 150 to Rs. 250 ; would you require Government sanction ?

A.—No.

The Chairman. Q.—It is rather a difficult point. I will tell you, just what I think about it. Mr. Beale is going to give a scale. Supposing we show that to you and ask you to criticize.

A.—I should be glad to have my say. I won't call it criticism, but I will have my say.

Hon. Mr. Patel. Q.—Have you received any questions from the Collector of Poona and answered them ?

A.—Yes.

Hon. Rao Bahadur Sathe. Q.—Do you not think that the scope for the Subordinates for promotion is very limited in District Local Boards ?

A.—Yes; it is.

Q.—If it is so, would you not advise having one service for the whole province, I mean for the Presidency ?

The Chairman. Q.—What is it that Mr. Sathe wants ?

A.—What Mr. Sathe says is that, in the case of Subordinates, if their appointment is confined to the district, they will have no chance of promotion; therefore he would like to know whether it is desirable to have one subordinate service for the whole presidency. I think, it would be a good thing if that could be done; but that would be interfering with the powers of the District Local Board. We want to give them more power.

The Chairman : How would you organize it, Mr. Sathe ?

Hon. Rao Bahadur Sathe. A.—I would ask the District Local Board to prepare a list and grade the posts.

Hon. Dewan Bahadur. Make a Local Board Public Works Department of it?

Hon. Rao Bahadur Sathe. If a subordinate getting Rs. 60 in the Sholapur District Local Board is ripe for promotion, he may be given promotion if the board is willing to give it. If not, he may be transferred to another place.

Hon. Dewan Bahadur. You will then have to organize a board for looking after this establishment, to arrange for giving promotions, for transfers, etc., in consultation with the several District Local Boards.

Hon. Mr. Patel. Q.—Would you advocate the establishment of a board for all the district boards ?

A.—In the case of Professional Subordinate establishments. In the case of other establishments, I think, each board should be free to make its own appointments.

Q.—It will come in the way of securing competent men.

A.—If a man is not competent the Board can send him away.

Hon. Rao Bahadur Sathe: There was a proposal once before to have one service under divisions according to the languages spoken all over the Presidency.

Hon. Moulvie Rafiuddin : That would be Public Works Department on a smaller scale.

Hon. Dewan Bahadur: But I would keep a limit of 15% for establishments. The establishment charges should not exceed 15%.

Rao Bahadur Artal. Q.—Supposing we ask you to lend the services of a Supervisor ?

A.—From what I have seen of Local Board work in the Poona District, the appointments of the subordinate staff might I think be left to the District Board's control and discretion entirely.

The Chairman. Q.—Including the pensions you would still maintain a limit of 15%.

A.—I should like to maintain it at that.

Q.—In Madras I think they allow 20%.

A.—There are private works being done in Bombay. The commission that engineers get for them is only 5%. I think first-class engineers charge 7½% and ordinary engineers charge only 5%.

Rao Bahadur Artal. Q.—Can you do that ?

A.—Yes; in Bombay and Calcutta.

Mir Ayub Khan. Q.—In the case of backward districts like Khandesh will the limit of 15% be low, or will you increase it to 20% ?

A.—Well, I might make it 20%, but I would rather stick to 15%.

Mr. Pratt. Q.—I would like to know what the rule is in the permanent staff of the Public Works Department. What are the powers of the Executive Engineer ? Do his powers vary according to his pay ?

A.—No ; I think, they don't. As soon as he gets into an Executive Engineer's grade, his powers are the same regardless of pay, service and experience.

Q.—What are the limits as regards the works without going to the superior authorities for preparing plans and estimates ?

A.—I do not know the recent rule, but formerly the Executive Engineer could not do anything without sanction. The limit up to which he could sanction estimates was only Rs. 200. He could not spend money without sanction.

Q.—The Executive Engineer could not frame an estimate for anything exceeding Rs. 500 ?

A.—I think, when I was Executive Engineer, the limit up to which an Executive Engineer could sanction estimates was only Rs. 200.

The Chairman. Q.—I see that out of the Bombay Districts, 9 of them spend over Rs. 1½ lakhs, 11 of them between a Lakh and a Lakh and a half, and 5 between ½ a Lakh and a Lakh. Do you think, those that spend over a Lakh would be able to spend 15% ? Do you think, they will be able to bear that expenditure ?

A.—Let us see. Rs. 15,000 would give us Rs. 1,250 a month. If an Engineer takes Rs. 400 that leaves Rs. 850 for the staff. Yes, it can be managed, the accounts being kept on the Government system.

Mr. Seddon. Q.—How can the Board keep accounts ? At present the accounts of District Boards are kept by Government ?

A.—The Local Boards have their own Accountants, I think.

Mr. Pratt. Q.—You mean what kind of accounts then ?

A.—Accounts of works carried out by Board Engineers.

Hon. Mr. Patel. Q.—You are a Member of a District Local Board and you represent the District Local Board in the Legislative Council. Have you got a Works Committee on the Board ?

A.—No ; on the Taluka Board one has now been appointed.

Q.—Are you a Member of the Taluka Board also ?

A.—Yes.

Q.—Elected ?

A.—No ; I am nominated.

Mr. Seddon. Q.—What Taluka ?

A.—Haveli.

Rao Bahadur Artal. Q.—Did you stand for election ?

A.—No, I did not.

Hon. Mr. Patel. Q.—Are you on the Works Committee ?

A.—No, I am not.

Q.—Do people on the Works Committee take interest ?

A.—No; except in a few cases they don't.

Hon. Moulvie Rafiuddin. Q.—What work do they do ?

A.—They go and supervise what is being done by the Overseers. They have to certify completion of works after inspection.

The Chairman :—Mr. Beale strongly objects to the word "supervision."
He means it could be done by Engineers only.

Hon. Mr. Patel. Q.—Is the inspecting work done by Government Engineer?

A.—Not in the case of works carried out by the Boards by their own agency.

Q.—I suppose, your Works Committee works well ?

A.—Well, in Haveli, there are two or three energetic members, and they work well.

Q.—But you say that they do not generally work well.

A.—Yes.

Q.—Can you tell me who prepares the Budget of the Board ?

A.—The President of the Board.

Q.—There is no such thing as Budget Committee or Finance Committee.

A.—No.

Q.—Are the non-official members consulted ?

A.—Yes, they are. When the Budget comes before them they can propose changes.

Q.—Are they consulted in the preparation ?

A.—No.

Hon. Moulvie Rafiuddin: As the Dewan Bahadur is a Member of the Local Board can we take his experience, as he represents the Local Boards in the Legislative Council, of Local Boards on points other than Engineering ?

Mr. Seddon. Q.—Might I ask about the 5% establishment charges in Bombay ? Supposing I want to get a house made in Bombay.

A.—You go to an Architect. He prepares the plans and estimates and tells you its probable cost. Well, you say here is the money; you go on with the work. He charges you 5% for preparing plans and estimates and for supervising the work, I mean second class men, only ; in the case of First Class Engineers of reputation and standing the charge is 7½%.

Q.—They add in the estimate 5% for supervision charges ?

A.—The owner pays separately.

Q.—Does the whole 7½% go to the Engineers themselves ?

A.—No ; they have to pay from this percentage the staff they keep in their offices: I mean, draftsmen, estimators, clerks, etc. All these charges come within the 7½%. The men who are immediately in charge of the works, like Maistries are paid by the owner.

The Chairman. Q.—So, all these gentlemen starve, I mean all the Engineers in Bombay ?

A.—Well, not necessarily. The quantity of work they do is so large.

Q.—The fact is that, they charge such enormous rates for material, etc., and give their services for 5% and 7½%. I do not think, there is any comparison possible.

A.—Well, many European architects and Engineers work for $7\frac{1}{2}\%$.
 The Chairman. Q.—They must be taking profit out of the material, otherwise they must starve. It is a question of making a living and not being straight.

A.—Supposing a man's commission comes to Rs. 10,000 a year; that is not staving.

Q.—I do not think, there is any comparison between private agency and District Board work.

A.—Yes; it is a different thing altogether; there can be no comparison.

Q.—One further point about Engineering. To what extent is an Engineer's work controlled by a Taluka Board or District Board? Do you think, the Taluka Board an efficient agency for controlling works?

A.—No; I do not think, they are, except in the matter of simple works.

Q.—You do not think the District Board can hand over control of Engineering works to Taluka Boards?

A.—No; except in the case of smaller works.

Q.—The question as to what wells are to be constructed, what roads are to be made, what buildings, dispensaries or Dharmasalas are to be built; who should decide that?

A.—The District Board should do that. But the Taluka Boards can make suggestions.

Hon. Mr. Patel. Q.—Are you in favour of giving a definite share from a District Board to the Taluka Board?

A.—On the whole, I am not. I think, it is the District Board which should be left to decide the ways and means and the main items of expenditure.

The Chairman. Q.—Then for the development of Local Self-Government, which do you think is the best agency? The District Board or Taluka Board?

A.—The District Board.

Q.—Do you know that there are strong opinions expressed that Self-Government can only be developed if Taluka Boards are encouraged?

A.—If that is the object, I would divide Talukas into smaller units, but the difficulty will be about the work to be assigned to these smaller units.

Q.—You regard the District Boards as the most likely thing for the development of Self-Government?

A.—Yes; they have generally better members, generally men with some stuff in them go to the District Boards as Members.

Hon. Mr. Patel. Q.—Well, do you know what the Commissioners of the Decentralization Commission think about it?

A.—I have not seen the report.

Mr. Pratt: Well, please see. This is very interesting.

The Chairman. Q.—You are in favour of Village Panchayats and the District over and above the Taluka Board?

A.—I would abolish the Taluka Board and have it divided in 3 or 4 units.

Hon. Mr. Patel. Q.—You are in favour of grouping 3 or 4 talukas?

A.—I am in favour of splitting the Talukas. My difficulty will be as regards the work that should be given to these smaller units. The amount of work that can be assigned to Panchayats will be so limited that practically they will be sitting idle very often.

Rao Bahadur Artal. Q.—What is the good thing for villages?

A.—They might have Notified Area Committees.

The Chairman. Q.—Do you approve of Notified Areas?

A.—Yes; in the case of large villages.

Q.—In so far as a Notified Area Committee looks after Sanitation, Lighting, Education and Village Roads, will you approve a system of that kind?

A.—Yes.

Hon. Mr. Patel. Q.—Will you have a Nominated Member on the Notified Area, or will you not have it?

A.—Well, I would like to have nominated and elected members at first half and half.

Rao Bahadur Artal: Well, we have now Notified Areas with both members elected by people and nominated by Government.

Hon. Mr. Patel: There is not a single Notified Area in the whole Presidency where there is election.

The Chairman: But how do you know, in what way an officer is selected? When an officer is selected the people are consulted freely and then only he is appointed in the Notified Area.

Hon. Rao Bahadur Sathe: It may be called then selection but it is not election.

Hon. Mr. Patel. Q.—I think you would have more election than selection?

A.—Yes.

Mr. Seddon. Q.—Would you have more Notified Areas for Cuspahs, small towns, etc.?

A.—Yes; if you give them sufficient grants.

Mr. Seddon: They get their grants at the expense of every rich or poor village.

Hon. Rao Bahadur Sathe: The Notified Areas are authorized to raise funds?

Mr. Seddon: Yes, they are.

Hon. Dewan Bahadur: They come to grief, because of that, they seldom succeed in raising sufficient funds.

The Chairman: They do raise funds.

Rao Bahadur Artal: At Chikodi there is a Committee; they raise a subscription of their own and have no authority.

Hon. Mr. Patel: We have got plenty of Notified Areas in the Northern Division, in Andheri, Borivli, etc., for instance.

Rao Bahadur Artal: In the first instance, they were instituted voluntarily.

Hon. Mr. Patel: Q.—Then you have no experience of Notified Areas at all?

A.—No.

Q.—Then you cannot know the difference between a Municipality and a Notified Area.

A.—I know a little, I think. In the case of Notified Areas they raise money of their own and get grants from District Board and Provincial Funds.

Hon. Rao Bahadur Sathe: Will you kindly look at section 10 of the Act? I am particularly drawing attention to clause 2 to 7.

Hon. Mr. Patel: Q.—Is it the Municipal Act?

Hon. Rao Bahadur Sathe: Local Boards Act.

Hon. Dewan Bahadur: Yes.

Hon. Rao Bahadur Sathe. Q.—Would you suggest any method of grouping so as to make it possible for persons coming under any of these clauses (2 to 6) to come out successful in Elections?

Hon. Dewan Bahadur: You want to make them separate electorates.

Hon. Rao Bahadur Sathe: Yes.

Hon. Dewan Bahadur. A.—Yes; I think it is desirable that these should form separate electorates for electing members to serve on Taluka Boards.

Q.—You are in favour of having separate electorates?

A.—Yes.

Hon. Mr. Patel. Q.—But you know, they don't pay any Local Fund Cess. Will you still give them separate electorates?

A.—Yes; because the difficulty at present is that we do not get the right class of members. We get members at present, with poor ideas, who are cowed down by officials.

Rao Bahadur Artal. Not cowed down by officials, but they don't take any interest.

Hon. Mr. Patel. Q.—Which of the 4 classes you think are good people?

A.—You mean, which of the 4 classes should be excluded from these separate electorates.

Q.—Which of the 4 classes are likely to bring out good people, 4th and the 5th?

A.—Yes, certainly, the 4th and the 5th.

Q.—Would you restrict your electorate?

A.—No.

Mir Ayub Khan. Q.—Well, you say that those from classes 1 to 3 will be cowed down when they are Honorary Magistrates; will not the other people also be cowed down?

A.—These people very often dare not give out what they think.

Hon. Mr. Patel. Q.—What is the reason?

A.—The reason is, they don't wish to say anything against the Mamlatdar or Assistant Collector.

Q.—Well, in that case, you won't have a Mamlatdar on the Board?

A.—Yes; we want him, because he really does the work, but I would not have him as President or Vice-President if I can help it.

Hon. Moulvie Rafiuddin. Q.—Will you have him as Vice-President?

A.—No; but he knows everything that goes on in the Taluka and we must have him on the Board.

Hon. Mr. Patel. Q.—Would you like a Non-official President?

A.—Yes.

Mr. Seddon.—Q.—Would you have him present at the meetings?

A.—Certainly. He is really an important and useful Member.

Q.—But would you like a Non-official presiding and a Mamlatdar present at a meeting as a Member?

A.—Yes; there is no harm.

The Chairman. Q.—So you would go in for a non-official President on the Taluka Board, provided you get the right sort of man; but will you be able to get such a man?

A.—I am sorry to say, not for some years except in rare cases.

Rao Bahadur Artal. Q.—Do you mean to say that the Board should not be fully of elected members, there must be nominated members?

A.—Yes.

Q.—Well, the Mamlatdar knows the village very well; he is the main stay, then what is the objection to have him as President?

A.—He is a good working member, no doubt, but it is not Self-Government to have a Mamlatdar as President; for in that case the whole thing will be run by the Mamlatdar.

The Chairman. Q.—What is it you want? Do you want an Official President and Vice-President, or not?

A.—For the present the President, of the Taluka Board should be the Assistant Collector except in cases where qualified private gentlemen are available. For instance, in the case of our friend Rao Bahadur Artal, I would make him President of the Belgaum Taluka Board without hesitation.

Hon. Mr. Patel. Q.—You would have Non-official Vice-Presidents for Taluka Boards, or not ?

A.—Yes, certainly.

Rao Bahadur Artal.—I think, most of the Vice-Presidents are Non-officials.

A.—Most of them are Mamlatdars.

The Chairman: The majority of them are Mamlatdars; but there are a certain number of Non-official Vice-Presidents.

Hon. Moulvie Rafiuddin. Q.—What about the District Boards ?

A.—The Collector must continue to be President.

Mir Ayub Khan. Q.—The Vice-Presidents ?

A.—They must be Non-officials. Generally they are Non-officials I think. In the case of specially capable men however, I would make a departure and make them Presidents of the District Boards.

Hon. Rao Bahadur Sathe : Yes ; in fact, what he means to say is that, in such District Boards where Government can find out capable men willing to devote their time, the Dewan Bahadur is willing to have Non-official Presidents.

Hon. Dewan Bahadur : But the discretion should be in the hands of Government. Outsiders will not be good judges of the qualifications.

Hon. Rao Bahadur Sathe: There is such power at present in the hands of Government.

Hon. Dewan Bahadur: But it is never exercised. If I remember right, in Berar the Presidents of District Boards are Non-officials.

Hon. Rao Bahadur Sathe: I think for District Boards at least, the Presidents must be Non-officials.

Hon. Dewan Bahadur: No, I am sorry, I cannot accept the suggestion in the present circumstances of this Presidency when we have so few gentlemen available for selection.

Hon. Rao Bahadur Sathe: You don't look forward.

Hon. Dewan Bahadur: I do look forward to it.

Hon. Mr. Patel. Q.—Can you not leave it to the sense of the Board to say whether they require an Official or Non-official ?

A.—No; because the whole expenditure of the Board is in the hands of the President and if the choice of the President is left in the hands of the Board, there is risk of an unsuitable choice.

Q.—Regarding the question of election of Presidents would you not leave it to the Board ?

A.—I won't, because, of the risk of selection of an unsuitable gentleman.

Hon. Rao Bahadur Sathe: In fact we are unable to exercise the right, if given, to the best interests of the people.

Hon. Dewan Bahadur: I know some cases of gentlemen who could be made Non-official Presidents of District Boards.

Hon. Mr. Patel. Q.—But how you won't give the right to the people ?

A.—If you give the right to the Board there is a chance of their choosing a wrong man and then the interests of the District will suffer.

Hon. Mr. Patel. Q.—That means that necessarily the Collectors must be Presidents of District Local Boards ?

A.—No; not necessarily. Government who have power may exercise their discretion and appoint Non-officials.

Hon. Mr. Patel. Q.—Would you still leave the power of appointing Presidents to Government ?

A.—I think, in the present circumstances it would be better in order to guard against misapplication of funds.

Hon. Rao Bahadur Sathe. Q.—Would you be in favour of having a section in the Act to make it obligatory on Government to nominate Nonofficials ?

A.—Well, I think, it would be impossible to work the section in the case of many districts. In districts like Ahmedabad or Poona the section might be workable, but not elsewhere.

Hon. Mr. Patel. Q.—So you are not in favour of even nomination wholesale ?

A.—No.

Q.—So it practically comes to this, that you are in favour of Non-official Vice-Presidents, but you are in favour of Official Presidents with regard to District Boards, with power to Government to nominate.

A.—I think, for the present we should not go beyond this.

Q.—Are you in favour of elected majorities on the Local Boards, Dewan Bahadur ?

A.—Yes.

Q.—What proportion would you suggest, $\frac{2}{3}$ ths to $\frac{1}{4}$ th ?

A.—No; I would suggest $\frac{2}{3}$ rds to $\frac{1}{3}$ rd.

Q.—Then you know that amongst the one-third, a certain number of Officials must come in; the engineer, the health officer, and so on.

A.—Yes; some officers are necessary. The number of officers may be limited to three or four if considered desirable. The officials need not exceed this number among the nominated members.

Hon. Rao Bahadur Sathe. Q.—Three or four for the district ?

A.—For the district, I would have two-thirds elected and one-third nominated. Out of the one-third nominated, half may be official salaried servants of Government.

Hon. Mr. Patel. Q.—But do you think really that Non-official nomination is necessary ?

A.—Yes; for the sake of minorities.

Q.—Is that the only reason ?

A.—Yes; that is the principal reason, and sometimes it may be desirable to put a man on a board who is likely to be very helpful, but who will not take the trouble of seeking election.

Mir Ayub Khan. Q.—Just now you said that from the one-third you would keep one-half for officials and the other half for such men who are likely to be very useful. But there are certain minorities to be represented; and if the proportion is half and half, won't these minorities suffer ?

A.—The minorities are really very few.

Q.—But won't they suffer as they now stand? From one-half they may come to one-third. ?

Rao Bahadur Artal: The number of the nominated members is reduced, and some of these minority people might get in by election.

Mir Ayub Khan. Q.—The only door open to them is nomination. If you reduce the number of nominated members to one-third, where will they go ? I should like to ask for instance the number of nominated members on the District Board of Shikarpur. I am speaking of Sind; I do not know what will happen in the Presidency.

A.—The interests of the minorities will be sufficiently safeguarded I think if Government has power to nominate $\frac{1}{3}$ rd.

Hon. Mr. Patel. Q.—What do you say, Dewan Bahadur, about the proposal of suggesting Government to give a share of the Provincial Revenue to Local Boards ? What is your opinion on that ?

A.—Yes; it is a good suggestion; but how is Government going to be recouped for what they give? That will mean additional taxation.

Rao Bahadur Artal. Q.—Is it your opinion, Dewan Bahadur, that all the members elected by the people are the best men? Are the best men always elected?

A.—Unfortunately not.

Q.—Before Government nominates any members, first of all the Mamlatdar is consulted; then the Assistant Collector is consulted and then the Collector. That means there are so many guarantees of good men only coming in. Is there any likelihood of members nominated being bad?

A.—Very likely they won't be bad.

Mir Ayub Khan. Q.—Do you not think, very undesirable persons are sometimes nominated by Government?

A.—Very seldom, I should think.

Q.—But they still do get in at times?

A.—Well, I am not aware of such cases.

Hon. Mr. Patel. Q.—But would you not have nominated boards altogether, why should you have election at all?

A.—Then you will have to shut up the portfolio of Local Self-Government.

Q.—You are for Local Self-Government then?

A.—Yes.

Q.—You don't appear to be so from your evidence, but I read from your note:—

“It would, I think, afford a distinct advantage and stimulus to the development of Local Self-Government if all Provincial grants are done away with and the Local Boards are assigned a share at the end of the year under some main heads of Provincial Revenue which may vary for the present for various Districts to suit local conditions. This share may begin with a two annas cess under the heads of Land Revenue and Excise.”

That is your opinion, is it not?

A.—I would prefer it, if it can be arranged, but I see there are difficulties in the way.

Q.—You have not mentioned any difficulties here.

A.—Subsequently the difficulties have occurred to me.

Q.—Oh! Subsequently they occurred to you.

A.—Yes.

Q.—You would go in for the Excise toll?

A.—Yes, certainly, I would have an anna cess on the Excise.

Q.—But you would not ask Government to contribute the same amount which people would collect by that cess. Supposing the people collect Rs. 11 Lakhs my point is that, Government should contribute the same amount from Provincial Revenue.

A.—I would go in for a substantial subsidy from the Provincial funds and have these new Engineers take up Provincial work also. That has been my idea for some time.

Q.—Are you for an Irrigation cess?

A.—No.

Q.—Why?

A.—Because I look upon the Irrigation Revenue as so much money paid for the use of a commodity. Government have water to sell. They sell the water and for the water they charge so much. You ask them to enhance the price of water, which you have no right to do. It is the market price of water.

Q.—What is your opinion about the Income-tax cess ?

A.—Well, if that would bring in a substantial amount, I would go in for it. But if it is Rs. 5,000 or thereabout, I won't, for Rs. 5,000 is not a big amount for a District Local Board.

Q.—Would it not be a matter of principle to tax these traders, etc.?

A.—It is only in the Cities that they don't pay. All the traders in the Mofussil have got lands, on which they pay Local cess.

Q.—That is for the land that they have ; but what about the income that they get by trade ? It is a substantial amount.

A.—If it is a substantial amount, I would go in for it.

Hon. Mr. Patel. Q.—What is your idea of a substantial amount for a District ?

A.—Say, 1/10th or 1/15th of the Land Cess Revenue of the District Board.

Q.—What is the principle involved ?

A.—I do not think Income-tax payers should be made to pay 1 anna cess to the revenues of the District Local Boards as that is practically enhancement of Income-tax.

Q.—Do you know, what is the amount of Income-tax, collected in the whole of the Bombay Presidency ? Supposing I pay an Income-tax of Rs. 20.

A.—If we can get a substantial amount by this means we can levy a cess, as a special case but not otherwise.

The Chairman. Q.—Do you regard the Income-tax payers receive any benefit from the functions of the District Local Boards ?

A.—I do not think, they receive much benefit.

Q.—A trader who brings in his corn or grain. Has he not the advantage of roads ?

A.—But he is generally a landlord at the same time.

Q.—Taking his roads alone, does he get no advantage from good roads?

A.—He gets the advantage he is entitled to as a tax-payer.

Mir Ayub Khan. Q.—Supposing there are certain traders who have no land ?

A.—If there is a large number of them using Local Board roads, then they may be asked to contribute.

Rao Bahadur Artal. Q.—Therefore would it not be fair to levy the one anna cess ?

A.—I would not increase taxation if I can help it.

Hon. Mr. Patel. Q.—What, are you going to take away 1/16th part of Income-tax Revenue of Government ?

A.—I do not want additional taxation if it can be helped.

The Chairman. Q.—You object to taxation any way ?

A.—Yes; I am opposed to additional taxation.

Hon. Moulvie Rafiuddin. Q.—Do you object to Excise toll ?

A.—I will advocate Excise cess.

Q.—But they are poor people.

A.—I advocate a cess on excise Revenue.

The Chairman. Q.—You say that on principles of justice, or because you think that an evil should be put down.

A.—I wish to discourage a recognised evil.

Hon. Rao Bahadur Sathe. Q.—Then, I take it that you are against increasing the Local Fund cess from 1 anna to 2 annas.

A.—Yes; I am decidedly against it.

Hon. Mr. Patel. Q.—I take it, that you are in favour of a Forest Revenue cess.

A.—No; I am not.

Rao Bahadur Artal. Q.—Why not ? The Forest Department contractors make a good deal of money; can it not go to the Local Board?

Hon. Mr. Patel. Q.—Are there any funds from which subventions are granted to Local Boards ?

A.—The subventions amount to $\frac{1}{4}$ th of the Land Revenue cess. That is what I am told, but I know nothing definite about it.

Q.—What would you put down as the limit of subvention to be raised ?

A.—Well, I would like the subvention to the same extent as Land Revenue cess. Suppose we collect 1 anna cess to the extent of a Lakh of Rupees, I would like to get another Lakh by way of subvention.

Q.—On what principle ?

A.—The subvention should be forthcoming if the money can be spared by Government. It can be used to great advantage as the Local Boards have heaps of useful work to do.

Rao Bahadur Artal. Q.—Are you aware that Government now pay some provision out of Excise Revenue in the shape of one anna cess? How much, do you think it is? Do you know ?

A.—Yes, Rs. 88,000 I am told.

The Chairman. Q.—Are you aware that in England self-governing Bodies and Authorities have a Board for imposing taxation? Do you know that they vary the taxes from year to year ?

A.—It is a different country altogether. I am not prepared to say that, we should have similar powers at present in this country.

Q.—You do not see that taxation is a necessary condition of Self-Government? Well, I should like to have a Local Board collect taxes of their own accord.

A.—Rural areas cannot afford additional taxation.

Q.—But do you regard taxation as an essential condition ?

A.—Yes, theoretically I accept the principle. The Boards should have the power, but they should not exercise it at present.

Q.—Are you prepared for an Abkari cess ?

A.—Yes; I am prepared for a one anna cess on the Abkari Revenue. That would give us about Rs. 11 Lakhs.

Rao Bahadur Artal. Q.—Are you prepared to impose a tax on Salt Revenue?

A.—No.

Rao Bahadur Artal.—It is only one anna, and Salt is very cheap.

The Dewan Bahadur. A.—No additional taxation on necessaries of life, is my motto.

Rao Bahadur Artal. Q.—Do you know, what was the rate of tax some years ago ?

A.—It was Rs. 2-8 per maund; now it is reduced to 8 annas, I believe.

Mir Ayub Khan. Q.—I think, that some class of Government servants getting a pension of Rs. 50 have a right to vote; why should they not be taxed.

A.—They might perhaps make small contributions, but I would exempt them, as their incomes are small.

Hon. Mr. Patel. Q.—A gentleman gets Rs. 1,000 by way of cash assignments from Government. Would you tax him 1 anna ?

A.—If such a cess is likely to produce a substantial amount; not otherwise. I think that cash assignments above Rs. 600 only should be liable to this cess if it is imposed.

Hon. Rao Bahadur Sathe. Q.—You have taken some interest in Village Sanitation. Would you propose any small tax to improve Sanitation, a small tax, the proceeds of which to be used on Sanitation alone, say, 3 pies, 6 pies or 9 pies?

A.—I won't increase the burden on land at all, not even to the extent of $\frac{1}{12}$ th of a pie.

MAJOR F. G. H. HUTCHINSON, I. M. S., SANITARY COMMISSIONER
TO THE GOVERNMENT OF BOMBAY.

(28th September 1915.)

The Chairman. Q.—Well, Major Hutchinson, what would you advise may be done by the District Local Boards in the matter of sanitary staff? At present the District Boards have no sanitary staff and they have not under the Local Board Act any power to make any rules, bye-laws, &c., regarding sanitation.

A.—As a start I propose the appointment of a Health Officer for each District; but until this can be done, the combination of two or more Districts for this purpose.

Mr. Seddon: What will be the status of a Health Officer as regards pay and qualifications?

A.—As in England it should be laid down that he must be a qualified medical man. As regards special qualification Government have laid down two grades of Health Officers, the main difference, apart from salary, being the experience gained during the period of instruction. It would be better for districts, if they can afford it, to have an officer of the first class; but as a matter of fact, the work of a health officer of a district would not at first be absolutely comparable to the work that the health officer of a Municipality has to do.

Chairman. Q.—Simpler?

A.—No; not simpler, but of a different nature, in fact rather more in the nature of investigation. Before any advance can be made a knowledge of the reason for special mortality at different seasons, among different sections of the community, at different age periods is necessary. With this knowledge it will be possible to estimate what can be done, and what sections of any Public Health Act should be applied for this purpose.

Chairman. Q.—Then this officer should be furnished with certain special powers; should he not?

A.—Yes; he must have powers.

Q.—What powers do you suggest? Are there any existing provisions that will enable him to exercise such power?

A.—I do not think there are any provisions.

Q.—Can you put much reliance in the registers of deaths and causes thereof as they are kept at present?

A.—A very great deal of reliance can be placed on the numerical accuracy of death registration, but implicit confidence cannot be placed on the stated causes of death. Numerical accuracy enables us at times to infer the nature of an epidemic, but unfortunately this knowledge comes as a rule too late to prevent spread. The damage is done.

Chairman. Q.—Can you tell us what powers you think should be provided for the Sanitary Department of the District Board?

A.—My feeling on the subject is this, that there should be no sharp differentiation between urban districts and rural districts. I do not think that there should be a Sanitary Act for Municipalities and a Sanitary Act for urban districts; but there should be one Act applicable to both. The present District Municipal Act is a very fair Public Health Act, and sections of this Act should be made applicable to any particular area required. Any rural area that wants any powers can apply for powers under any particular section of the Act that can be usefully applied in that area.

Chairman. Q.—That is to say, you would give power to the District Board to adopt a certain section of the existing Municipal Act?

A.—That is what I should like to say. I should like to see the Sanitary administration of the rural areas of this Presidency based on the practice which has proved so successful in England.

In England there is the County Council, the Rural District Councils and Parish Councils. In this Presidency the District Local Board should take the place of the County Council, the Taluka Local Boards of the Rural District Councils and the Sanitary Committees of the Parish Councils. The important point is the chain of responsibility commencing with the Sanitary Committee and Parish Council and ending in the supervision of the District Local Board or County Council.

Chairman. (Handing Major Hutchinson a copy of the Assam Act.)

Q.—Look at these sections in the Assam Act and say whether you would advise that similar powers should be embodied in the District Local Board Act.

A.—Section 58 gives very wide powers. Those powers could be given to the District Local Board by applying any sections of the District Municipal Act, just as easily and perhaps more definitely. Section 59 is practically copied from Section 8 of the Local Government Act, 1894, and represents the powers given in England to Parish Councils.

Chairman. Q.—And should these powers be given here to the Sanitary Committee?

A.—The Sanitary Committee should be comparable to the Parish Council in England. At Home the central authority can appoint a Local Committee anywhere in their area.

The functions given to the Parish Council at Home should be given to the Sanitary Committee in this country. The Sanitary Committee is doing very useful work in this country, and would do still more if they could control the water supply of the village.

Chairman: We are not talking of the Sanitary Committee, but of the District Local Board.

Major Hutchinson: The Sanitary Committee should be under the supervision of the District Local Board.

Mr. Seddon: Under the Taluka Board?

Major Hutchinson: The Taluka Board should be the connecting link between the District Local Board and the Sanitary Committee.

Chairman: We make rules for the District Local Boards.

Witness: The District Local Board should make bye-laws under the Act; and the Sanitary Committee should apply the bye-laws under the supervision of the District Local Board.

Chairman: The Taluka Local Board here corresponds very largely to your Rural District Councils at Home. I take it that the District Local Board here would be a County Council at Home.

Major Hutchinson: That is so. In the scheme of sanitary staff would come Health Officers under the Taluka Local Boards: the example of Ireland in making the Dispensary Medical Officers, Health Officers may be copied for the present. Arrangements are now being made for giving Sub-Assistant Surgeons a little training in hygiene.

Chairman: There is a difference between your Parish Council and County Council at Home, which would roughly accord to the Taluka Local Board here.

Chairman: Q.—Is there anything between the Parish Council and the County Council?

A.—Rural District Council.

Mr. Seddon. Q.—Is that territorial?

A.—You may have several in a County.

Q.—Is it a part of the County Council?

A.—No, it is not a part of the County Council; it is distinct.

Mr. Pratt: The County Council covers the whole area. The area would be a broken up in Rural Councils.

Mr. Seddon. Q.—Well, who is the authority for the parishes ?

A.—In parishes with a population of 300 the Parish Council is the Local authority.

Mr. Seddon. Q.—Then you may have parishes with a population of less than 300.

A.—Yes, there may be Parish Councils even when a population exceeds 100.

In addition to Parish Councils, there are what are called Parochial Committees. These may be appointed by the District Councils. They may have powers in connection with the Public Health Act and may exercise them in the same way as the Council appointing them. The members of the Parochial Committee must be members of the Parish Councils.

Chairman: But, Major Hutchinson, these actual sections here do not enable a Local Board to delegate any powers to a Sanitary Committee.

A.—I do not think they do, but I think they ought to. The District Local Board would draft the bye-laws, and the Sanitary Committee put them into execution.

Mr. Pratt. Q.—Do you mean to say that the Sanitary Committee has the same structures more or less as a Taluka Board or a District Board ?

A.—I think such powers ought to be delegated to Local Boards. It will be a step in the ladder.

Mr. Seddon. Q.—You know what a Village Panchayat or a Gam Panchayat is.

A.—Yes. The essential is an executive in the village or rural area (possibly group of villages); it is immaterial if this is called a Sanitary Committee, Village Panchayat, &c. This Village Executive in its Sanitary administration should be subjected to the control of the Taluka Local Board, and of course the District Local Board.

Chairman. Q.—Well then, in regard to your suggestion that sections should be taken out of the Municipal Act and applied to rural areas, you have here such sections as “ whoever (reads section 127) ”. Is that a sort of a power that can be exercised by a Taluka Local Board ?

A.—I do not propose that these sections should be applied directly by Taluka Local Boards, but by the Sanitary Committee of a village or group of villages. Supposing any particular rural area wants to improve its sanitation particular sections of the Public Health Act can be applied to that area, and worked by the Sanitary Committee or Panchayat as the case may be.

The Chairman. Q.—Have you studied any sections of the Municipal Act ; Would any of them be applicable or suitable for application to rural areas such as a Taluka ?

A.—Yes ; many would apply ; 134 regarding foul water, 135 and so on.

The Chairman. Q.—Take 136, for instance, (Reads). How would it work ? Who would give the written permission, the officer of the Taluka Local Board or the officer of the village ?

A.—Permission would be given by the Sanitary Committee of the village, but the power would be given to the Sanitary Committee by the supervising authority, the District Local Board.

Q.—You want delegation of power from a District Board to a Committee of the village ?

A.—If the District Local Board considered any village or group of villages sufficiently advanced for the application of certain public health powers, the Board would apply to Government to apply certain sections of the Act to that area.

Chairman to Mr. Seddon: How could this section (136 of the District Municipal Act) be applied in a village? Major Hutchinson proposes that a District Local Board will authorise a Village Committee to act in its behalf in Sanitary matters. Is that a suitable matter for inclusion in the District Local Board Act?

Mr. Seddon: I know this much that the incorporation of Section 136 in the District Local Board Act is not quite suitable, but why cannot this be applied to a Gam Panchayat or Village Panchayat? I see well enough, it cannot be applied to a Taluka Board, but it could be done in the case of a Gam Panchayat.

Chairman: I am trying to get it into the District Local Board Act; how are you going to put it into the Local Board Act?

Mr. Seddon: What are the powers of Taluka Local Board and District Local Board Officers?

Chairman: But here the suggestion is that District Boards must be empowered to pass certain powers to the Village Panchayat?

Mr. Seddon: The powers to the Village Panchayat will have to be sanctioned by Government on the recommendations of the District Local Board. I mean to say, for instance, at present you could apply certain provisions of the Police Act to a certain village with the sanction of the Commissioner. Could not we apply any suitable provisions to the Gam Panchayat on the recommendations of the District Board with the sanction of the Commissioner or of Government?

Chairman: It seems to me, there would be some difficulty in taking them out of the Municipal Act and putting them into the District Local Board Act.

Mr. Seddon: Well, take Chapter on Gam Panchayat. For the word "Municipality" "Village Panchayat" should go in. Certain sections of the Act would only be applied if the Commissioner or Government, if you like, sanction on the recommendation of the District Local Board, the appointment of a District Health Officer.

Chairman. Q.—What would be the position of the District Health Officer in this Sanitary Administration?

A.—He must be a supervising authority and the District Local Board appoints him. Here, under the Village Sanitation Act, the Sanitary Committee have got greater powers than they should have in my opinion (Bombay Code, Vol. 3, 1888, Act VIII).

The District Local Board would make the bye-laws; and supervise the work of the Sanitary Committee in carrying them out. That is what the County Council does at Home.

Chairman. Q.—It is very difficult drafting. The suggestion you made was that, certain sections from the Municipal Act should be made applicable, by the order of the District Local Board, to certain localities. Now whom do you want to take the place of the Municipality in applying these separate sections, the District Local Board, the Taluka Board, the Village Panchayat or whom? You say, the Village Sanitation Committee, I understand.

Witness. Q.—You mean in first applying the section?

Chairman. A.—Yes.

Witness. A.—The District Local Board.

Chairman. Q.—You mean to say the District Local Board should have certain sections applied to certain areas, and then in carrying out, the work.

A.—The District Local Board does what the County Council does at Home. It makes provisions for the Parish Council, or the Sanitary Committee, or the Village Panchayat. The County Council makes the bye-laws for the guidance of the Parish Council. These sections here are general. You have got to make bye-laws under those sections.

Chairman. Q.—Would they leave the application to come from the Parish Council or the Village Panchayat, or would they impose them upon themselves ?

A.—It is no good applying bye-laws to a place unless the people therein want them. The initial request for the application of the bye-laws must come from the Local body, otherwise they are of little use. America has proved that. More than 50% of their bye-laws are dead letters.

Hon. Mr. Patel. Q.—Why should not the Assam Act be followed as a guidance?

A.—I quite agree to it ; but I think the English principle of our comprehensive Act to be better.

Chairman. Q.—We are tied hand and foot by an Act 15 years old, and probably somewhat badly drafted and intended to apply to certain rural areas. You would authorise the District Local Board to make bye-laws for Sanitary work, Conservancy, etc.

A.—Yes. I think the bye-laws should be made by the District Local Board and the Sanitary Committee should apply them.

(Referring to some of the provisions of the Assam Act the witness said :—“ These are elementary ; I do not think, you could make bye-laws to meet all cases without a more comprehensive Act.”)

Chairman. Q.—This is the latest example of Sanitation passed in 1914. Unless you see any objection to it, I would ask and suggest Government to adopt it.

A.—This is a model of English law. In England, one Act applies to all area, namely the Public Health Act, but in rural areas only such sections are applied as can put into force. The Bombay District Municipal Act is a very fair Public Health Act, and I think it should be quite simple to apply sections thereof to the different areas. I think the sections in the Assam Act are good so far as they go, but it would be better to adopt an Act with wider permissive power.

Chairman. Q.—This Sanitary staff of yours ; would it be appointed by the District Local Board ?

A.—I think by the District Local Board, with the approval of Government.

Q.—And paid by the District Local Board ?

A.—Yes. With Government assistance.

Q.—You do not want a separate Sanitary service under the control of the Sanitary Commissioner.

A.—By no means.

Hon. Mr. Patel. Q.—Here too Municipalities retain Health Officers. Government contribute two-thirds. I understand, wherever Municipalities retain Health Officers, according to rules made by Government. Government do pay certain contribution.

A.—Yes, that is so. That is also the custom in England.

Mr. Seddon. Q.—Is the system satisfactory, in which the Local Boards are managing their vaccination problems at present ?

A.—No ; not at all. There is considerable room for improvement. The Local Boards must have a qualified medical man to supervise the work of the vaccinators : pending this, the control of vaccination cannot be given up to Local Boards with maintenance of efficiency in vaccination.

Q.—If there is a District Health Officer, vaccination ought to be handed over to him.

A.—Yes ; it is only right it should be handed over.

Hon. Moulvie Rafiuddin. Q.—As some Municipalities have appointed Health Officers, should not the control of vaccination be handed over to them ?

A.—The question of handing over control had been proposed, but there was some difficulty in the training of candidates and in filling leave and other vacancies.

Hon. Rao Bahadur Sathe. Q.—If we frame a set of rules covering all the classes mentioned in Section 11 of the Village Sanitation Act and if the District Boards give certain powers to certain authorities according to their needs, would not that suffice for some time to come? I think I have made myself clear leaving it optional according to their requirements. I find that this section has been practically a dead letter in the Act?

A.—Yes.

Hon. R. B. Sathe. Q.—My second objection is whether we do require such an elaborate system of having so many sections in the District Local Board Act, or whether the course which I have suggested would meet the requirements of the case?

A.—I think a comprehensive Act is advisable. Such sections that can be applied ought to be applied.

Hon. R. B. Sathe: My point is we should have sanitary committees, or if we are going to have village panchayats for all the villages, then make it compulsory for them to have such rules. But some of the rules will be made by Government under clause 86 of Section 11, and to my mind it appears that for the present and for some time to come that could be considered as sufficient?

Major Hutchinson: Forty years ago the sanitary condition of England was very similar to that of the Presidency to-day. The advance has been due to the gradual application of a comprehensive public health Act. My point is that advance in this country depends on the power given to Rural Areas to apply for the application of such sections of a public health Act as may be suited to their needs. For this reason a comprehensive Act such as the District Municipal Act is required for rural areas.

Hon. R. B. Sathe: My point is this, whether rules under all these clauses would be enough; whether they are called sections or rules does not matter to me at all.

MAJOR G. K. WALKER, C.I.E., F.R.C.V.S., SUPERINTENDENT,
CIVIL VETERINARY DEPARTMENT.

(28th September 1915.)

The Chairman. Q.—Well, Major Walker, would you advise us what is the present situation of the Veterinary Department with regard to District Local Boards, and whether any changes in your opinion are required especially in regard to the legal provisions or the constitution?

A.—At the present time the District Local Boards have the local management of the veterinary dispensaries in their hands because they contribute towards their upkeep. They are expected to take a certain amount of interest in cattle and horse breeding. But as a matter of fact although some horse breeding is conducted by Government there is very little done in regard to cattle breeding. I should like to see Local Boards take more interest generally and more especially in respect to breeding questions.

The Chairman. Q.—You mean maintaining cattle farms?

A.—I think the line to take would be to start agricultural associations to encourage breeding in districts, and if the District Boards could see their way to help agricultural associations in starting breeding operations with a view to improving the breeds of cattle, sheep, and other farm animals, they could do very good work.

The Chairman. Q.—There is nothing in the present Act to prevent that, is there?

A.—As far as I know, there is nothing at all. In some districts Local Board money is spent on these operations now.

Q.—Do you find that the Local Boards take any interest in the dispensaries in veterinary matters generally?

A.—I think so. About a year ago rules for the local management and control of local dispensaries were circulated for discussion. Most of the District Local Boards have now adopted the rules that were finally drafted and have appointed Veterinary Committees. Government has explicitly stated that there should be local committees.

Q.—Are they committees of District Local Boards or Municipalities?

A.—The District Local Board or the Municipality concerned.

Q.—What about the constitution of such committees?

A.—They consist of a president, a vice-president and members, visitors may also be appointed. They control the expenditure and the members are supposed to inspect the dispensaries regularly in turns.

Mr. Seddon. Q.—Can you tell me whether the District Local Board Committees take much interest in these matters or not?

A.—I should say not a great deal. That is my opinion only.

The Chairman. Q.—In what way do you mean they do not take much interest?

A.—When I visit districts, I usually write to the Collector and say that I should be pleased to see any persons interested in veterinary matters, etc., or who wish to interview me.

The Chairman. Q.—Then what happens?

A.—I do not meet any one as a rule.

The Chairman. Q.—I think they generally appoint 2 or 3 members. These members visit the dispensary in turns.

A.—Yes, that is the idea.

They also control the establishment, except the Veterinary Assistant, who is a Government servant.

Q.—And all local expenditure ?

A.—Yes. They frame the budget. They have considerable powers, especially financial. Some may be members of the Municipality and some members of the District Local Board.

Q.—But I do not think they would appoint a municipal member unless the Municipality contributed to the expenditure of the veterinary dispensary ?

A.—That is so ; in some cases municipal committees carry out the work entirely.

Q.—Have they any control over the veterinary officer in charge ?

A.—Yes ; they are expected to report him to me for undesirable or irregular conduct.

Q.—Any section in the Act in that connection ?

A.—I do not think there is need for that. If they report to me, I have power to deal with the matter suitably.

Q.—Could you put these veterinary officers under the District Board ?

A.—I should be very glad to, in time, but I think not at present. At the present time the department is small and the members require centralised professional supervision particularly in dealing with epidemic diseases, a very important part of the duty. The District Boards could not do that work. They have not got the technical knowledge, and before I could support any proposal of that kind, I should like to have stronger staff to supervise the work of the District Board men. That is what I look forward to. In my opinion if you have to say 10 veterinary assistants employed in a district it would justify the employment of an Inspector or a District Veterinary Officer, whichever you like to call him, who would have to be a Provincial servant. He would advise the District Local Board much in the same way as a Civil Surgeon does and he would control the men professionally. That is my view ; until we have a well qualified Government Veterinary Officer to control the work in each district the present system is the one that is likely to work best.

Hon. Mr. Patel. Q.—The Decentralisation Commission says that “in the present circumstances we think that this work should be made entirely Provincial and the Board should not be, and so on reads.” Are you aware of that ?

A.—Yes, as a matter of fact, that is the present position in this Presidency and I agree with that until, as I say we are ready for devolution. I look forward to some kind of devolution eventually.

Q.—You propose, I understood, that the subordinate staff should become Provincial. Do you propose to retain the District Local Board staff under the District Local Boards ?

A.—You mean the subordinate staff of the dispensaries.

Hon. Mr. Patel. Q.—The paragraph I refer to says “All veterinary work should be entirely provincial.....” but your point, as I understand it, is that they do control the subordinate staff of the dispensary ?

A.—Yes, the subordinate staff is entirely under the Local Body concerned.

Q.—You don't want to alter that ?

A.—Oh ! no, certainly not. I consider that the local people should control the subordinate staff as every one except the Veterinary graduate is a servant of the Local Body. It pays them and controls them.

Q.—They pay for them ?

A.—The question of contribution is rather complicated. The present method is that Government pays $\frac{1}{4}$ th to $\frac{1}{2}$ of the cost of the maintenance of the veterinary dispensary, in addition to providing the Veterinary Assistant's pay. Some District Local Boards attempt to escape their moter share of the cost sometimes. Suppose a veterinary dispensary costs Rs. 900 for maintenance ; the Government rule is to give a proportion say half. Each case is decided on its merits. In that case Government would give Rs. 450 and the District Local Board is supposed to make up the other Rs. 450. In the event of the cost exceeding Rs. 900, the District Board has to pay the balance. The Government grant is a fixed one subject to revision every five years. I detected a case the other day where a District Local Board had three dispensaries in the District but it was not paying anything towards them. That was regarded by it doubtless as a good financial arrangement. There is a veterinary fund and the District Local Boards are supposed to carry over the balance. The veterinary fund is carried with the idea of effecting veterinary improvements in course of time. In going round I examine the state of the veterinary fund with the idea of seeing of any portion of the balance could be usefully spent to advantage. I naturally object if I find that a District Local Board has not paid in its proper contribution as then the fund suffers.

Hon'ble Mr. W. H. SHARP, M. A.,

DIRECTOR OF PUBLIC INSTRUCTION.

(30th September, 1915.)

Chairman—Well, Mr. Sharp, we have just received your letter which I have read out to the Committee. I gather that you anticipate some loss of efficiency but that you are prepared to see an experiment tried under certain conditions. Can you give us some idea whether you think that such conditions are yet available, and if so, where?

A.—I should think so. They should be available in some advanced parts. I have not enough personal acquaintance with local people to specify where exactly it will be. I do not see that any advantage would be gained by simply transferring educational affairs from one man to another. If you get a body of men who are willing to give their time and attention, I think there may be some advantage in it. But I think it is the local officers at the various district head-quarters who are more likely to know about those people.

Chairman—What you have in mind is a Committee of the District Local Board. Will that be composed of any persons with educational experience?

A.—Certainly it ought to include such persons.

Chairman—Would it meet your view if there was a Joint Committee of the District Local Board with co-opted Members who have had some experience?

A.—Something of that sort.

Chairman—In the Central Provinces they have provision for such a system. Do you know anything about it?

A.—No. I do not know.

Chairman—If there was a School Board of that character, would you consider that that Board should deal with questions of appointment, promotion, transfer, punishment, dismissal, etc?

A.—It would have to, I think, on the assumption that the curriculum will be laid down by the Department.

Chairman—That is a primary condition?

A.—I think the curriculum should be laid down by Government.

Chairman—And no local changes in the curriculum could be carried out by the Board, and anything of that kind must be determined by the Government.

A.—I think it is desirable. Of course, Bombay City has control over its own curriculum

Mr. Seddon—With the sanction of Government?

Hon. Mr. Sharp—I do not think Government has anything to do with it. Government have given complete control. If you thought it would be worth while having a fight over it, you might object, but there would be a lot of trouble. I would not be worth while unless something is very serious.

Mr. Seddon—Such things as these are done in Bombay?

Hon. Mr. Sharp—Bombay is rather peculiar, because there is very little demand for the higher part of the Vernacular course. There are only one or two schools which teach the full vernacular course. So that there is very little vernacular work done, and they have reduced these standards leaving out a little of history or geography. The difference is not very great. The whole course only runs to four standards, so the actual difference is not very great.

Mr. Seddon—Would you retain the powers of inspection and control?

A.—All that you could do is to threaten to reduce the grant. That is done already in the case of Municipalities.

Mr. Seddon—Otherwise what other means of control will be possible?

A.—There is no other control, I think.

Mir Ayub Khan—I think the Local Boards will have to pay the teachers according to the codes that you have fixed. If they have to give more, they will have to ask the permission of the Inspector or Director of Public Instruction?

A.—As a matter of fact, the Municipalities often given personal allowances without consulting the Department.

Mr. Seddon—Can they do that?

A.—Quite recently I had to report to Government on the subject of these allowances. It was raised in Council by a question from the Hon. Rao Bahadur Rodda, and it turns out that a very large number of personal allowances are given on all sorts of grounds.

Mr. Seddon—Does it not come under the Municipal establishment?

A.—It is suggested that this is done to a great extent to avoid consulting either the Department or the Commissioner.

Chairman—Then you have in view a system by which these independent School Boards would still be bound by schedules of appointments? They would not be able to change the pay of appointments?

A.—Well, the rates of pay are laid down according to the years of service. A trained man after so many years is eligible for a certain maximum rate of pay.

Chairman.—That Code will still be binding on these School Boards?

A.—Well, I think it ought to continue to do so. Government undertake the training of teachers and the give large subventions to the Board. So I think they ought to have some voice in the matter.

Hon. Mr. Patel.—Are the teachers lent to the Local Boards or are they permanently transferred? What is the present system?

A.—No, they are not lent to the Local Boards. They are lent to the Municipalities. The position of the Local Board teachers is slightly anomalous in my opinion, because for some purposes they are regarded as Government servants and for some purposes as Local Board servants. Theoretically, the schools are all Local Board Schools, but for certain purposes the teachers are amenable to Government rules.

Hon. Moulvie Rafiuddin.—Can you tell us what proportion of the expenditure the Government gives to Local Board Schools?

A.—Well, I suppose it varies in different districts. In certain districts it is two-thirds.

Hon. Mr. Patel.—On the whole in the Presidency?

Chairman.—11 lakhs from Local Fund and 20 lakhs from Government funds

Hon. Moulvie Rafiuddin.—That will be two-thirds. What is the grant to the Municipalities?

A.—Much less. The District Local Boards have been receiving lately very large grants.

Hon. Moulvie Rafiuddin.—So for all practical purposes these school masters are treated as Government servants, and you have complete control over them?

A.—Yes.

Hon. Moulvie Rafiuddin.—Now with regard to Girls Schools, there is some order of the Government of India communicated to you, is it now carried out?

A.—Well you see what the order is. It only says that we are not to place them under a local body unless it wishes to have them. Personally I never knew about the communication until two days ago. But I do not think that any particular action has been taken on it.

Hon. Moulvie Rafiuddin.—Mr. Prior says "I recommend that the whole of Local Board and Municipal girls' Schools should be placed in the hands of Government". Is it his own opinion or is it the opinion of the Department?

A.—In the last few years educational officers have repeatedly recommended that the control of Girls' Schools should be taken away from the Municipalities. I do not think Government would accept it.

Hon. Moulvie Rafiuddin.—What kind of treatment is given to mistresses?

A.—I think it is pretty generally known that mistresses are liable to be victims of some people in authority.

Hon. Moulvie Rafiuddin—If this scheme is carried out, and the Board is appointed, would you still keep the education of the girls in the hands of the Boards?

A.—Well, personally I accept the principle that the development of self-government is desirable. I should put as much into the hands of the Board as I could. But I think that this experiment should not be tried universally all over the Presidency, but it should be tried in certain selected parts. If you have got a Board which is likely to be satisfactory, it ought to be entrusted with the education of the girls.

Hon. Moulvie Rafiuddin.—When you say 'personally' not as Director of Public Instruction?

A.—Well, that is my own view.

Hon. Moulvie Rafiuddin—In his Report Mr. Prior also says (Reads para 8 page 64 of the Decentralization Report). Have you had any complaints about that?

A.—Yes, there are such complaints from time to time.

Hon. Mr. Patel—What remedy would you suggest for that?

A.—Well, I suppose if you had a small Board, you should see that a reasonable proportion of Mahomedans is included in it.

Hon. Mr. Patel—Don't you think that the Mahomedans will be in a minority where the Hindu population is in a majority?

A.—Yes, they will be in a minority. I suppose the Mahomedans will have to fight for it.

Hon. Mr. Patel—Do you know of any case in which, although there was a Mahomedan population, there was no representation and hence the complaint arose?

A.—No, I do not know.

Hon. Mr. Patel—You received complaints regarding the inequality of treatment given by the Board to Mahomedans?

A.—I cannot give any specific cases.

Hon. Moulvie Rafiuddin—Have you received complaints with regard to the unwillingness of the Municipalities to open Urdu Schools?

A.—Yes.

Hon. Moulvie Rafuiddin—Have you any control over these Municipalities as a rule beyond writing to them some note or something of that sort ?

A.—Not in a matter like that.

Hon. Moulvie Rafuiddin—If the Department did not agree in certain important matters with the Municipal administration, what is the ultimate remedy in your hands now ?

A.—We write to the Collector. Of course, if it breaks the departmental rules, you can threaten to reduce the grant.

Hon. Mr. Moulvie Rafuiddin—Have you done so in any case ?

A.—I threaten them, and they generally come down at the last moment.

Hon. Mr. Patel—Had you any occasion to write to the Collectors ?

A.—Certainly, we have written to Collectors. But I cannot tell you exactly what the reason was. This very Urdu case is under investigation in the C. D. at present. A report on the subject is being called for. We have asked for names of the Municipalities which had refused to open Urdu schools, and when we get the names of the Municipalities, then it is proposed to address the Municipalities through the Collectors.

Hon. Mr. Patel—Has the Collector full authority in educational matters ?

A.—I cannot tell you that

Hon. Mr. Patel—I mean what kind of relief has the Collectors given you ?

A.—The Collector has a certain amount of moral influence.

Hon. Mr. Patel—Might I know what Collector you have addressed and how long ago was it ?

A.—There has been no recent case.

Hon. Mr. Patel—During the last five years ?

A.—Certainly.

Hon. Mr. Patel—Not many cases, I suppose ?

A.—Not many cases.

Hon. Mr. Patel—They were on the question of opening Urdu Schools, I suppose ?

A.—That is under investigation now.

Hon. Mr. Patel—You do not remember on what questions you wrote to the Collector ?

A.—It was on the question of housing of schools and year after year the Inspecting Officers recommended improvements and so on, and in many cases letters have remained unanswered.

Hon. Moulvie Rafiuddin—Have you seen the School Board Members taking special interest and going about the schools. What is your experience?

A.—The Chairman sometimes takes me round the schools, and at Sholapur the Chief Officer has done so and he seems to know all about the schools. In other places one is invited to distribute the prizes.

Hon. Mr. Patel.—I think you have not had any experience of inspection work?

A.—No.

Hon. Mr. Patel.—Do you remember any case where the villagers have made a representation to your Department complaining of the partial treatment of Hindus towards Hindus with regard to any schools?

A.—No, I do not remember any.

Hon. Moulvie Rafiuddin—By whom is the educational budget prepared?

A.—I rather hesitate to answer that, because I have had nothing to do with it myself. It is done between the Inspector and the Local Board.

Rao Bahadur Artal—They are prepared by the Educational Inspectors

Mir Ayub Khan—Can you tell me anything about Sind, or do you not know much about Sind?

A.—I am generally told that I do not know anything about Sind.

Hon. Mr. Patel—You had some complaints about the Municipalities in regard to Urdu Schools and the matter is under investigation. Have you had any complaints about the Local Boards with regard to non opening of Urdu Schools?

A.—This complaint came from the Inspecting officer and the complaint was that whilst a certain number of Local Board Urdu Girls' Schools had been secured because it could be done by the Department, the corresponding Municipalities had not responded any way. So the inquiry now made is as to the names of these Municipalities, what they were asked to do, and what sort of response they have given.

Hon. Mr. Patel—What Inspector?

A.—The Inspectress of Urdu Girls' Schools.

Hon. Mr. Patel—Can you give us the name?

A.—Halimunisa Begum.

Hon. Rao Bahadur Sathe.—Do you consider that one man is better fitted to decide these questions?

A.—I think for most purposes one man is better fitted to decide all things, but you cannot always have that.

Hon. Rao Bahadur Sathe.—When it is intended to transfer these schools to District Local Boards you have in your mind the creation of a School Board or Schools Committee. Would it not be necessary to place at the disposal of the Schools Committee a responsible educational officer for each district to work as Secretary just as you said you have in Bombay ?

A.—I understood the proposal was to have one Secretary to perform all the duties of the Educational officer and other things. I do not know if the Board can afford to have more than one.

Hon. Rao Bahadur Sathe.—Leaving aside that question, do you think that a Chief Executive Officer of a District Local Board would be able to look after the Schools if it is intended to have a Revenue officer or an engineering officer.

A.—Not so well as an educational officer.

Hon. Rao Bahadur Sathe.—Then if it comes to the question of lending the services of one educational officer for every District Local Board, what departmental control would you have beyond the inspection? I understood from Mr. Sharp that one educational officer conversant with educational matters to work as secretary would be desirable, and the management of the Schools should be handed over to the Schools Committee of the District Local Board; then what outside control would you suggest to secure the efficiency of the Schools beyond inspection for schools ?

A.—The government inspecting staff, you mean ?

Hon. Rao Bahadur Sathe. Beyond inspection would there be any other control ?

A.—I don't think there will be.

Hon. Rao Bahadur Sathe. Do you advise any other control to secure efficiency such as the control of the Collector? I want to know whether the Collector should have any power ?

Chairman.—That is to say, you write to the Collector in certain cases to influence the Municipality. Would you consider it advisable that the Collector should have any relations with the District Local Board in educational matters ?

A.—Yes, I think so.

Hon. Rao Bahadur Sathe.—It is now nearly thirty years since the Department has transferred the Local Board Schools to the Municipalities. Is it your experience that schools managed by your Department in the rural areas are more efficient than schools in the cities. I am speaking on an average only.

A.—I do not know if I could say that. You find schools of all sorts in both areas.

Hon. Rao Bahadur Sathe.—I am particularly referring to Primary Schools?

A.—You will find a good many schools that are bad in both cases

Hon. Rao Bahadur Sathe.—In fact you are not in a position to differentiate between the two and to say that the Municipal administration is from an efficiency point of view inferior to management of schools by your Department?

A.—I suppose the total number of Local Board Schools is much larger, and so one comes across a larger number of indifferent ones.

Hon. Rao Bahadur Sathe.—I am talking of the quality and not quantity. Do you not come across many cases where Urduo schools cannot be opened for want of a sufficient number of students and for want of capable teachers?

A.—The difficulty of securing good teachers is very great.

Hon. Rao Bahadur Sathe.—May I know whether the Urduo which is now attempted to be taught in rural areas and even in some of the Municipalities is not pure and unadulterated Urduo? I am basing this question on information, and I won't say whether it is correct or not. That is to say, the teachers who are employed in Municipal areas or in rural areas are not able to teach pure and unadulterated Urduo?

A.—A great many of them do not know it.

Hon. Mr. Patel.—Do you suggest that they do not take interest as they ought to do?

A.—I have frequently been told that members of School Boards do not visit the schools.

Hon. Mr. Patel.—Do you know that there is a School Board Committee in Bombay and the Hon. Mr. Setalvad is the Chairman of the Committee for a long time?

A.—Yes I know that.

Hon. Mr. Patel. Q.—Do you suggest, Mr. Sharp, that the School Boards Committee do not take as much interest as they ought to do?

A.—I am afraid I have been told that most of the members do not visit the schools. I do not know anything about them myself.

Q. Who is the Chairman of the Schools Committee in Bombay?

A.—I think Mr. Setalvad.

Q.—Do you suggest that he does not attend the meetings of the Schools Committee?

A.—He always attends the meetings of the Schools Committee, was once a member of it myself and the members of the committee attended fairly regularly as the members of the committee but they did not go to the schools themselves very often,

Q.—Is Mr. Setalvad for a very long time there, Mr. Sharp?

A.—I think so.

Hon. Rao Bahadur Sathe. Q.—Do you think that this process which is adopted by the Department of sending reports to the boards is a very useful one? Do they make any suggestions on those reports?

A.—I am afraid I cannot tell you that. A copy of the report is sent to the board. What the board does with it I do not know.

Hon. Rao Bahadur Sathe: Q.—My point is, have you got to say that these boards—even under the existing rules they have certain control—do not seem to take any interest?

A.—I understand that the Taluka Local Boards do not take much interest, That is what I am generally told.

Hon. Mr. Patel. Q.—Is it your opinion that the Secretary of the Schools Committee does all the management with regard to primary schools?

A.—It used to be said that he did; lately there has been a change in the office.

Q.—Who was the Secretary when you were a member of the Committee?

A.—Mr. Masani, I think it was.

Q.—You heard that he ran the whole show?

A.—It was generally said so, yes,

Q.—Who told you?

A.—People in Bombay connected with educational matters.

Q.—Did you have any talk with the Hon'ble Mr. Setalvad on this point when you were a member of the Committee?

A.—I was a member of the committee for a short time only. It was a joint committee, partly Government, partly Municipal. I was acting as Principal of a college then.

Hon. Moulvie Rafiuddin. Q.—In regard to the question of depressed classes, did you have any complaint from the depressed classes that the boards, local boards, I mean do not treat them as they ought to?

A.—The condition of the depressed classes is generally depressed. There is a wretched building for the school, a wretched master, dirty looking boys, and so on. I cannot say that I have very definite evidence on the subject, but people say the depressed classes are not treated very well.

Q.—I want to know whether you do know of any complaint yourself?

A.—No. I occasionally have come across boys who said that they were not well treated. It is believed that they are not well treated in the common schools, but I do not know that I had any actual representation.

Q.—I suppose you have come across some members of the depressed classes in this connection ?

A.—They do, as I say, occasionally see me.

Mr. Ayub Khan. Q.—But I do not suppose you found that the depressed classes made sufficient fuss in the matter as some of our educated people ?

A.—Not to that extent, but they are becoming a little more influential now-a-days.

Hon. Moulvie Rafiuddin. Q.—Is it your experience, Mr. Sharp, when you employ clerks, for instance, of the depressed classes that other people of higher classes strike or protest ?

A.—I have never had such.

Q.—Had you any applications ?

A.—Yes, I had one last time when I was at Dharwar. A boy brought me an application for appointment; so far I have not done anything with it.

Q.—If you had applications from persons of the depressed classes, would you admit them ?

A.—I would consult the office first; my primary business is to get my office work done.

Hon. Mr. Patel. Q.—Have you had any cases like that ?

A.—No

Hon. Rao Bahadur Sathe. Q.—May I know, Mr. Sharp, whether you would consider Taluka Local Boards or District Local Boards as the best unit to transfer the schools work etc.?

A.—Well, without any exact knowledge of either, I should say the District Local Board is more likely to be a responsible and efficient body.

Hon. Moulvie Rafiuddin. Q.—Have you got Brahmin school masters for Depressed Class schools ?

A.—Occasionally yes; But as a rule, if possible, we get low caste men themselves; sometimes a Mahomedan.

Hon. Moulvie Rafiuddin. Q.—Have you ever had a complaint from a Mahomedan against Brahmin Deputies of the Depressed Class schools because Brahmins and others do not like to come there?

A.—I do not know that I have ever had a complaint. When I go into a school I generally ask the masters if they have anything to

say. Once or twice I have found that a Mahomedan school maste did not like his post very much, but not exactly like what you say. Some of them say that they do not like it and would prefer to be in ordinary schools.

Mr. Seddon. Q.—I suppose plenty of Brahmin masters would refuse to go ?

A.—A good many would, certainly.

Q.—With regard to boys, have they (the depressed class) to sit out away from the premises in ordinary schools ?

A.—You generally find them in the verandah or in the window. In many places they cannot go. Sometimes a school is held in a temple.

Q.—So if these boys sit out, is a separate lesson given to them ?

A.—I have once or twice seen such cases, there was such a large class, but usually they take part in the school lessons going on inside. They are supposed to be part of the class which is being taught. They are outside, the lesson is going on inside.

Q.—How can the Local Boards help that, can you tell us

A.—I do not think they can help to any great extent. It is a question of social feeling. As it changes, this will change.

Hon. Mr. Patel. Q.—As education will increase, all these notions will die out, won't they ?

A.—Yes, I suppose so.

Mir Ayub Khan. Q.—Mr Sharp, supposing there is a taluka which is very backward. There we find all the majority of the members that are returned on a taluka board are uneducated, except the official element, which is educated. Under these circumstances, would you recommend any change from the present system ?

A.—No.

Mr. Seddon. Q.—Do you transfer masters from district to district ?

A.—Very rarely.

Q.—In your scheme of school boards for Local Board schools what part does the Deputy Educational Inspector take ? Is he one of the members ?

A.—No, not as Deputy Educational Inspector; as long as he was an active member of the inspecting staff I think he would have to be outside the board.

Mr. Seddon. Q.—Can you tell me by whom it is decided, when the schools should be opened and when they should be shut; by the Taluka Board entirely or is the Department doing that ? I seem to remember that

the Deputy Educational Inspector did not do what the Taluka Board suggested.

A.—I do not know of any such cases.

Q.—Does he not have some say in the matter ?

A.—Very likely he can suggest. We prepare a list of places with a population of say 500 and put the list before the Taluka Board and ask them to make their suggestions from that list.

Q.—Is the system mentioned in that section—7 of Mr. Apte's Note workable ?

A.—Well, he proposes a provincial board consisting of 25. A great difficulty in this country about all these boards is to find men who are willing to give the time and who are qualified to do the work. We have this trouble constantly in Bombay; we cannot find enough men to serve on committees and institutions connected with the university. We cannot find enough of competent examiners, and so on. If you can find 25 men who will be constantly available and prepared to give a large amount of time and trouble to the business, the scheme might work, but unless you can guarantee 25 men who will not be merely ornamental figures, I do not suppose the scheme would succeed.

Hon. Mr. Patel. Q.—You object to that system only on the ground of want of men. Is there any other objection to that system ?

A.—Well, of course, I do not quite know whether it would add to the Director of Public Instruction's work or not. If it would increase the work, I should certainly strongly object to it; but if it relieves him of his work to a certain extent, I should be very glad to have it. With regard to teaching, I suppose he means the curricula. "To manage the discipline, punish the masters." That does not come to me as a rule. It is supposed to be done by the Deputy Educational Inspector. The Director of Public Instruction has not much to do with primary schools. That is all done lower down.

Q.—Have you got a Deputy ?

A.—Yes.

Q.—What would you say if in this matter we had the Deputy as President of that Board, the Deputy Director ?

A.—It would add to his present work greatly, in the same way as it would do in my own case. The curricula the Director has to attend to, but the details of the management of the schools, teachers, and so on are managed lower down.

Hon. Moulvie Rafiuddin - Q.—But is the curriculum determined by the Inspectors or by some other machinery ?

A.—The curriculum is sanctioned ultimately by Government. Of

course, we have to prepare a curriculum and send it up to Government and Government sanctions it. If the scheme is put into force, I suppose the boards would prepare a curriculum and put it up to Government.

Q.—Would you agree to have a double curriculum side by side with Government schools ?

A.—There are no Government primary schools, except half a dozen all told. At present the existing Municipal schools except in Bombay follow the Government standard. I suppose it is intended to apply to primary schools as a whole.

Q.—Does it not strike you, if this curriculum is fixed by the board then your inspectors will not have a hand in this? Their decision would be final and all the Inspectors will not be on it.

A.—Some of the inspectors might be on it. In any case, the Director of Public Instruction will presumably possess himself of their views before he came to the board.

Q.—Would you have this board for the whole presidency local board schools ?

A.—I do not think you want such a thing for primary education. As regards the curriculum, that is settled by the central power at present, but as regards the details, discipline, management of schoolst I think they are capable of being settled lower down.

Mr. Seddon. Q.—Would you regard the scheme as a measure of centralisation or, decentralisation ?

A.—Centralisation.

Mr. Seddon. Q.—That is to say that things that are already being dealt with locally would come up higher for decision or settlement. Would the board here correspond to the Board of Education in England ?

A.—I am afraid I do not know what the system there is.

Hon. Rao Bahadur Sathe. Q.—The members of such boards constituted as proposed would naturally expect to have expert advice in certain matters, would they not ?

A.—I certainly think so. That is the great difficulty already. We want experts but we cannot get them.

Q.—Do you think that we can at present recruit from gentlemen having expert knowledge and of course having time and the willingness to work ?

A.—But expert knowledge is the first thing. Well, I should say probably not.

The Chairman. Q.—At certain headquarters you can try them, in Poona, and Ahmedabad for instance ?

A.—Yes, but if you want to represent the whole presidency, I do not think you can get suitable men all over.

Hon. Mr. Patel. Q.—But otherwise if this system is adopted, there are no serious objections; efficiency would not in any way be impaired?

A.—No, as far as I can see, if you have an efficient board and if it is able to give a lot of time to it, I suppose it could be worked.

Mr. Seddon. Q.—In spite of centralisation you do not think that the evil of centralisation would interfere with the efficiency of the board?

A.—I do not quite understand what is meant by “discipline, management and direction of schools” There are a good many details that are settled by the Deputy Inspectors and their Assistant on the spot. If all this came up to the board, it would I think tend to interfere with the efficiency of the board.

Q.—Do you think it would assist self-government (local self-government)?

A.—I do not think it is required at all, for primary education can be dealt with locally.

Mr. Martin. Q.—Do you think it would be useful to apply the Municipal system to the Local Board schools in addition to the control by this board of ours?

A.—All these matters connected with the department should be dealt with by the Local Boards just as Municipalities deal with their schools. Not the Local Board but the central board. The central board will occupy the position occupied by the Educational Department and the Local Board performs the functions of a Municipality.

The witness, Mr. Sharp, at this stage read from Mr. Apte's Note and said “He goes on to say complete control should be handed over to the Presidency Board etc.” “The Department very likely disappears,” but at the beginning, he says “the teaching, discipline, appointment, remuneration, dismissal of school-masters and the Inspectors is to be entrusted to the Local Board.” I do not understand the proposed division of functions as far as I can make them out.

The witness further reads from Mr. Apte's Note, when the Chairman interposes:—

The Chairman. Q.—Well then, is the Central Board representative of the Local Board?

A.—The District Local Board disappears altogether.

Hon. Mr. Patel.—They send their representatives to the Board.

The Chairman. Q.—So far as you can judge the scheme at first sight, do you approve of it as an improvement on the existing system or do you think of it in any other way?

A.—No, I do not.

Mr. Seddon: Q.—Do you see any advantage?

A.—I do not think I do. As regards the curriculum, the Director of Public Instruction does all that; we do consult all sorts of people already. Of course, it is only consulting, and the final voice rests with Government. The primary schools curriculum has recently been the Director and with revised in consultation with all sorts of people, both official and non-official. So as far as the curriculum goes, all sorts of people's opinions are consulted already, and as regards the actual management of the schools, I think it is better done locally.

Hon. Mr. Patel: Q.—Is the District Local Board consulted at present?

A.—Not as such. Of course, when we take up a curriculum, we start, first of all, with the Educational Inspector. The Educational Inspector consults his Deputies and holds generally a conference, partly of his Deputies and partly of local people, who may be members of the Local Boards, but they are not consulted as such.

Q.—Have we got village schools committees in this presidency? If so what is your experience about these committees?

A.—Every year I ask the Inspectors to report how they are getting on. In Sind they are always reported to be absolutely useless, and in some parts of this presidency they are also reported to be of not much use. They usually appear only in order to represent that the master should be or should not be transferred. Speaking generally, I do not think that the school committees are of very much use. There are exceptions; in some places they do take a keen interest.

Hon. Moulvie Rafiuddin. Q.—I believe they have not behaved very badly in relation to their women teachers?

A.—But they have nothing to do with the women teachers. Women teachers are under the control of the Municipality and not under the control of the village school committee.

Q.—Are not the Committee entitled to report on their conduct?

A.—They can report. There is not a very large number of women teachers in villages.

Q.—You have read the opinion expressed by the Bombay Government, I think? Do you entirely disagree with them? They say Local Boards are not competent to decide, it is the business of the central government. So what do you think; do you in any way agree with it or not?

A.—I think it is rather exaggerated.

Mir Ayub Khan. Q.—May I ask you to read Nos. 6, 7, 8 and 9 of the paragraphs.^{*It was son proposal of a former Commission er in Sind.}

A.—Yes. (Mr. Sharp reads them).

Q.—Then the deputy would be subject partly to the board and partly to the Inspector?

A.—To the board only as far as the administration is concerned.

Q.—But he would be under a double authority, would he not?

A.—Yes, to a certain extent.

The Chairman. Q.—In technical matters to the department and in personal matters to the board?

Mir Ayub Khan. Q.—But finally they would have to be both under the Commissioner in Sind?

A.—Personally I should only be too glad to get rid of Sind!

Hon. Moulvie Rafiuddin. Q.—Would you like your inspecting staff to be under the control of the Local Board?

A.—I don't think so, no.

Hon. Mr. Patel. Q.—You suggested that an experiment of giving over the management of the schools to the Local Boards may be tried in some advanced districts, but you also mentioned that some sort of control must be left to the Collector. What sort of control you mean? When the management of the schools is left to the Local Boards by way of an experiment in some advanced districts, what sort of control would you like to leave to the Collector?

A.—Well, I do not think that the Collector has any very definite control in Municipalities now. With the Municipality the Collector only uses his influence.

The Chairman.—He has powers under the Act. They are kept in reserve as a rule.

Hon. Mr. Patel. Q.—But you cannot think of any definite powers that should be given to the Collector?

A.—Well, if he has powers already I leave it at that.

Q.—The present sections in the Local Board Act or the District Municipal Act are quite sufficient in your opinion?

A.—I do not know what they are.

The Chairman. Q.—I did not quite catch you, Mr. Sharp. Did you say that the system of double control between Local Boards and the Department would be unworkable, difficult or what?

A.—I think the Deputy may find himself in a difficult position occasionally.

The Chirman Q.—Of course, every one of us will find and does find himself in a difficult position at one time or another. But would he not be able to get along?

A.—I suppose he would be able to get along.

Mir Ayub Khan.—Especially because according to that scheme both will have to be governed ultimately by the Commissioner's decision.

The Chairman Q.—Have you ever known a case where a District Local Board was anxious that the school master should not be transferred from one place to another and the Inspector transferred him?

A.—Not a District Local Board. The people of the village are chiefly interested in the matter.

Q.—Then Mr. Sharp, I understood you to say that you propose to exercise your influence over District Local Boards by some sort of financial pressure. Now how would you exercise that? Would you say that a particular school is being badly managed and therefore you cut off Rs. 50 of the grant?

A.—What we do at present is to ask the Accountant General not to pay any bills at all until he hears further from this office (office of the D. P. I.), and then we try to get matters straightened out. If the Municipality concurs, then their bills are passed.

Q.—You hold up all the grants?

A.—Yes.

Q.—Supposing one particular school had complaints against it, would you in the case of a District Local Board, say with 500 schools, hold up the whole finances because in one school they were not trying to comply with your wishes?

A.—I suppose it would depend upon the magnitude of the faults or defects. If it is a small matter, I would not do so. If there has been a lot of friction and trouble for some time then we might think it desirable to bring the matter to a head by holding up the whole grant.

Mr. Martin.—The question is of general administration of the schools. If you find that was bad and inefficient, you would hold up the grant?

A.—If they went on doing a number of things which were not right.

Hon. Rao Bahadur Sathu Q.—In Municipalities you pay contributions in certain proportions?

A.—It is supposed to be half, but the grants are revised from time to time.

Q.—Would you like to have some such proportion in District Local Boards ?

A.—At present the District Local Boards are greatly favoured over the Municipalities. Municipalities get half and District Local Boards get more than half.

Q.—Would you give us some idea as to the proportion which the grants should bear to the expenses incurred by the District Local Board ?

A.—I suppose it could not be less than it is at present, and probably it would have to be more.

The Chairman Q.—You contemplate continuing the present system of providing from your budget, I understand, say 20 lakhs or so, to District Local Board educational charges ?

A.—Yes, I suppose it could not possibly be reduced.

Q.—Supposing 20 lakhs were handed over completely to the District Local Boards and did not pass through your budget, how would you exercise your influence ?

A.—I do not think we could exercise any influence.

Q.—Especially if the view is accepted by Government that the District Local Boards should be put in possession of such finances, practically of their own right, as would take the place now of the recent enormous subventions for special purposes ?

A.—In Bombay City we have no financial dealings with them (the Municipality) and we have practically no influence with them.

Hon. Rao Bahadur Sathe Q.—To secure efficient control would it not be better to have some proportion fixed instead of giving separate grant, not to be shown in the budget? Would not giving a fixed proportion secure the control better, as in the case of Municipalities ?

A.—Well, I am not sure.

Mir Ayub Khan Q.—Mr. Sharp, perhaps certain cases do sometimes now arise, even under the present system, where a teacher in a Taluka Board school might be a favourite of some of the members of the Taluka Board, but not a good worker. In such cases if your Deputy recommends that he be transferred can you transfer him without the protest of the Taluka Board ?

A.—That would depend upon the circumstances of the cases.

Q.—Under those circumstances will the present system be the better one ?

A.—I have said that the present system is supposed to be the better one for efficiency.

Mr, Martin Q.—Most of the schemes which have been put forward are not applicable to Sind, from what you know?

A.—From what I know of Sind or have heard of Sind, I should think not.

Q.—Many of the functions exercised by you in the presidency proper differ from those in Sind?

A.—The Educational Inspector there has rather more powers than those in the presidency proper.

Q.—Are the people in Sind not so far advanced?

A.—No; I should say not.

Q.—Many members of the Taluka Boards are uneducated themselves?

A.—So I am told.

The Chairman Q.—I see here in one copy of the Resolution “All the funds for the extension of rural education have to be supplied by Government and it is”. Now if you accept that doctrine, you do consider it right that Government should retain control over the disposal of all these sums amounting to half the educational revenue of the District Local Boards, exercise control over the details and expenditure of all these sums?

A.—They are almost always given under two heads one is for opening new schools and one is for improvement of the teachers' pay. The pay of the teacher is governed by the Code. Subventions were given to bring them up to the limits laid down in the Code.

The Chairman: (Q).—Is there any reason for the continuation of Government control in these matters?

(A). I don't see that any evil would result thereby.

(Q). But when they receive these funds do they try to put these funds to improper uses?

(A). Not that I know of.

The Chairman: I am a little doubtful. I do not quite understand the doctrine, because you give these local boards considerable powers and Government suddenly find that they are flush of money, and the primary teachers ought to have their salaries raised and new schools opened, why is it necessary for Government to retain of lakhs, and say, here is additional money for different purposes in addition to your ordinary revenue?

A.—Well, I do not quite understand what is meant by the Government retaining control over the detailed distribution. They give so much money in order to give the teachers what is called the Code pay, and the actual distribution is carried out by.

the Deputy Educational Inspector. The Educational Inspector generally prepares a scheme showing on what lines the money should be distributed among the masters and the money is actually given out by the Deputy.

The Chairman.—This is a part of the argument of the Government Resolution against handing over any control to the District Local Boards.

(Page 5 of the G. R. was shown to the witness).

A.—Government give so much for teachers and the Educational Department decides which teachers should get promotion and how much promotion. The Educational Department decides that,—practically the Deputy Inspector.

Q.—Is that a sound argument against control by a District Local Board?

A.—Well, I don't think so

Q.—Is the Deputy Inspector Government for these purposes?

A.—If it means Government in the higher sense, Government do not meddle. A responsible officer sees that the money is distributed to the teachers. He distributes according to scales laid down in the Code. A general scale is laid down in the Code. The practical application of it is settled for the division concerned by the Inspector, and the Deputy allots it to the actual men. All that is done by the Deputy Educational Inspector in the name of the District or Taluka Local Board.

Q.—Are they consulted?

A.—Yes, they are always consulted about the opening of schools. We have lists prepared in advance and in all places where the population is 500 or over efforts are made to open new schools.

Mr. Seddon. Q.—Para 11 of Mr. Chairman's Note: The officers there mentioned are engaged as Educational Inspectors. Would they be relieved if you think of delegating their powers to the Deputy Inspectors?

A.—Of course, a certain number of things mentioned here are done by the Deputy Inspectors already. The Deputy deals with promotion of a certain number of the lowest masters up to Rs. 15, I think.

Q.—My point is to relieve Educational Inspectors. Can you, without impairing the efficiency of the Department delegate power to the Deputy Inspectors in such matters?

A.—I would rather not go in for giving more powers. In fact, no more delegation is practicable.

The Chairman Q.—Why not?

A.—Well, I think the Inspectors think the Deputies are not to be trusted with higher powers. They do deal now with masters getting up to Rs. 15, I think.

Q.—I do not suppose there is much work for the Deputy Inspectors if they have only to deal with those drawing Rs. 15 and under Rs. 15 is a very low limit ; could it not be raised ?

A.—I simply repeat what the Inspectors themselves say.

Hon. Rao Bahadur Sathe Q.—Ordinarily Chief Officers of Municipalities getting Rs. 150 salary are trusted up to Rs. 15 according to the Act, but in some Municipalities they have gone up to Rs. 25. Do you not think your responsible officers Deputy Inspectors—getting Rs. 300 and Rs. 400 can be trusted up to a much higher limit than they are at present ?

A.—Well—

Mr. Martin Q.—Powers of punishment are very small, isn't it so ? Has the Educational Inspector got any ?

A.—Well, he can reduce men. In some few cases he can even dismiss a man.

Q.—I understood that an Educational Inspector could not dismiss a man getting more than Rs. 10.

A.—Some cases are punishable by the Educational Inspector himself. It all depends upon the circumstances. In all cases of importance the Inspector has to consult the Director of Public Instruction

Mr. Martin Q.—How do they compare with corresponding Revenue officers as regards punishment ?

A.—Considerable powers have been delegated to the Educational Inspectors during the last few years.

Q.—Deputy Inspectors have got very small powers, I think ?

A.—Yes, they are small

Q.—Mr. Wright before the Decentralisation Commission said we are getting a very good class of men now as Deputies.

A.—Well, many Deputies are very efficient men, I think. In the Central Division especially I have had a very good lot of Deputies. Southern Division has not been so good. Sind Deputies are well spoken of without exception.

The Chairman Q.—Would such men be competent to advise the District Local Board Schools ?

A.—I think so.

Q.—In point of intellect and judgment they would be equal to the work, and in point of integrity etc. they would be subject to the control of the committee.

A.—I think most of them would be able to do the work if they are competent men. Especially the Central Division Deputies, taken all round, are very good men I should think.

Q.—In that note Mr. Sathe referred to, you state that Educational Inspectors are at present very severely pressed with much detailed work?

A.—They have a good deal of work, yes.

Q.—Do you consider that they should be relieved of it from the point of view of Departmental efficiency, and would they be more able to inspect if they had less of other work?

A.—I think so, certainly. It is very desirable that they should have more time for actual inspection, especially with regard to secondary schools. Secondary schools are visited once a year generally. The Inspectors have quite recently been supplied with personal assistants.

Q.—On what pay?

A.—Three of them are getting Rs. 240 and one is getting Rs. 198.

Q.—Would you give the transferring control which the Inspectors have to the District Local Boards?

A.—They seem to be afraid that the work reduced in one direction will be increased in another, through the friction created.

Q.—You say in the case of the Bombay Municipality you have very little friction?

A.—Because we have as little as possible to do with them.

Mir Ayub Khan Q.—Does the Government make grants to any District Local Boards for a special purpose, for example improving the pay of the masters or for building purposes? If so, don't you think that the Government should see that such grants are applied to the special purposes for which they are made?

A.—Yes, if the grant is made for a special purpose. We generally do not leave it to the option of the bodies concerned. All grants are generally made for special purposes and the Educational Department has to see how they are being spent, that a grant if made for the improvement of the pay of the masters is spent for such purpose and not on the building. In most cases the building grants have to come to me. Practically grants for buildings at any rate have to be passed by me before they are paid.

Mr. Martin Q.—Is there any reason why Sind should come up to Poona for building grants?

A.—The requirements are cut and dried according to.—

The Chairman—It is dealing more with decentralisation and centralisation than with District Local Boards, Mr. Martin.

Mr. Sharp.—There has been a good demand for schools recently. In the last 5 years we opened 2500 schools and that checked the demand to a certain extent, but still there is a demand.

Q.—What is the procedure regarding grants for buildings ?

A.—Government have decreed that all these plans and estimates etc. for school buildings ought to be sanctioned by the P.W.D. and Sanitary authorities and by some Educational authority. There is a regular pamphlet or manual of rules being brought out. This was a new order and people at first did not know what the sanitary authorities wanted. Now it is being, to a certain extent, standardised and it has been stated what the sanitary authorities do want. You have simply to send your plans etc. to the Sanitary Engineer, who disposes of cases pretty quickly. The delay arises by people sending plans etc. without any explanation, and they have to be written to again.

The Chairman Q.—Do you know anything about the system in the Central Provinces? (The witness was handed a copy of rules in force in C.P. to read)

A.—I do not know anything definite about it. I had some conversation about it with Mr. Wright some time ago. He was trained up in our system here, and then went to the Central Provinces, and I saw him two or three years later. From what he said it appeared that the system was actually worked by the Collector or the members of the Revenue Dept. That is what I inferred from what he said. I have no actual knowledge of the system as to who works it, etc.

(The Chairman hands to Mr. Sharp the Central Provinces Code and asks him to read paragraphs 43 and 44.)

Mr Sharp.—Yes; the members of the board are to be approved by the Deputy Commissioner. The board is to settle matters in the first instance and the proceedings are to be laid before the general meeting of the local body.

The Chairman Q.—In a case like that, supposing there was such a board, how much educational inspection would you require to keep in your hands ?

A.—Every Inspector has a Deputy with 4 or 5 assistants.

Q.—Would you be satisfied to have one Government Inspector, and allow the District Board to have its 6 assistant inspectors report to it on the progress of education ?

A.—I do not think, if he has to inspect the whole district on behalf of Government, one man could do it. He would have to inspect all the schools.

Q.—A percentage I suppose ?

A.—At present most of the districts consider their educational staff is overworked, having already had 4 or 5 or 6 men to do the inspection. If they are relieved of administration work, then of course it might work all right, but I do not suppose you can reduce the number very much if you want the schools regularly inspected.

The Chairman:—I am not suggesting any reduction of staff.

Mr. Sharp:—Reduction of the Government staff.

Q.—And what would you want your Deputy to do in a case of that kind? Supposing he has an Assistant Inspector in charge of the District Local Board and you wanted to know how education was progressing, what would be the function you would assign to the Deputy?

A.—I suppose he would have to visit the schools.

Q.—All the schools?

A.—No. In the first instance, he would have to attend to all the schools that were outside the Board's sphere. The Government staff would have to attend to the secondary schools. Districts are very unequal as they are. One man may be able to do the work in smaller districts.

The Chairman: Q.—I do not quite see why the administrative organization differs very much from that of the Revenue Department. In a district we have one Collector who sees that a very large number of subordinate officials do their work properly. He has not to see the details of their work, he just watches how the men are working. Would not the Educational Inspector of your Department stand to you in a somewhat similar position, i.e., watch the work of all the Assistant Inspectors and so on and report to you?

A.—He has got to go round the district. Assistant Inspectors are spread out all over the district.

The Chairman:—So does the Collector; he has got so many Mamlatdars of talukas under him spread over the district.

Mr. Sharp:—The superior inspecting staff from their own idea of a school then they turn up the last inspection report and see whether their own ideas correspond with the last official report on the schools.

Q.—Supposing a Deputy had to do that in the case of a couple of schools in charge of each Assistant, would that give him an idea as to how his Assistant was doing his job?

A.—It would be a small basis to work on.

Q.—How many Assistants are there in a district?

A.—Two, three, four, five or six as the case may be. Dharwar has eight. Kanara only two.

Hon. Mr. Patel: Q.—I think the Panch Mahals have got only two.

A.—It is a small staff, but I cannot tell you whether it is two or three. The only educational staff in the district is the Deputy Educational Inspector apart from the High School Staff.

The Chairman: Q.—Do you see much extravagance ahead of you in this scheme of allowing the District Local Boards to have school boards and Assistant Inspector staff ?

A.—It would be expensive to have a double inspecting staff, but if you cut down the Government inspecting staff, I suppose it would not be more expensive.

Q.—Do you think it is very necessary to have a double inspecting staff ?

A.—No. I should have preferred simply one inspecting staff on the Government side.

The Chairman: Q.—Then where would the Local Board get its experience of the schools, etc. ?

A.—They ought to visit them.

Mr. Seddon: Q.—The whole inspecting staff to be Government ?

A.—I do think so. In some cases municipalities have what are called Supervisors or Superintendents.

Hon Mr. Patel: Q.—What particular advantage do you think Local Boards would have in having all Government staff instead of having Local Board staff.

A.—The advantage I was looking at was from the Government side. I think Government ought to have powers of supervision. If the Local Board have a staff, well then the Local Board ought to pay for it.

The Chairman: Q.—Now you can compare the conditions here with those prevailing in England. The Educational Inspectors there are very few and the inspecting staff is in hands of County Councils.

A.—I think so.

Q.—And the Board of Education Inspectors merely ascertain generally whether the County Councils are spending their money properly, without making detailed inspection.

A.—They do make detailed inspection.

Mr. Seddon: Q.—Does not their grant depend upon the result of investigation by the Government officers ?

A.—I am afraid I cannot tell you, but I have read a recent book in this connection containing the reminiscences of an Inspector, and it is certainly full of details, actual examination and inspection and so on. The Inspector evidently was acquainted with a large number of children.

Q.—You said a little before that the Deputy Educational Inspector ought not to be a member of the School Board, but such a system does obtain elsewhere.

A.—Well, I thought of him rather as an outside critic.

Q.—You would not object to being represented on the school board by a Deputy Educational Inspector ?

A.—No, I won't object to it.

Hon. Rao Bahadur Sathe : Q.—His being on the Schools Committee would reduce the chances of friction ?

A.—It might tend that way, yes.

Mr. Seddon :—Or it might tend the other way !

F. B. P. LORY, Esq., M. A., DEPUTY DIRECTOR OF PUBLIC INSTRUCTION.

(30th September 1915 and 1st October 1915.)

Hon. Moulvie Rafiuddin. Q.—I want to know, Mr. Lory, what has been your experience in connection with Local Boards. In the first place, the Taluka Boards, do these Boards take enough interest in educational matters at present?

A.—I have had very little, in fact, no personal experience of Taluka Boards, but I should say they do not.

Q.—And the District Local Boards?

A.—Most of my experience has been in the Northern Division. There the District Local Boards take a considerable amount of interest.

Q.—Have they got schools committees in the District Local Boards?

A.—No; I do not know of any case in which there was a school's committee, but in Kaira some years ago we had a separate school building's committee.

Q.—You heard the scheme read out by Mr. Apte. Would you like to give a loan of your Assistant Inspectors to the Local Boards and would you be quite satisfied with the Deputy Educational Inspector inspecting the officers?

A.—No; I should not be satisfied because I consider that the Deputy Educational Inspector would not then be able to supervise the work of the Assistant Deputy Inspectors. Even if the object of the Deputy Inspector were only to secure efficient control to see that Government money is properly spent, I think in the interest of Government one officer is nothing like sufficient.

Chairman. Q.—What is done in England?

A.—My impression is that the Government Inspectors are required to inspect every aided elementary school every year.

Chairman. Q.—In addition to the local inspection?

A.—Yes, I believe so. I am not quite sure.

Hon. Moulvie Rafiuddin. Q.—If the Boards are given complete control over primary schools, would you like the control and inspection of female education to be handed over to them?

A.—No; whatever is done in regard to the boys' schools it is most undesirable for the girls' schools to be handed over chiefly for the reason already stated by Mr. Sharp that experience of the relations of the Municipalities towards female teachers shows us that it is not desirable that the mistresses should be placed directly under the control of the Board. In the next place I may say that we hope eventually to employ an almost exclusively female inspecting staff for girls' schools, and therefore it is most desirable that the inspection should remain under the Department.

Q.—Has there been any friction between the Deputy Educational Inspectors and the Taluka Local Boards with regard to the opening of primary schools?

A.—I do not know of a definite case. Both in the Northern and the Southern Divisions in the drawing up of the list of new schools referred to the Taluka Boards were always consulted.

Q.—But do they ever object on any grounds in the matter of location of schools?

A.—I do not remember any case in which there has been a dispute about the location of a school, but I know of certain cases in Broach in the Northern Division where schools dwindled

in numbers and showed practically no attendance, and the Department recommended that they might be closed and the Boards said no. There have been several such cases and in every one the decision has rested with the Boards.

Mr. Seddon. Q.—But in matters like these who is the final authority? If there is a difference of opinion between the Taluka Boards and your Assistants, what happens?

A.—One would always give in to the Taluka Local Board. The power is given to the Board by the Act, or rather by the Rules under the Act.

Mr. Seddon. Q.—Do you mean to imply that the Local Boards are not using their power properly?

A.—No, I don't think so necessarily. I think they are the proper people to decide this matter. Mistakes are committed in certain cases but every one is liable to make mistakes.

Q.—On general grounds do you think that the present conditions should continue for the good of the schools, or would there be a very great advantage if the schools were handed over to the Local Boards?

A.—I think it would be a great disadvantage to the schools. My reasons are that the Bombay Primary system has been again and again admitted by the Government of India and by outsiders to be the best in India and, as our system differs from that of any other province in India, I think it is reasonable to hold that the superior efficiency shown by the Bombay schools is at least in part due to our system. I consider that, if the proposal of this Committee to hand over a part of the control to an educational committee of the Board was carried out, it would be impossible for that committee to exercise the control properly. The whole control of the school would rest with the executive authority, a paid Secretary, and all the power that is now wielded by the Educational Inspector and the Deputy Educational Inspector would go to the Secretary. The Educational Inspector is a very harmless person and I would not like his power to pass, as it would be likely to pass, into the hands of the Secretary. In the case of Municipalities the schools are centralised and they are few in number. The District Local Board has a very large number of schools spread over an enormous area and there is work which must be done every day in the month, and most of the work would have to be done by the Secretary.

Q.—Mr. Sharp dropped a hint or statement that all the Inspectors and Deputies are against the inspection of schools being handed over to the Local Boards both control and inspection; also that there is a strong feeling about it.

A.—Yes, there is a very strong feeling about it.

Q.—You think this cannot be done by committees. Are you a believer in committee control of these things?

A.—I consider a debating society is unable to run schools as it is to run an army.

Q.—Do you think in Taluka Local Boards as they stand there will be competent men enough to deal with primary education as a whole, and do you think that there are now competent men in the District Local Boards who would take the place of the Department if a committee were formed of them for purposes of control and direction?

A.—It depends, of course. As Mr. Sharp said, it depends upon the district. In some perhaps there will be none; in some advanced districts you may find a few.

Q.—Can you contemplate control being exercised by a Taluka Board?

A.—No ; it seems to me, that if the control is to be handed over, it certainly must be to the District Local Boards. There is one particular difficulty in the case of a Taluka, which is the transfer of masters from one Taluka to another. For the purposes of transfers and promotions you would find the District a more suitable unit.

Q.—You would not like at present to delegate more powers to the Deputy than he already possesses ?

A.—No, not for the present.

Q.—So, after all, at present do you have any complaint from any one with regard to the fact that Local Boards do not take interest because they are not given full control over the schools, I mean District Local Boards ?

A.—That is a statement which is commonly made, but it is in connection with the whole question of delegation of local self-government.

Q.—Beyond that have you any personal knowledge of any cases ?

A.—I do not remember of any particular case.

Q.—Who would complain to you, I wonder ?

A.—No one directly. I refer to the complaints one meets with in the papers generally. I may say that in the Northern Division they do take interest.

Q.—The District Local Board members ?

A.—Yes.

Hon. Mr. Patel. Q.—You know Ahmedabad very well, I suppose ? A good many people take interest in District Local Boards, do they not ?

A.—Yes.

Q.—Can you say how many ?

A.—There are quite a large number, though it is difficult to say how many. Two or three of the gentlemen I was thinking of are dead. They were men with a considerable knowledge of education. But it does not necessarily follow that such men have a knowledge of the condition existing in the villages or the requirements of the village schools.

Hon. Mr. Patel. Q.—May I know if you endorse all the opinions that you heard expressed by Mr. Sharp on the question of control being handed over to the Local Boards, etc. ?

A.—I differ from Mr. Sharp in thinking that it is desirable that an experiment should be made in certain districts. I consider that no experiment should be made in any district. I am opposed to him in that.

Q.—Excepting that, do you agree with Mr. Sharp in all the opinions he has given ?

A.—Generally speaking, I agree with Mr. Sharp.

Q.—Can you point to any instance or instances in which you disagree ?

A.—They would be very minor points.

Q.—I believe it is only in point of efficiency you would not like any experiment being made ?

A.—When I say efficiency, I do not mean mere Departmental efficiency. I was thinking of the interest of the people.

Q.—But in the interest of Local self-government what would you say ?

A.—Well, I would ask this Committee to extend Local self-government in some other branch of the peoples life, not to experiment in the matters of education, which touches so vitally the interest of the people.

Q.—Then in your opinion the whole question of education should be looked after by the Provincial Government ?

A.—The management and control.

Q.—In fact, Local Boards should be relieved of any little control they have ?

A.—No ; on the contrary, I admitted that there was one thing which the Taluka Local Board was best fitted to control. That is to decide which of the villages should have schools.

Q.—That is one point ; nor would you like to add these powers ?

A.—I would be quite prepared to see consultative committees established.

Q.—On Taluka Boards ?

A.—Probably not ; on District Boards. They would not necessarily be members of the Board. They would be formed just as they are provided for in the Municipal Act. Their duties would be to visit the schools and report on educational matters. They could make recommendations, say, to the President of the Board who would submit them to the Department—to the Educational Inspector.

Hon. Mr. Patel. Q.—Do you know of any province in India where the education of boys is left to be managed by one Department and the education of girls by another Department ?

A.—No, I am afraid I have no information on that point. My impression, however, is that in some other provinces Girls' Schools are left entirely to the management and control of the Educational Department. However, I cannot say definitely. But it is a fact that the Government of India have expressed a desire.

Hon. Mr. Patel. Q.—I do not want to know what the Government of India have expressed.

Q.—Do you know of any country where these two are managed by different Departments ?

A.—No.

Chairman. Q.—It may be under different inspecting bodies ?

Witness: I understand the question is one of control and not of inspection ?

Chairman. Q.—In England is the control of Girls' Schools in the hands of the same persons who control the Boys' Schools ?

A.—Yes, I think so. The Local Educational Authority appoints a Committee and that Committee is required to have a certain number of women on it.

Chairman. Q.—Is the inspecting staff of the Girls' Schools different from the inspecting staff of the Boys' Schools ?

A.—So far as I am aware the Boards have their own female Inspectors.

Hon. Mr. Patel. Q.—Can you tell me if you know of any province where the interest of the boys has suffered because the control and management have been transferred from the Educational Department to the Local Board ?

A.—I have no experience of any other province except from what I have read. But may I ask if you refer to control and management, and not inspection ?

Hon. Mr. Patel.—Not inspection.

A.—No, I have no knowledge.

Hon. Mr. Patel. Q.—In the Central Provinces and in Bengal the management and control have been transferred from the Educational Department to the Local Board. That is what I understand ?

A.—They were presumably transferred when Municipalities were first established.

Hon. Mr. Patel. Q.—Do you think the interests of the children have suffered by the transfer of the control and management from the Department to the Municipal bodies ?

A.—Probably not in Municipal Schools.

Mir. Ayub Khan. Q.—Is it a fact that in some places the management of schools which was handed over to the Local bodies has been deemed a failure and has again gone back into the hands of the Educational Department ?

A.—I am afraid I have no knowledge about that. But I can answer the question if it includes inspection. I can quote from the Reports I have here.

Chairman. Q.—Would you tell us what you have to say about inspection ?

A.—This is from the Quinquennial Reports of Mr. Orange for 1902-07. (Page 335, para. 1033). "The principle which prevails in all provinces except the United Provinces is that the inspection of primary education rests with the Educational Department. The Deputy Inspectors in all provinces except the United Provinces are appointed, paid and controlled by the Educational Department. The sub-inspectors, and other inspecting officers named in para. 1028 above, are also departmental officers in Madras, Bombay, Bengal, Punjab, Burma and the Central Provinces. In Bengal the Sub-Inspectors at present are the servants of the Local Boards, but their retransfer to the Department, whose servants they were in former years, is now proposed, as the experience of the attempt to carry out inspection by other than Departmental agency has not been satisfactory. In Eastern Bengal a similar re-transfer was also under consideration at the close of the quinquennium."

Then on page 33, para. 82, of the Quinquennial Report for 1907-12 Mr. H. Sharp says:—"Secondly, the broader duties assigned demand that a superior type of officer be attached to the service. In some provinces, the subordinate inspecting staff had not the status and privileges of Government servants. The period under review has seen the transfer of sub-inspectors in Bengal and Eastern Bengal and Assam and of the supervisors of Elementary Schools in Madras; also the retransfer to the Department of deputy and sub-inspectors in the United Provinces. Previously these officers were the servants of local bodies. On the other hand the inferior agencies in Burma and in Eastern Bengal and Assam are being abolished and replaced by better qualified and better paid officers."

Chairman. Q.—You do not know how that system of departmental organization compares with your own now ?

A.—No.

Hon. Rao Bahadur Sathe. Q.—Do you know of any instances when by a resolution recommendations on educational matters have emanated from the District Local Boards, I mean recommendations not about the general management of promotion and other things, but about the curriculum ?

A.—No I do not remember any such resolution.

Hon. Rao Bahadur Sathe. Q.—Even if you were to advocate the transfer of control to the District Local Board in educational matters of Primary schools, you would not give them the control of the school curriculum ?

A.—No, certainly not.

Hon. Rao Bahadur Sathe. Q.—Then I wish you to refer to para. 754 of the Decentralization Commission's Report, the last three lines of the first para.

"It is also important that primary Education should be adapted to the needs of the people and this can best be effected by

giving Local Boards direct responsibility for its evolution and management.”

A.—I do not understand how it applies.

Hon. Rao Bahadur Sathe. Q.—According to your opinion the District Local Boards are not ripe to be given the control over the evolution of education ?

A.—I should say that the term evolution does not include the curriculum.

Chairman. Q.—Even if the term did include the curriculum, you would not agree with that opinion ?

A.—Certainly not.

Hon. Bahadur Sathe. Q.—So far as educational matters are concerned, if anything goes wrong, should the Collector intervene or should the department intervene ?

A.—I do not quite see the trend of your question.

Hon. Rao Bahadur Sathe: If there was any instance where a District Local Board did something wrong in Educational matters who should advise the Board ? The Collector or the Educational Department ?

Witness : Would you please make your question a little clearer ?

Chairman : I understand Rao Bahadur Sathe to mean, if there is an instance of a District Local Board having gone wrong in some way in educational matters, who should bring pressure to bear on the Board, the Collector or the Department ?

A.—The Department should ; certainly.

Chairman (to Rao Bahadur Sathe): May I take it that you want to know what is to be the ultimate method of bringing pressure to bear on a District Local Board in carrying out what is considered the direct policy in educational matters ? If so, there appear to be two methods. One is by the Collector with the power of intervention and the other is, as Mr. Sharp put it yesterday, by financial pressure. You want Mr. Lory to say which of the methods he would prefer. Is that what you mean ?

Hon. Rao Bahadur Sathe : Yes.

Witness : Well it depends very much upon the nature of the short-coming, whether it is a small one or a large one. I think myself that the best way to put pressure is by financial means.

Chairman : To cut down grants or withhold grants.

A.—To withhold grants. That is what is done in England.

Hon. Mr. Patel: May I trouble and put you one question. Have you ever attended a Taluka Board in your life ?

Mr. Lory : No.

Hon. Mr. Patel. Q.—You have no personal experience of Taluka Boards ?

Mr. Lory. A.— No.

Chairman. Q.—Were you asked whether you considered that Education should be in the hands of the Taluka Board or District Board ?

A.—Yes. I said the latter. I gave one reason for it the administrative difficulty of transferring the teachers.

Q.—Supposing a School Board is established consisting of certain members of the District Board and certain Members with Educational knowledge ; not, I mean, in every district but in selected Districts. Would such a Board be able to deal with questions of personnel, promotion, transfer, punishment, admission ?

A.—No. I do not think so. They would be mostly professional or business men and would not be able to meet often enough. They would have to leave these matters to their paid Executive officer.

Q.—Could that Officer attend from day to day and be present at all the proceedings of the Standing Committee of the Board ?

A.—Certainly he could.

Q.—In that case will the system be bad ?

A.—I consider that he will be bound to get the power into his own hands and the Committee will quietly accept whatever he does.

Q.—On what do you base your belief ?

A.—If they don't there will be continual friction.

Mr. Seddon. Q.—You mean they will have to trust their man ?

A.—They will have to trust him. The result will be to give him an undue and undesirable amount of power.

Chairman. Q.—Will that differ in any material way from the application of power by the Educational Inspector ?

A.—Well, the Inspector is a harmless person and has little or no opportunity to abuse his power. As a matter of fact the Secretary would personally control not only Education but all the other affairs of the Board. Moreover, if the Collector were disassociated from the District Local Board that officer would practically be the biggest man in the District. He would be a bigger man than the Collector. Either he will have the Committee in his pocket or else there will be continual friction.

Q.—Do you think that so much power should not be given ?

A.—Yes. It would be undesirable to put so much power in the hands of one man.

Q.—Well, supposing such a system is established, how much control, inspection, and supervision would be required for the purpose of the Department to keep the Department aware of the condition of the schools and the progress of education ?

A.—I consider that it will be necessary for the Deputy Inspector or whoever is the Government Officer to inspect and report on every primary school once a year.

Q.—That is what is done now ?

A.—Yes, all the schools are inspected once, and are also supposed to be visited once or twice more.

Q.—These inspections, do they generally reveal things that are going amiss ?

A.—Certainly, if the inspection is proper.

Q.—It need not be so, I suppose, if things are going well. But do they generally reveal that something has gone amiss ?

A.—Not necessarily. If things are going well the Report is a good one.

Chairman. Q.—If a similar inspection were made by similar officers under the control of the School Board you consider that that inspection could not be trusted ?

A.—Not so much that the inspection could not be trusted ; although there is something in that. The chief reasons why I consider that the Department should control the inspection are professional reasons. There are several matters, such as the issue of instructions to teachers, especially for teaching such subjects as Drawing, Geography, etc., which cannot be carried out so well if the Inspecting Officers report to the District Local Board instead of to the Department. I am aware that it is proposed that the Inspecting Officers of the Board shall be subject to the Department in technical matters, but I agree with Mr. Sharp that it is not possible in practice to differentiate between personal and technical matters.

Chairman. Q.—You fear that it would not be possible to enforce technical supervision over the inspectors of the Local Board ? You could not keep them up to the mark and improve them as you are doing now ?

A.—Yes.

Q.—Well that arises purely from the incidence of dual control.

A.—Yes.

Q.—As a matter of fact, is there any country you know of where the question of Local self-government is concerned that no control is imposed ?

A.—Do you mean in this or foreign country ?

Q.—Well, take England, France, Belgium, Germany, America, any place you like.

A.—No.

Hon. R. B. Sathe. Q.—At present questions of promotion, transfer and leave come up to the Educational Inspector. Is it not ? I mean the amount of pay, leave, etc. This is only a preliminary question of mine. Now the question is, if such points are left to Committee Government, do you not think that great delay is caused ?

A.—Certainly. But I understand that all that was to be carried on by a permanent Executive Officer subject to confirmation by the Committee.

Q.—My point is, would not that system cause delay ?

A.—It depends upon who disposed of it. If it is disposed of by a Committee it would undoubtedly cause delay. If it is disposed of by the Secretary it would cause no delay.

G. W. HATCH ESQ., I.C.S., COLLECTOR OF POONA.

(1st October 1915.)

Chairman. Q.—I think a special point on which your opinion is invited is as to the utility and comparative efficiency of the Taluka Local Boards and the District Local Boards as an agency for the future development of self-government, and in case you decide that point in favour of the District Local Board, whether the Taluka Local Board should continue to exercise its influence or should disappear?

A.—On the general question I may say that I am against the Taluka Local Boards. I think they do not fulfil any useful sphere. The Taluka Board is too big to be a local unit. It is very difficult to find members who will take interest in work.

Chairman. Q.—Is the material available for the Taluka Local Boards?

A.—No. It is not. That is why I remarked that it is very difficult in Talukas to pick up suitable members who are capable of doing the work.

Chairman. Q.—Can Village Panchayats take the place of the Taluka Boards? Can you spread Village Panchayats over the whole area covered by a Taluka Board?

A.—No; unless you are contented with a very inferior type of Village Panchayat. For instance in Khed Taluka of the Poona District two-thirds of the villages are inhabited by jungli people. It is impossible to imagine at present that we could get them to run their Village Panchayats and carry out their own little works. In bigger villages and the more civilized parts, I see no reason why you should not have Village Panchayats. I am in favour of extending Local Self-Government. I think it ought to begin with small bodies from below.

Chairman. Q.—We have learnt that the Madras Presidency is having Village Panchayats for a considerable period, and they aggregate now to 400 in the whole Presidency. What sort and number of Village Panchayats would you consider possible of creation within the period of a year or two in the Poona District, and what amount of the total area would be covered?

A.—I am afraid I cannot answer it. I do not know the Poona District sufficiently well. I hardly know more than a third of it.

Chairman. Q.—Take any Taluka that you know.

A.—I think you could cover the whole of the Haveli Taluka with Panchayats. The next best taluka that I know is Mawal. There also you could create Village Panchayats. In some of the areas like Khed and some parts of Junnar, I think you could get no administration worth taking about. You want some other organization to look after them. I cannot give you figures. I cannot say what proportion you could cover in the Poona District.

Chairman. Q.—You think that these organizations would be able to secure sufficient funds and efficient management, and what kind of work can you do?

A.—The works the Taluka Boards carry out at present, viz:—village wells, repairs to Chowdies, roads from the village to the station or other short lengths of road.

Chairman. Q.—What are the functions that you look for from them?

A.—I would give them all those functions that are now given to the Taluka Boards.

Chairman. Q.—What would be your organization in a District? You will have a District Local Board at the top, and how would they work?

A.—I am beginning to doubt whether there is any necessity for a District Local Board. Perhaps you might abolish the District Local Board altogether. You must have a Road Board.

Chairman. Q.—You would prefer to have a District Road Board and not a Provincial Road Board.

A.—You might have a Road Board for a Division, but you must also have a District Road Board.

Mr. Seddon. Q.—What about Dharmashalas ?

A.—They are now maintained by the Taluka organizations.

Hon. Moulvie Rafiuddin. Q.—You said some time ago that you are not in favour of Taluka Boards also.

A.—I am in favour of abolishing them altogether. (Laughter.)

Chairman. Q.—Then how are you going to extend Local Self-Government.

A.—I should like to have it from below.

Chairman. Q.—What is the connecting link between the Village Panchayats and the Road Board ?

A.—That would be for consideration. I suppose, they will have to send representatives to the Road Board.

Chairman. Q.—Each Village Panchayat ?

A.—They would be grouped together.

Chairman. Q.—Then you get the Taluka Local Board back again.

A.—That would not be possible.

Chairman. Q.—You have representatives of the Village Panchayats grouped together to elect a representative to the District Board. That grouping together of the Village Panchayats brings you back to Taluka Boards.

A.—It would be purely for the purpose of electing representatives.

Mr. Seddon. Q.—In order to look after and control the Panchayats where they exist, could you have a District Committee for each Board ?

A.—Such a Committee might consist of Members of the District Boards belonging to that area. I should think it is quite a good plan. I have always looked upon the Taluka Board Budget as a useless affair myself.

Chairman. Q.—That is your personal view. Is it shared by many others to your knowledge ?

A.—I cannot tell you about that.

Hon. Moulvie Rafiuddin. Q.—At present the budget for the Taluka Board is a very small amount.

A.—It varies. It may run up to several thousands of rupees in the case of some Talukas.

Hon. Moulvie Rafiuddin. Q.—For the sake of making repairs to schools, wells, or Dharmashalas ?

A.—And roads too. They sometimes spend a considerable amount on short lengths of roads.

Hon. Moulvie Rafiuddin. Q.—Do you give them any direct allotment for education ?

A.—For education ? No. I do not think they take anything for education.

Mr. Patel. Q.—Do you suggest that Taluka roads are not undertaken by Taluka Boards at all ?

A.—In the Talukas they do the small village roads. If the roads are of any importance in the District, the District Board takes them over.

Hon. Rao Bahadur Sathe. Q.—When you say that Local Self-Government should begin with Village Panchayats, is it in your mind to give them representation, i.e., elective franchise ?

A.—Oh yes; absolutely.

Hon. Rao Bahadur Sathe. Q.—Added to that some nominees of Government?

A.—Except for the purpose of bringing in all communities. I am not particular as to the nominees of Government. I should like to see them wholly elected by the people.

Mir Ayub Khan. Q.—Provided perhaps that the interests of the minorities and other communities are safeguarded.

A.—Yes.

Chairman. Q.—Would you have a representative from the depressed Classes?

A.—I think so in some places. I do not think it is possible to do that as a rule.

Hon. Rao Bahadur Sathe. Q.—When you say that District Local Boards may be abolished, would you suggest to have any other agency in their place?

A.—Certainly; you must have something to look after the roads and schools. That should be on the representative basis.

Hon. Rao Bahadur Sathe. Q.—Beyond changing the name, I find, there is nothing special that you suggest regarding the District Local Board.

A.—You divide up the works.

Hon. Rao Bahadur Sathe. Q.—When you intend to start Village Panchayats or even units, is it not necessary, according to your view, to allot a certain proportion of the land cess for those unions?

A.—I think so. I think a portion of the one anna cess would naturally be paid, and I would give them the power of imposing another cess such as a property tax or something of that sort. I do not think the Income tax would pay them enough.

Hon. Mr. Patel. Q.—Do you suggest a house-tax?

A.—House-tax or a Professional tax, or a License tax.

Hon. Moulvie Rafiuddin. Q.—If you have these two Committees alone, who would make the budget for the District? At present the District Board makes the budget, I suppose.

A.—The Budget is made in the office of the Huzur Deputy Collector. He knows what the funds are, and he tells the Board what they have got to spend.

Hon. Mr. Patel. Q.—I believe he does it as a member of the District Local Board and not as Huzur Deputy Collector.

A.—He does it as a Local Fund Officer. They work out and find out what the funds are and what is available, and the District Board has nothing to do except allotting the expenditure.

Hon. Mr. Patel. Q.—Is not the Local Fund Officer for the purpose of the District Local Board?

A.—It is for the purpose of working out all the details. The Local Fund Office is not under their control.

Hon. Rao Bahadur Sathe: Your Road Board would be something like a Works Committee which is now in existence.

Chairman. Q.—How would your proposed constitution be an improvement on say the central authority and a District Council with a Road Board and a School Board. Would not there be some advantage or benefit in having a unified central authority?

A.—I suppose, if you are going to bring the Panchayats under the District Board, they must have a central authority, so that you would require to have some central authority apart from the mere question of road or School Boards.

Hon. Mr. Patel. Q.—Would you leave petty and criminal cases to the Panchayats?

A.—I am not prepared to give any opinion on that point now.

Chairman: Don't you think, Mr. Patel, that your question is outside our discussion?

Hon. Mr. Patel. Q.—What functions should be given to the Panchayats ?

A.—You have to proceed very slowly. Where you have people of the requisite ability, I am certainly in favour of giving them special powers to punish people.

Mir Ayub Khan. Q.—In your scheme of Village Panchayats you give them the power of framing their own budget, but should it be approved by some District Local Board ?

A.—I think it ought to go for approval. Certainly, at any rate it should go for approval at the beginning.

Mir Ayub Khan. Q.—Don't you think that it would be desirable that when these Village Panchayats have been approved, there should be some agency on behalf of the District Local Board to look after the administration of these Panchayats ?

A.—I think the only agency is a paid agency.

Mir Ayub Khan. Q.—I mean a Taluka Local Board.

A.—Taluka Boards do not exist at all in the real sense of the term. They call a meeting and the members turn up. Nothing happens to Taluka Local Boards. Occasionally a man of leisure works as Vice-President. I know of an instance in Talegaon. There the affairs are conducted by a Non-official Vice-President. He does the work there, but in every other Taluka Board (except Haveli) the Mamlatdar does the work.

Chairman. Q.—He is a land-holder, I suppose.

A.—He is a pleader, but he does not do much work as a pleader. There is another instance of a gentleman in Haveli.

Chairman. Q.—Do you suggest there should be Inspectors over Village Panchayats? Don't you think it would be officialising too much ?

A.—You must have an officialised agency. They will require the assistance of Mamlatdars at the beginning.

Hon. Mr. Patel. Q.—What if you put the Inspectors under the District Board?

A.—I do not know who these Inspectors would be.

Mir Ayub Khan. Q.—Perhaps it would come to the same thing as at present, i.e., the Mamlatdar or the Assistant Collector will have to supervise.

Hon. Mr. Patel. Q.—You do feel that some agency, some connecting link, is necessary between the village Panchayats and the District Local Board?

A.—I think, at the beginning, when you start these village Panchayats, you will certainly have to show them how to do their work. In the first year at any rate the work will have to be done by the Assistant Collector or by the Mamlatdar. Afterwards you will have to control them and see that their money is spent. There must be a certain amount of control. There must be some inspection, otherwise I think, you will find that the funds are improperly used.

Hon. Mr. Patel. Q.—Don't you think that from Village Panchayats to District Boards is a big jump ?

A.—You want the inspection.

Hon. Moulvie Rafiuddin. Q.—Could it be conveniently made by the Non-official Vice-President of the District Local Board ?

A.—If he is a man of leisure and gives sufficient time, I suppose he could do it.

Hon. Mr. Patel. Q.—You must have been Vice-President of the Taluka Local Boards, I suppose?

A.—Years ago I was President.

Hon. Mr. Patel. Q.—Many years ago ?

A.—Ten years ago.

Hon. Mr. Patel. Q.—Is it not your experience that Taluka Board Members know more of the needs of the Talukas than the District Board Members?

A.—Their area of knowledge is probably not so extensive as that of the people you get on the District Local Boards. The Taluka representatives are smaller people. You do not get any Inamdars or big land-holders who are interested in several villages. The Taluka Board representatives are interested in only one village. In the District Local Board you get people who know something of villages other than their own and they are of more use to you than men of the Taluka Boards who know the conditions of their own village only.

Hon. Rao Bahadur Sathe. Q.—In order to popularise the Village Panchayats would you not advocate a system of honorary organizers as in the case of the Co-operative Credit Societies?

A.—I do not like to answer that off-hand. I do not know much about honorary organizers.

Hon. Rao Bahadur Sathe. Q.—Some Non-official honorary gentlemen to supervise the working of the Panchayats to advise them?

A.—I think that is an idea certainly worthy of consideration.

Hon. Rao Bahadur Sathe. Q.—You have had a long experience as District Officer of village life and functions of the villagers, and with that experience would you like to make an experiment with a group of villages rather than with a single village?

A.—In the case of big villages I would certainly have the single village unit. A single village is a better unit; but with small villages the thing would become impracticable and they would not have money to carry out work for many years.

Hon. Rao Bahadur Sathe. Q.—Even in a big village, don't you think that the internal administration of such Panchayats would be hampered by the factious spirit of the village?

A.—It might occasionally; but you have to put up with these things.

Hon. Rao Bahadur Sathe. Q.—Do you think it will disappear?

A.—Such factions where they exist, certainly will interfere with Local Self-Government.

Mir Ayub Khan. Q.—Will you give the Village Panchayats that you are suggesting the right of electing their own Non-official President and Vice-President?

A.—I think they would be unfit for it in the beginning.

Mir Ayub Khan. Q.—Is there sufficient material for it.

A.—My idea is that you should not think of doing anything unless you knew that there were people in the village who could devote sufficient time to the work.

Mir Ayub Khan. Q.—Who is to judge that? Could not the District Board judge it?

A.—I would not mind their giving final decision.

Mir Ayub Khan. Q.—Do you think they would be a competent body to decide one way or the other?

A.—I should think they would be as competent as any other body.

Mir Ayub Khan. Q.—Don't you think that their decision should be subject to the approval of the Collector or the Commissioner supposing that the constitution is that the President and the Vice-President are non-officials and the Collector has nothing to do with the District Board?

A.—You would have to eventually get the official element in when you come to see how they spend their money. I should be rather afraid of leaving the matters to the final decision of the District Board without the approval of the Collector.

Mr. Seddon. Q.—That would be an argument against the constitution of the Panchayats?

A.—That is the natural tendency.

- Chairman. Q.—Do you think that the Non-official Board would choke Self-Government instead of advancing ?
 A.—I think they will probably be so pleased with their newly acquired power that they would not like to hand it over to any body else.
- Hon. Mr. Patel. Q.—Do you know Ahmedabad, Kaira and all these places ?
 A.—Yes ; I know Kaira.
- Hon. Mr. Patel. Q.—Would you introduce the Panchayat system into the Kaira District ?
 A.—I think so. From what I remember of Kaira—I was not there very long—you have got a competent village organization there. It should be a success there.
- Hon. Rao Bahadur Sathe. Q.—Under the circumstances mentioned by Mir Ayub Khan, viz., with a Non-official President, Non-official Vice-President and a huge elective body, where you consider it safe to retain the official voice with the District Local Boards of giving powers to the Village Panchayats, I want to enquire whether some additional section should be added to the controlling chapter to guard against the excessive use of the powers vested in the Boards.
 A.—You will have to guard against all excessive powers.
- Mr. Martin. Q.—The Taluka Boards do not spend more than 12 or 14 thousand rupees ?
 A.—I think, they spend up to 8 or 10 thousand.
- Mr. Martin. Q.—If Panchayats have no existence here, I do not suppose you could introduce them in Sind. In Sind, they have no existence ?
 A.—Neither here.
- Mr. Martin : If there is no life in them, I think you could create it ?
 Mr. Seddon : You mean there is no organization as Panchayats ; you mean to say there is no Village Panchayat.
- Mr. Martin : There are village communities here. They do administer their own internal affairs to some extent.
- Witness : There does exist some sort of semi-religious caste Punch.
- Hon. Mr. Patel. I understand you to say that you were in favour of Panchayats entirely elected ; similarly would you be in favour of the District Boards entirely elected ?
 A.—No ; I do not think that we have got to that point, where we could entirely have an elected Board that would satisfactorily carry out all the functions which the District Board carries out at present.
- Hon. Mr. Patel. Q.—Officials are needed on the District Boards ; is that your suggestion besides elected members ?
 A.—Of course you could abolish officials if you could so strengthen the chapter just referred to as to give the Collector controlling powers throughout.
- Hon. Mr. Patel. Q.—You would not object to have a Board constituted of officials and elected members.
 A.—That is what we have at present.
- Hon. Mr. Patel. Q.—No ; we have got Non-official nominated gentlemen. If we have officials and elected members, would you object to that sort of Board ?
 A.—Provided you arrange for the communities that are unable to get their own people elected.
- Hon. Mr. Patel. Q.—But supposing we have got two-third elected members and one-third is left to Government, would you not insist for the representation of minorities by election ? One third is left to Government nomination ; two-thirds are elected members. Would you still insist that there should be a provision for minorities ? There is that one-third left to Government to make suitable provision for officials and the representation of minorities.

A.—You are going to have the Collector as President, with two-thirds elected and one-third nominated. Is that your suggestion? In that case you will make it rather difficult I think for the Collector.

Hon. Mr. Patel. Q.—If you have got the Collector as President, there is no harm in having two-thirds elected members on the Board.

A.—I think it will make the position of the Collector too difficult. If you take the Collector altogether from the Board, then you can elect as large a proportion as you like subject to the power of Government to nominate from different communities.

Chairman. Q.—And no nominated officials?

A.—A few officials should be nominated in order to keep the board informed of official matters in connection with the district.

Hon. Mr. Patel. Q.—If the Collector is taken out of the Board, you would not object to the Board having two-third elected members and one-third Non-officials.

A.—I do not think it would be a desirable Board.

Hon. Mr. Patel. Q.—What is your objection to it?

A.—I do not think they would do their work as efficiently as they are doing at present.

Hon. Mr. Patel. Q.—You mean with the Non-official elected and the official nominated members on the Board, the work is done more efficiently; is that what you suggest?

A.—My experience of Non-officials on the District Local Boards is that they have not the information about their district, nor have they, the knowledge of administrative methods; nor do they know how to approach Government for funds; and in various other ways they would be handicapped.

Hon. Mr. Patel. Q.—You say that the Collector should be a member of the Board; is that what you suggest?

A.—I would prefer to leave things as at present.

Hon. Mr. Patel. Q.—You know that the Board consists of half the number of elected members and half the number of nominated members for the last thirty years; you know that?

A.—I did not know that. I take it from you that it is so.

Hon. Mr. Patel. Q.—You still think that the time has not come when you could really increase the elected members?

A.—I would like to alter the arrangements. I am in favour of extending Local Self-Government, but as I said, it ought to be done from below where you have got the local knowledge.

Hon. Mr. Patel. Q.—If Village Panchayats are formed you are in favour of elected majorities on District Boards?

A.—Rather I am in favour of the extension of Local Self-Government over small areas.

Hon. Mr. Patel. Q.—Might I know why after 30 years the element of elected members on the District Local Boards should not be increased?

A.—I do not think the District Board serves a very useful purpose in Local Self-Government.

Hon. Mr. Patel. Q.—Then what harm is there if it does not serve any useful purpose?

A.—It might serve a disuseful purpose.

Hon. Mr. Patel. Q.—Then you are afraid it would serve a disuseful purpose

A.—It is quite conceivable I think.

Hon. Mr. Patel. Q.—Can you show how it will serve a disuseful purpose if there is an elected majority ?

A.—I do not assert that it would be serving a disuseful purpose ; but as I have said the elected members are not familiar with the whole of the district, the district is so large that the members are not familiar with local conditions ; it would be possible for the most powerful party on the Board to use the funds to the benefit of their own particular part of the district or for their own particular villages to the detriment of the rest.

Hon. Mr. Patel. Q.—Don't you know that there is a Non-official majority at the District Boards even at present ? Do you suggest that Non-official nominated gentlemen would always favour the view taken by the Collector ? Is that what you suggest ?

A.—They have, I suppose, a tendency to go with the official view. I think there is a tendency. I have noticed it.

Hon. Mr. Patel. Q.—Why have the Non-official nominated gentlemen a tendency to favour the official view ? Do they expect re-nomination or what ?

A.—Of course they have been selected in the first instance for their intelligence and they are therefore in a position to realise that the official view is a correct view. That is one reason why they are prepared to follow the official view when other people are not prepared for it.

Hon. Mr. Patel. Q.—Is that your view also ?

A.—I am certainly in favour of the official view.

Hon. Rao Bahadur Sathe. Q.—I find from what Mr. Hatch has said up to now that the extension of Local Self-Government must come from below and until it is developed from below, you are not prepared to give elected majority or elected members to District Local Boards, if I rightly understood you.

A.—That is my view.

Mir Ayub Khan. Q.—Supposing the Committee is of the opinion and make the recommendation that there should be two-thirds of the members elected and one-third nominated. Then again out of the one-third not more than one-half should be officials. So the remaining half of the one-third will be open to nomination by the Collector. To safeguard the interests of the minorities don't you think by reason of the two-third elected numbers the chances of the minorities will be curtailed ?

A.—Certainly, it will.

Mir Ayub Khan. Q.—Then under those circumstances would you recommend that out of the two-thirds there should be some provision made to safeguard the interests of the minorities that are to be elected ?

A.—Yes ; I should certainly prefer that, because that would give the Collector a wider scope for nomination. Two-thirds will include the communities which cannot get their representation. But then I am not in favour of election by separate communities. I have a sort of prejudice against it. As I said in my letter, I am not in favour of election by communities.

Hon. Mr. Patel. Q.—You said that the number should remain one-half elected and one-half nominated.

A.—Yes ; I have said so.

Chairman. Q.—What is the main objection to the community representation in your mind ?

A.—It is rather a sentimental objection. I think, it tends to set communities against one another. I have not got any practical objection.

Hon. Mr. Patel. Q.—Is not one-third sufficient for minorities ?

A.—It does not leave the Collector quite enough opportunities for selecting the most useful people in the district.

Hon. Mr. Patel. Q.—If the whole Body is elected there would be sufficient room for minorities except the officials. If the Body is constituted of officials and elected members and sufficient provision is made for the representation of minorities by election, would it not be a better course ?

A.—Then there will be no nomination at all. I do not approve of that.

Hon. Moulvie Rafiuddin. Q.—Have you received any complaints from Mahomedans that they have no chance of election in the Municipalities ?

A.—Yes.

Hon. Moulvie Rafiuddin. Q.—Are you aware of the fact that for the last thirty years, not a single Mahomedan has been elected in the Poona Municipality ? Have they also complained that the numbers nominated are not adequate to their number ?

A.—And that has been recognised. Last time a third was put in instead of two we had before. I think they claimed four altogether.

Hon. Mr. Patel. Q.—Is that trouble confined to Poona; or wherever you have served it is the same experience ?

A.—It is only in Poona that I have had this experience.

Hon. Mr. Patel. Q.—Have you heard complaints from any other districts that they were not represented ?

A.—I do not recollect any.

Hon. Rao Bahadur Sathe. Q.—In rural areas would it be practicable to form separate electorates for minorities ?

A.—I should think so.

Hon. Rao Bahadur Sathe. Q.—Would you carry that principle in village Panchayat elections ?

A.—No; I would not.

Hon. Mr. Patel. Q.—Why would it be setting people against themselves ?

A.—I am not really prepared to answer that. I have not thought about separate election by communities in village areas.

Hon. Rao Bahadur Sathe. Q.—For Village Panchayats do you think that it would be a safe course to leave their final decision to the Sarpanch; or should the matter be left to the Member to decide ?

A.—If you do not have the Patel a Sarpanch, of course there will be difficulties placed in the way of your Panch.

Hon. Mr. Patel. Q.—The Patel is an official; is he not ?

A.—Yes.

Hon. Mr. Patel. Q.—Are you not in favour of Government parting with a share of the Excise revenue ?

A.—Yes.

Hon. Mr. Patel. Q.—What share would you suggest ?

A.—I am very much in favour of the idea that a certain proportion of the excise revenue should be given to the Local authorities.

Hon. Mr. Patel. Q.—Are you not in favour of the Income Tax Cess ?

A.—I think, the non-agriculturists should certainly be made to pay for certain local works. You could get something by a Cess on Income tax; but Income tax now-a-days is only levied on people with an income of a thousand rupees, and so you miss many people. I should prefer to have a Property tax or something of that sort, or a License tax, so as to get all the small shopkeepers.

Hon. Rao Bahadur Sathe. Q.—Are you not in favour of an additional Cess of one anna ?

A.—I have got a sentimental objection to Cesses.

Hon. Rao Bahadur Sathe. Q.—Suppose a toddy shop is sold (I am not familiar with the system); the owner has to pay 600 annas in addition to Rs. 600 to Government. Would you favour the view that the Local Boards should be authorised to levy such a Cess?

A.—I do not know how you can authorise Local Boards to levy such a Cess. Government might give Local bodies one-sixteenth of the Abkari revenues by raising the rates all round.

Hon. Mr. Patel. Q.—Are you in favour of a Forest Cess of one anna?

A.—I do not like any Cesses at all.

Mr. Seddon: I understand, forest revenue is what contractors and merchants will pay for cutting forest produce. You cannot add anything, because it is determined by the market price.

Mr. Martin. You want to do away with the Taluka Boards altogether?

A.—That is my idea.

Mr. Martin. Q.—Do you think that the District Local Boards might be retained?

A.—Yes.

Mr. Martin. Q.—Do not you require some agencies in between the District Local Boards and your Panchayats?

A.—That is what we have been referring to. You must have some sort of paid agency.

Mr. Martin. Q.—You are officializing things still more if you put these petty Inspectors. Would it not be better if you are extending Local Self-Government to have an intermediate voluntary agency?

A.—I would make the District Board Members do it.

Mr. Martin. Q.—That is too officialized. One man cannot look after the affairs of his own Taluka.

A.—Your small unions will only cover a certain proportion of the District; I mean, a large area of the district cannot be covered by the union at any rate for many years to come. This will have to be dealt with by some organization such as the existing Taluka Board.

Q.—Even if the whole ground were covered by Panchayats, won't you have anything between them and the District Local Boards?

A.—Yes; if you can get the men. Perhaps my experience has not been very fortunate with the Taluka Board Members.

Mr. Martin. Q.—I think, everywhere the Taluka Board Members meet once a year.

A.—They meet several times.

Mr. Martin. Q.—Do they meet 8 or 12 times?

A.—I do not know if it is as often as that.

Mr. Martin. Q.—In your scheme you suggest a Committee for Roads, and a Committee for Schools, and so on. But then you have got several other works to look after, viz., Dispensaries, Sanitation, and so on; and would you propose separate Committee for each of these works?

A.—I have not thought it out. But as far as Veterinary Hospitals or Dispensaries are concerned, I think that some central authority is required in the district.

Mr. Martin. Q.—I think some sort of Central Board corresponding to your District Board will be required as a connecting link between them.

A.—I think that probably is so. I have not really committed myself to the abolition of the District Local Board.

Chairman. Q.—In the reformed District Councils, what functions should the Collector have; i.e., should the Collector be inside the District Council; or should he be external; or should he be an adviser?

A.—If you give the Board an elected majority, I think, the Collector should be outside it.

Chairman. Q.—He should retain no direct relation with the District Council.

A.—I believe the suggestion is that he should be a sort of Municipal Commissioner. If he is able through one of his Assistants or Deputy Collectors to explain the official point of view and give the Board to understand what is likely to be vetoed or will not be vetoed, it would suffice.

Chairman. Q.—You would retain the power of veto.

A.—If the Collector is coming off the Board, we must retain the power of veto.

Chairman. Q.—Would you have any direct vote for him ?

A.—I don't think you ought to keep him on the Board except as President. In places other than Bombay and Poona the Collector represents the Government.

Chairman. Q.—Have you ever studied the continental systems ?

A.—No.

Hon. Rao Bahadur Sathe. Q.—Would not the Prant Officers represent the views of the President ?

A.—They could do so.

MR. E. J. BOLUS, I.C.S., ASSISTANT COLLECTOR, POONA.

(1st October 1915.)

Chairman: You are Assistant Collector or Special Collector ?

A.—I am an ordinary Assistant Collector in Poona.

Mr. Seddon: I want to know what you think about the work of the Taluka Board ? Do you think that the Taluka Board is a useless constitution ; or do you think that village Panchayats can be established as the basis of Self-Government, or not ; and if they are established, do you think they can be established everywhere ; or only in certain places ; and again, if they are established, what connecting link will be necessary between them ?

A.—In my short experience I find that the Taluka Board Members take very little interest in local matters. Most of them have not the requisite knowledge.

Chairman: What short experience have you had ?

A.—Twelve years.

Mr. Seddon: Is there much interest taken in elections to Taluka Boards ?

A.—No ; very little interest.

Mr. Seddon: What do you conclude from these facts ? Do you think that they should be ended or mended ; or what should be done to the Taluka Boards ?

A.—They could possibly be mended.

Mr. Seddon: Would you establish village or union Panchayats anywhere and everywhere ?

A.—I think they might be established in carefully selected villages. A great deal will depend on the type of village officers.

Mr. Seddon: How do you finance them ?

A.—You should get the money partly by a cess raised in the Notified Area and partly by provincial subventions.

Chairman: What is a notified area cess ?

A.—I mean a share in the local fund cess.

Mr. Seddon: Then what work do you think the Panchayats should carry out ?

A.—I imagine the chief work which they should carry out would concern streets and sanitation of the village and they should also be in charge of the village schools.

Mr. Seddon: Would there be any advantage in having village Panchayats ?

A.—I should say so on general principles, because the members of it being local men, will have special knowledge of local needs ; and being on the spot, they will, of course, be interested persons, and display more enthusiasm.

Mr. Seddon: If you take away important villages in Talukas and give them the Local Fund they collect, then what would remain for the Taluka Boards ?

A.—I should make the Panchayats chiefly self-supporting, to be kept up by the village itself, the remainder being left for the Local Boards.

Chairman: Remainder of what ?

A.—The present revenue of the Taluka Boards. I would not get much outside assistance. I would make the villages eventually self-supporting.

Chairman: Would you encourage them by putting on a little taxation or getting an equal amount from Government or from the District Board or something of that sort ?

A.—I would discourage that sort of assignment.

Mr. Martin: There will be no power to enforce imposition of new taxes by Panchayats ?

A.—I cannot prophesy, but I think that as soon as the Rayats see that the money is actually spent in the village, they will come round to the idea.

Hon. Moulvie Rafiuddin: Do you know of any villages where the Panchayats could be established at once ?

A.—I think so. Hadapsar is an instance in the Poona District.

Hon. Moulvie Rafiuddin: Is your experience confined to the Dekkan or to the Gujarat ?

A.—It is confined to the Dekkan.

Hon. Moulvie Rafiuddin: Are you in favour of the Panchayats being entirely elected, or is some nomination necessary ?

A.—I think they might be elected provided Government could reject any member or veto the election of a member.

Hon. Moulvie Rafiuddin: Are there factions in the villages that you know of ?

A.—I hardly know of a village where there is no faction.

Hon. Moulvie Rafiuddin: Would it therefore be safe to hand over to the majority the fate of the village ?

A.—Presumably both factions should be represented.

Hon. Moulvie Rafiuddin: Would you rather see them quarrel or would you have any other method of appeal to some official ?

A.—The villages must be carefully selected, and the balance between the parties should be held by the Sarpanch, who will usually be the Patel.

Hon. Moulvie Rafiuddin: Is the Patel a hereditary officer in the Dekkan ?

A.—Yes. As a rule he is always outside the faction.

Mir Ayub Khan: Would you leave the village Panchayats to frame their own budgets and spend it as they like without the approval of the District Local Boards ?

A.—I think their financial arrangements should be subject to the sanction of the Taluka Local Board and also the District Local Board.

Mir Ayub Khan: On these village Panchayats would you like the members to be totally elected or should there be some little portion of them to be nominated officials ?

A.—I think it will be a desirable thing to have a Patel as Chairman, at any rate, for some years, unless of course there is some other exceptionally good man.

Mir Ayub Khan: Who is to select that, the District Local Board or the Collector ?

A.—I think the Collector might be trusted to select.

Mir Ayub Khan: The District Local Boards, after selection, should take the formal approval of the Collector ?

A.—The Collector, through his Assistants and the Mamlatdar, has very much greater knowledge regarding Patels than any District Local Board Member.

Mir Ayub Khan: Supposing the District Local Board consists of an elected majority, a Non-official President as well as a Non-official Vice-President, under those circumstances would it not be proper that this matter came before the District Local Board and then if it approved, it may go to the Collector for formal sanction ?

A.—Yes. I don't see any objection to that.

Chairman: I understand, you contemplate a few selected villages for the village Panchayat system—not a very large number in any Taluka ?

A.—Not at present. I do not think the majority of the villages are ripe for that.

Chairman: Take a Taluka of one hundred villages; how many village Panchayats could be established in such a Taluka?

A.—Between 5 and 10.

Chairman: And eventually after a little experience, would you be able to cover the whole Taluka with village Panchayats?

A.—Counting each village big or small as a unit. Panchayats may at length be established in half the total villages.

Chairman: Then the administrative agency for Local works in the other half of the Taluka, where do you expect that agency, from Taluka Board or District Local Board?

A.—Taluka Board.

Chairman: You don't think that we can dispense with our Local Boards at any time?

A.—I think not for many years to come, until the Panchayat system is developed.

Chairman: A long time hence?

A.—Yes.

Chairman: For the general government of the District Local Board affairs do you look upon the Taluk Boards or District Local Boards as the most efficient agency?

A.—Both have useful functions to perform.

Chairman: Would you abolish the District Local Boards?

A.—I think the Taluka Boards might have greater spending powers, and be generally more independent of District Boards.

Chairman: For the general survey of the affairs of the district, do you consider that the District Local Boards are necessary?

A.—Yes, they are necessary.

G. F. KEATINGE, Esq., I.C.S., DIRECTOR OF AGRICULTURE.
(1st October 1915.)

The Chairman: Q.—We would like to hear from you Mr. Keatinge, if you can give us some advice as to any developments of agriculture which you think may usefully be vested in Local Boards. Would you have any suggestions to make as to financing of such developments or generally those in which your Department is interested in connection with Local Boards?

A.—It would be very useful if we could decentralise and have in each District a strong committee which would undertake the propagation of the ideas that are no longer experimental but have been proved to be advantageous to the people of the District, as has been done almost universally in other countries where agricultural development has been expanded.

Q.—Agricultural Committees on the lines of county councils or the Local authorities?

A.—Yes. In fact it is difficult to see how the agricultural movement can attain its full development until such a thing is possible; otherwise we can work only in comparatively small areas. There must be decentralisation.

Q.—That means decentralisation from you?

A.—Yes, from me, from the central Agricultural Department, which ought to become more and more advisory and experimental, while local bodies should be in a position to spread amongst the cultivators improvements which have been shown to be of benefit to any particular locality.

Q.—Will this agricultural Committee consist of members of the District Local Board aided by local experts?

A.—Well, it would in some way either consist of members of the Local Board or nominees of the District Local Board. I take it certainly a number of them would be actually members of the Local Board. There would be other people resident in the District known to take interest in such matters and who are prepared to take a certain amount of trouble.

Q.—And how would such a committee finance its operations?

A.—Well, that is a matter it is difficult to say off hand. The Local body might voluntarily tax its own area up to a certain extent, and the central body could provide additional funds or additional assistance in the form of staff and sometimes in the shape of money. The extent of which a local body is prepared to tax itself is important. That is the way it stands in Ireland. If you would like figures as regards Ireland, I have got the extract amounts:—

(The witness read the figures).

The Chairman: Q.—And was the expenditure to be controlled by the Central authority?

A.—Yes. It is a general control. They allot their funds every year in consideration of the work that has been done in the past, and is contemplated during the coming year. It is roughly a proportion to the amount to which the people tax themselves, but the central authority which provides part of the funds has to give general approval of the lines of expenditure.

Mr. Seddon: Q.—How do the people tax themselves?

A.—A County Council can impose a rate up to a penny in the pound on a rateable value of agricultural land and houses in the country.

The Chairman: Q.—Do the rural conditions there (Ireland) at all resemble those of this Presidency?

A.—Yes, I think they are very similar. In some respects they are extraordinarily so. A very ignorant and backward population and so on. It was anticipated when this was proposed that they would not be willing to tax themselves, but they very rapidly did so, and now raise large funds by this voluntary rate.

Q.—Are the poorer parts in the west of Ireland similar?

A.—Some of the poorer parts there are extraordinarily poor. I think that they were worked quite independently by the Central Agricultural authority.

Q.—Where there is an expenditure of public funds I gather from you that there is a considerable degree of central control.

A.—Of general control, yes. In point of fact, they really go in for supplying a staff, who are members of the Agricultural Department and are lent to the local self-government body. They take orders from the local governing body.

Q.—Who punishes them in case of default?

A.—Probably they would apply to the Department and ask them to remove the defaulters.

Q.—It is a system of dual control?

A.—I did not hear that it was so exactly. When I was there I confess I understood that they were working under the local bodies, and that the local bodies really managed them, but in cases of friction I cannot say what was being done. I did not hear of such cases of friction, however. They seem to have a pretty free hand, as far as I can gather.

Mr. Martin. Q.—Local bodies?

A.—I mean instructors. They are very keen men and possess pretty good knowledge.

Mr. Seddon. Q.—What do they do for their money? Do they raise a cess or what?

A.—When a County Council had a permanent Secretary appointed by the Committee, he was the Committee's own man. A great deal depended on the permanent Secretary.

Q.—What did he do?

A.—He was the man who organised practically everything. There might be under him two itinerant instructors, one in agriculture, one in horticulture, one instructress in poultry keeping and so on. The question of live stock, of course, is one of the most important matters. Some of these instructors were mainly concerned with going round and advising people as to breeding and feeding and matters of that sort. Then they had small shows wherever there was an opening for them. They were financed by the County Councils.

Hon. Moulvie Rafiuddin. Q.—These instructors of poultry keeping go to village school, do they, and give instruction?

A.—Not only give instruction, but would give eggs. There are people there who are much interested in such matters. In a country like Ireland the live stock is the main thing. As in this country, there is not a great deal of money.

Q.—Is milching cows taught to the people?

A.—I think most people know about that. As regards additional cleanliness and other matters in connection with dairying a great deal is done in Ireland.

Mr. Seddon. Q.—Would this Council financed out of agricultural funds do anything with co-operative action?

A.—I cannot quite say. In addition to this organization in Ireland, there is the Co-operative Organization Society. The Co-operative Organisation Society really does work more for the

Co-operative movement pure and simple. The institutions I am speaking about are for agricultural improvement. The Co-operative movement runs on a somewhat different organization.

The Chairman. Q.—Well, Mr. Keatinge, a point I should like to know is whether you have any views as to the method of development of Local Self-Government by such systems from central departments.

A.—In so far as the local bodies are dealing with their own funds I should leave them a very free hand. So far as dealing with funds which are allotted to them by the central authorities, general supervision and control would be necessary. If you ask me on general lines, for instance, taking the agricultural point of view, in so far as Local Boards would be prepared to tax themselves and not ask for any money which is allotted to me, I would have no objection to their spending them in any way they like. I should be content to give them advice and to leave them a free hand.

Q.—Would you be prepared for your departmental efficiency to suffer, supposing the cause of Local Self-Government benefited?

A.—It seems to me it is unlikely that it would do so.

The Chairman. Q.—They might make mistakes in the beginning and subsequently do better things.

A.—Yes. So long however as the funds at my disposal are as small as they are at present I need them for the central organisation.

Hon. Moulvie Rafiuddin. Q.—Would you place the selecting of candidates for agricultural scholarship in the hands of the Local Board or the College?

A.—The question would be whether the Principal of the College should select the men or the Local Board. I should think that the Principal of the College could select them best, but candidates' names might be sent in to the Principal of the College by Local Boards. It is advisable that the College Authorities should have some say in the nomination of scholars.

Q.—Would you be disposed to place any funds at their disposal for giving scholarships?

A.—At present we have say 15 scholarships in the year. It would be rather difficult to allot them to the different Local Boards.

Q.—Supposing we allot to each district each year one scholarship, would there not be too many applications for such scholarship?

A.—I rather doubt whether it would work as well as the present system. We now get 30 or 40 applications a year for scholarships and allot them to the most suitable candidates. I think that if the Local Boards want to allot scholarships themselves they should provide the funds.

The Chairman. Q.—Now Mr. Keatinge, are you acquainted with rural conditions in England at all?

A.—Yes.

Q.—Can you give us some idea on the subject of Local Government in rural areas in England? By what methods did it grow up?

A.—It grew up from the action of land owners in the first instance, so far as my experience goes. The land-lords used to govern the country entirely including all the local operations. They practically did all the organization. They organised schools long before there was such a thing as central School Board Committees. Similarly they did much for village roads, making them often at their own cost. I know cases where good water supply was brought into a village by the land-owner at his own cost.

All these matters are now handed over to Local authorities. Subsequently private efforts were also made with the help of some departmental machinery to carry it on. My experience in small villages in England is that the Local authorities have carried on management of such improvements; but except in the case of schools I do not think that they have initiated any improvements comparable with what the land-lords formerly did, and still do.

The Chairman. Q.—Have the rural sanitary authorities taken over any work?

A.—They keep up repairs, etc.

The Chairman. Q.—What I want to get at is that I gather that the activities of the Local authority there are based on the part private initiative of the Local residents, and that gradually it has been Government, national agency, taking over certain works and working them up and developing them up to a higher standard.

A.—Yes, that is the general line. Now-a-days there is a certain amount of friction in rural parts of England. People who have in the past done a good deal, find that many things are now taken over entirely by the Boards, and they find themselves hustled by the Boards, which they do not approve of. A Sanitary Inspector's coming round and objecting to this and that, for instance. The landowner says "I spent hundreds of pounds myself over the improvements, and you are now telling me this and telling me that". Sanitary Inspectors have very large powers. They derive their powers from the Local sanitary authority. I understand there is inspection by the Local Board Inspectors in a general way. When the Local Board Inspector from the Central Board is coming, there is a great activity amongst the Local Inspectors.

KHAN BAHADUR SAYAD SHAMSUDDIN KADRI, I.S.O., B.A., F.B.U.
(18th October 1915.)

Chairman : Mr. Moulvie.

The Hon. Moulvie Raffiuddin. Q.—You have gone through these sections.

A.—Yes; I have read them.

Q.—What do you think about the first question? Should the District and Taluka Boards have an elected majority?

A.—Yes; I should think so.

Q.—What do you think the proportion should be?

A.—At present I should have two-thirds elected and one-third nominated.

Q.—What is your opinion about the second question. Should election be by communities?

A.—I do not think it is practicable, but suitable arrangements should be made to safeguard the interests of important minorities.

Q.—How?

A.—That is, wherever it is found out that an important community is not duly elected, I think, some principle might be laid down to fix a certain number of seats, *i.e.*, reserving a certain number of seats for them.

Mr. Seddon. Q.—Out of the nominated Members?

A.—I am talking of election.

Q.—Then you are in favour of election.

A.—Yes; I am. My reason is that from the information which I have been able to gather I find that some important Districts fare very badly in point of election, particularly Surat and Kaira. In some Talukas of Kaira and Surat Districts there is not a single Mahomedan elected member of Taluka Board. I am talking of Mahomedans and minorities. And also, in Ahmedabad, it is not quite satisfactory. There are four Talukas in Kaira and Surat where there is not a single elected Mahomedan member.

Rao Bahadur Artal. Q.—What is the population?

A.—I do not know exactly the population; but I think it should be from 20 to 25 % Mahomedan population, and in some places it may be a little more. In Surat, it may be a little more but the general average I should put down at 20 to 25%. Broach has got about 50% Mahomedan agriculturists.

Chairman. Q.—And no elected member?

A.—In Broach they have. Most of the Mahomedans there are cultivators and in other Districts also, say, Surat, of which I have got 8 years' experience, I think, there is a pretty good lot of Mahomedans. There are, I think, in other Districts too, but they being in a minority are overpowered.

Hon. Rao Bahadur Sathe. Q.—Are there any special interests in the Local Boards except one of Education?

A.—In every point affecting each Taluka Board every sensible citizen has got an interest.

Q.—I want to know whether there is a conflict of interests between other communities except in point of Education.

A.—Well, as regards Education, I do not hold that there is any conflict of interest between Hindoos and Mahomedans. Both have co-operated with each other; but of course, there are certain places, where, if their interests are not at all represented there is a danger of their being neglected. It is not a question of conflicting interests but of safeguarding interests.

Q.—What I mean to ask you is whether it needs to be guarded by direct representation of minorities.

A.—Yes; I should think so.

Mr. Seddon. Q.—Apart from Education, is there anything which you can specify?

A.—Take the question of Sanitation. In certain localities even if there are two dozen houses of Mahomedans, and if they are not represented on the Taluka Boards, questions about their burial grounds, wells, and lots of petty things might crop up. In that case, I think, people do suffer and it creates a sort of heart-burning.

Hon. Mr. Patel. Q.—Do you know of any specific instance in which the Hindoos had not helped the Mahomedans and have not looked after the interests of Mahomedans in the Taluka Boards?

A.—I think, such invidious instances should not be mentioned. I know of no particular instance. From general experience I should think that if they have not disregarded their interests intentionally they may have done so out of oversight.

Q.—Do you know of any instance in which the Mahomedan interest has suffered owing to minorities in the Northern Division?

A.—Take the case of Nadiad; the question of a Mahomedan mosque had cropped up and it created a good deal of heart-burning. If the Mahomedan interests had been properly safeguarded, I think, it would have been decided without any bother. In Modasa, I believe, a similar row was being created, and, I am afraid, in Bijapur and Khandesh, there have been some instances.

Rao Bahadur Artal. Q.—What was the row?

A.—Well, a Mahomedan Mosque is a mahomedan mosque and it requires no argument to say that it is a place for Mahomedan worship, and they wanted to convert it into a sort of boarding house or something like that in Nadiad and the Collector had to intervene. It was in the limits of the Nadiad Municipality.

Q.—Do you know of any case of Local Boards having no interest?

A.—My impression is, there have been many.

Q.—Can you cite any instance?

A.—At present I cannot; but that does not mean that there are no instances.

Q.—Will you kindly tell me what are those Talukas where there is no representation according to population in Kaira District?

A.—Anand, Borsad, Matar, Mehmudabad, Thasra. In these places there is not a single Mahomedan member elected.

Q.—Nominated?

A.—One for each.

Hon. Mr. Patel. Q.—What is the percentage of the population of Mahomedans?

A.—I do not know that.

Q.—Nor with regard to other Talukas?

A.—No; because I have not taken a note.

Q.—Don't you think that if 1/3rd nomination is left to Government sufficient provision for minorities would be made?

A.—No; I do not think so.

Q.—Why?

A.—Well, it depends upon the option of the District Officers. There are, of course, some, who may be sympathetic and might be safeguarding the interests of Mahomedan minorities, but others may not.

Q.—That is a case of Mahomedans only; others have not yet asked for separate electorates.

A.—I am afraid they have. I know, there is one for Mahomedans and one for Mahrattas.

Q.—Well, in Ratnagiri, the Mahomedans are wealthy.

A.—Well, I should not consider wealth only as a sort of qualification for election. But you are right that it is one of the qualifications.

Q.—But amongst Mahomedans are there not many wealthy persons?

A.—No; not many.

Hon. Mr. Patel. Q.—Would you go in for separate representation according to the population or according to votes?

A.—According to population.

Q.—Not according to votes?

A.—No.

Q.—Why?

A.—Because I think, that it is a very fair criterion. Population is the more accurate standard as you have got the census figures.

Q.—You know, there is a payment towards Local Fund Cess, that is the principal thing. Would you give representation to people who do not pay any Local Fund Cess?

A.—A man will never be elected if he is not a voter.

Q.—Would you give the right of representation to people who do not pay Local Fund Cess?

A.—I never meant that. I would have it according to the population. I would give the power to all people who have got a *bona fide* interest in the land but the standard of representation ought to be according to the population, because that is a fair and more accurate basis.

Hon. Rao Bahadur Sathe. Q.—Will you please refer to the blue pencil mark at page 53, para. 13, Government Resolution.

A.—Yes; but I don't agree with that.

Hon. Moulvie Rafiuddin. (Reads portion marked in blue pencil).

“The Commissioners remark that in the case of Municipalities the extension of the elective principle was justifiable though there are places where it has since been doubtful; but in case of a Local Board, the electorate is so small and the mass of the people elected are so ignorant and apathetic that it will be impossible to arrange that each group and community will be represented”.

A.—I do not agree with that remark.

Hon. Mr. Patel. (Reads) One gentleman (Lord Hardinge) holds these views. (I will read those views.) “Whether or when you may yourselves come forward and say that you no longer require the privilege of separate representation I cannot say, but if such a day comes.....(reads).” Do you agree with these sentiments?

A.—It is very good on paper. In theory it is all right but in practice I do not agree that it will be all right. It is very easy to say these things, but is very hard to follow in practice.

Mir Ayub Khan. Q.—If the Committee recommends and if it is carried that $\frac{2}{3}$ should be elected and $\frac{1}{3}$ nominated, would you then in that case, in $\frac{2}{3}$ also make some provision for safeguarding the interests of minorities?

A.—You mean $\frac{1}{3}$. Yes, certainly.

Hon. Mr. Patel. Q.—Your provision should be made for representation by election, as well as by nomination.

A.—That is at the discretion of the head of the District. If the Collector thinks that the election is quite sufficient I do not

think he would ever nominate. If he finds that inspite of this reservation the number required is not adequate he would make up the number required by nomination. That is what is being done at present.

Hon. Rao Bahadur Sathe. Q.—May I know whether you will give a separate electorate or you will assign particular number of places out of a general number to be elected by the general voters?

A.—I would assign a particular number of seats to be elected by a mixed electorate.

Hon. Mr. Patel. Q.—Whether they elect Mahomedans or anyone?

A.—When you reserve seats it means the election of Mahomedans, but the electorates must be mixed.

Q.—Under present circumstances in the Municipal Act seats are not reserved for Mahomedans.

A.—Well, in the Ahmedabad Municipality they have reserved two seats of late for Mahomedans.

Q.—Under the law as it exists at present it is not necessary to have separate electorate for Mahomedans.

A.—Well, it may not be.

Q.—It is or it is not.

A.—The section is there, but I say that the Ahmedabad Municipality, whether their action is *ultra vires* or not, I cannot say, have reserved two seats.

Mr. Seddon. Government can by rule prescribe the election of minorities and they have as a rule done that. The law is, they may as in the case of Ahmedabad.

Hon. Mr. Patel. The law is that certain seats may be thrown open to election by Mahomedans, whether the Mahomedans choose to take or not is a different thing.

Hon. Mr. Patel. Q.—But it is not separate representation of those communities?

Hon. Moulvie Rafiuddin. A.—That depends upon Government's wish.

Mr. Seddon. Q.—Do you agree to any special provision in the Local Boards Act? Would that be sufficient if we have a similar provision in the Local Boards Act?

A.—What sort of provision?

Mr. Seddon. Section similar to that in the Municipal Act.

Chairman. Are you questioning the legality of Government's action, Mr. Patel?

Hon. Mr. Patel. I know of a case in Umreth. A Mahomedan filed a suit that a Hindoo could not be elected and the District Court held and found it conclusive according to law that they are not bound to elect a Mahomedan.

Mr. Seddon. Q.—If therefore Government make a rule prescribing that two persons may be elected by Mahomedans, that is a legal rule under this section. Well, I want to know whether if we have such a rule made in the Local Boards Act it would be sufficient to leave to Government the power of making such a rule.

A.—I should rather have a definite rule because it is sometimes open to misrepresentation. Take the wording of this rule 11 (2) (c).

Chairman. Q.—I take it from your point of view that Government should prescribe a certain percentage of seats for Mahomedans to be elected by a mixed community.

A.—Yes? I want particularly to keep the two communities together. It is no use alienating them.

Q.—Well, this particular rule covers that case. It does not prescribe that the number of the section should be embodied.

(A). I should rather make it more definite.

Hon. Moulvie Rafiuddin. Q.—I would like to ask you, if there are two seats reserved for Mahomedans you would or would not be in favour of their standing for general constituencies also?

A.—That question does not arise. It is quite open. There is nothing to preclude a Mahomedan from standing for Mahomedan or general election. I do not think there is any explanation required.

Chairman. Q.—Now please look at section 4 (4) (c) of the Assam Act. That is the power that you want.

A.—Yes.

Q.—This gentleman in the Assam Act says that subject to the provision the Chief Commissioner shall, by communication, fix the distribution of elected members. So that would enable the Government to say, there must be so many elected members of each section and community. That is what you want.

A.—That is exactly my point. First of all I gave a general answer. Because for instance, in some places there may be Mahomedans or Lingayats and there may be very few Mahomedans. Whether Mahomedans or non-Mahomedans if their interests are safeguarded, then of course it is all right.

Hon. Mr. Patel. Q.—What are the important communities in the Bombay Presidency that you think should have separate electorates except Mahomedans?

A.—Well, I don't know. That would require the examination of figures. I know there are Lingayats, Jains, etc., but they are all Hindoos unless you divide the Hindoo community. There are also different sects of Mahomedans. The Hindoos must be taken as Hindoos and Mahomedans as such and sects must not be taken into consideration.

Hon. Mr. Patel. Q.—What are the Lingayats? Are they Hindoos?

A.—The Lingayats are Hindoos and if you take that broad definition then there is nothing to be done.

Q.—There should be separate representation for Mahomedans only.

A.—Yes; because that is the important minority.

Q.—Well, do you know if this is recognized in any part of India amongst Local Bodies?

A.—I don't know. I have not gone over all those Acts.

Hon. Moulvie Rafiuddin. Yes; in Punjab and Assam it is recognized.

Hon. Mr. Patel. Q.—Supposing Mahomedans get separate representation by election; would you not have a board consisting of Elected Members and Nominated Officials?

A.—No; for the simple reason that in some cases the head of the District is able to pick up a capable non-official for nomination who would not care to stand for election for certain reasons and the best man is lost. Because, if you deprive the Collector of the power of nominating a non-official you will deprive him of one of the most important and wholesome checks.

Q.—Do you think that $\frac{2}{3}$ and $\frac{1}{4}$ will be enough?

A.—I think $\frac{2}{3}$ and $\frac{1}{3}$ will be enough.

Q.—Of course, you are not for non-official Presidents.

A.—No; the time is not ripe for it yet.

Q.—Nor for Vice-Presidents?

A.—I think, at present, the system of election is in force and it is open to the Members whether they elect an official or a non-official.

Q.—But would you not ask Government to insist upon it?

A.—I would leave it to the common-sense of the Board.

Q.—What is your experience of the Taluka Boards? Do they take interest in the Local Board works?

A.—I have no special complaint to make so far as I am concerned.

Q.—You have worked on many Taluk Boards and District Boards.

A.—Yes; I know of many Taluka Boards in the Presidency.

Q.—In the District Boards the members take a good deal of interest.

A.—I cannot say about all members; there might be some honourable exceptions who do not take any interest; but I think that according to their sense and education they do take interest.

Chairman. Q.—You have been Collector and District Deputy Collector.

A.—Yes; I have been in Surat for 8 years as District Deputy Collector, and in Ahmedabad.

Honourable Mr. Patel. Q.—Supposing the Board employs competent Engineers; is it necessary to have any limitations on the plans and estimates as well as the execution of works?

A.—It is rather a serious question and we must judge of it from the practical point of view. There are several Boards which cannot afford to have competent engineers.

Q.—Assuming that they employ competent engineers.

A.—Well, it is difficult to assume; but if people come with the qualifications of an Executive Engineer there is no objection; but I think, in certain cases expert knowledge is necessary to check certain figures.

Q.—The general supervision you would keep.

A.—Yes; I should. Because, whatever the resources of a District Board may be, I do not think they will be able to employ an Executive Engineer. I am very doubtful whether they can employ as competent men as Government get. There is the Superintending Engineer for consultation in the case of Government. I do not think any Board can afford to have a Superintending Engineer to supervise their works.

Hon. Moulvie Rafiuddin. Q.—Are you in favour of handing over Primary Schools to Local Boards?

A.—Most decidedly not.

Hon. Mr. Patel. Q.—Even if there is a strong expert Committee, would you keep the control of the Department?

A.—However strong the Committee might be, I won't advocate it. It can not be so strong as the Department. With my experience of 30 years, I can say that at least for a generation I cannot think of this question. I have been an Educational Officer myself. I was Deputy Educational Inspector for 3 or 4 years and was in the Education Department for 7 years. I spent 4 years as Deputy Educational Inspector.

Chairman. Q.—What evils do you fear?

A.—The greatest evil is that there would be no uniformity of standard. One Board will have one Educational Inspector and another standard. There would be the question of discipline and so many things in the Education Department have to be looked to, because we have to form the character of the youngsters and unless there is one uniform standard you cannot manage them. The Presidency must have only one man to control and supervise the whole agency. However smart one man may be another may fail and there would be chaos I think.

Hon. Mr. Patel. Q.—Supposing all the Local Boards have one uniform curriculum.

A.—It is not a question of curriculum. There are many minor matters and details which can be judged only by an expert.

Hon. Moulvie Rafiuddin. Q.—Are you in favour of Government taking entire control of Primary Schools ?

A.—I do not know how that question arises.

Q.—Now the Local Board levies a cess. Do you think it is feasible ? Supposing the Government spends the whole money and take the entire control of Primary Schools.

A.—I do not know how that is possible.

Q.—Mr. Belvi has suggested it as an alternative scheme.

A.—Well, if Government wish to take it up, so much the better.

Chairman. Q.—Do you anticipate any injury if Mahomedan Inspectors have control of District Board Schools ?

A.—If the Mahomedans are not properly represented, I think there is a danger.

Q.—Your only objection is to the general deterioration of Education and not to Mahomedans.

A.—Yes. I object on general grounds.

Hon. Rao Bahadur Sathe. Q.—What is your experience of the administration of Municipal Schools ?

A.—In what way ?

Q.—Is it efficient or not ?

A.—It depends upon the capacity of each Municipality.

Q.—On an average you have had an experience of thirty years.

A.—Well, in the majority of cases it is not efficient.

Q.—It will be more inefficient in rural districts.

A.—I think so.

Hon. Mr. Patel. Q.—So, your opinion is that Municipal Schools will be more useless than rural schools.

A.—To a certain extent.

Chairman. Q.—What is your objection ? Is that due to difference of the system ?

A.—Want of interest and supervision. There is a School Committee, as they call it in Municipalities and there are factions. One man wants his relative or friend to enter as assistant and another man wants to promote the Head Master and there are so many small things which are rather undesirable to mention; and therefore it is one of the causes of failure. Disinterested work is most essential for better management.

Hon. Rao Bahadur Sathe. Q.—You find it wanting in the Committees.

A.—Yes.

Chairman. Q.—Do Municipal Schools complain of the interference of Educational authorities ?

A.—I do not think. The orders of Government are very clear and a sensible Educational officer does nothing which is offensive to the Municipality. He is an officer who gives advice in the best interests of the Municipality. There are certain Municipalities which do not carry out the instructions even of the Director of Public Instruction. The Educational officers give advice and it is their advice which has to be followed; and if the Municipalities don't follow they do harm to their own people. That is all.

Hon. Rao Bahadur Sathe. Q.—If we retain the Government inspecting staff and transfer their management to the Local Boards even then you would object.

A.—I really do not know what gain there would be by transferring the management. Do you mean to say that supervision only is to be kept under the executive control ?

Q.—The examinations to be conducted by Government Agencies and other matters of detail such as transfers, promotions, employment of new hands, closing and opening of schools, if all

these matters of details are transferred to the Committee of the District Local Boards.

A.—The fate of these schools would be almost the same as those of the Municipal Schools.

Q.—And even then you would not favour the approval of Government.

A.—No; I won't.

Chairman. Q.—You ask what advantage would there be in such a change of system. Would there not be advantage in the way of teaching people to manage their own affairs?

A.—I think, the Education Department is the last Department in which they should try an experiment. They might gain experience in Local Self-Government in some other cases such as roads, sanitation, etc., before they come to the Education Department. That is the most important Department and I should hesitate making any experiment with it.

Hon. Mr. Patel. Q.—But why should there be even the little control of these Local Boards at present existing over these schools?

A.—If you like give it up.

Q.—Is that your opinion? Has that little control in any way interfered with the efficiency of schools?

A.—The control is a wholesome check and I do not think there is any harm.

Mr. Seddon. What control is it?

A.—Visiting schools, etc. They know how the school is being conducted; what bright answers the boys give, and so on. They do it for their own children and their own interest.

Hon. Mr. Patel. Q.—For that they have to pay one-third of the Local Fund Cess.

A.—They are not throwing it away, I am sure. When they pay, they have got a voice where the school should be started, where it should be closed, what should be the hours of teaching, and so on.

Mr. Martin. Q.—They decide where the schools are to be.

A.—Yes; The Taluka Boards have their own schools.

Q.—The Boards have no control over schools?

A.—They have. When I was Deputy Educational Inspector I used to ask people to take interest in their schools. I used to call the village Punch and tell them to supervise, as they were paying the cess. The Inspectors always take them into their confidence.

Q.—When they take them into their confidence, I believe, the work is efficiently done.

A.—Each case has to be disposed of on its own merits.

Hon. Rao Bahadur Sathe. Q.—Have you any idea as to the sources of income which we can utilize for increasing our revenue?

A.—Well, in your printed list I find, there is one question No. 9 (3). The Local Boards should be permitted to levy a cess on income tax. I should like to suggest that the Committee might levy a cess on Irrigation. Irrigation is a very important item of revenue, and you might as well levy a cess on it.

Mr. Martin. Q.—We do levy it in Sind.

A.—It occurred to me that Irrigation:.....

Chairman. That has already been accepted by Government.

Hon. Rao Bahadur Sathe. Q.—As for Abkari, what are your views?

A.—Well, let it be; I should not object also on Forest revenue.

Mr. Seddon. Q.—Do you think it is possible?

A.—Quite possible.

Q.—How is it possible?

A.—Forest Officers hold an auction every year; there is competition and sometimes they overbid. Contractors won't mind paying the cess.

Hon. Mr. Patel. Q.—So with regard to Excise also ?

A.—Yes.

Q.—It does not follow that necessarily Government Revenue will be less.

A.—I don't think so.

Q.—It is after all the contractors and consumers that would bear the burden mostly.

A.—Oh Yes. Somebody must bear the burden.

Q.—In your opinion these are the contractors and consumers.

A.—In fact it is the consumers, not even the contractors.

Hon. Moulvie Rafuddin. Q.—Are you in favour of an Income-tax Cess also.

A.—Yes.

The Chairman. Q.—To what extent ?

A.—I have not thought over that point, but I think, we must begin very moderately.

Q.—A hundred per cent ?

A.—Oh no, certainly not.

Hon. Mr. Patel. Q.—Quarter of an anna per rupee or something like that ?

A.—Yes.

Rao Bahadur Artal. Q.—Why not one anna ?

A.—That would be too much.

Mr. Martin. Q.—We charge 1% on the land revenue.

A.—If you take 1% of that, I think it will be one anna in a rupee. I am talking of quarter anna per rupee.

Hon. Rao Bahadur Sathe. Q.— $\frac{1}{4}$ anna per rupee of the Income or of the Income-tax ?

A.— $\frac{1}{4}$ anna per rupee of the tax.

Hon. Mr. Patel. Q.—That would bring in something.

A.—Yes.

Chairman. Q.—A man who pays Rs. 10 would pay 10 pice. Is it worthwhile ?

A.—I think it is.

Mr. Martin. Q.—Would you charge it for the Municipalities too ?

A.—We are talking of the Boards; so I would confine myself to the rural area, only.

Chairman. Q.—Would you allow the District Boards to levy this tax on residents in the Municipal area ?

A.—No.

Hon. Moulvie Rafuddin. Q.—Then who are the people, there would be only very few left ?

A.—Those who reap direct advantage from the cess. Those people who are living within the area; if they want additional facilities for Local Self-Government they should pay more.

Mr. Seddon. Q.—Would you have tolls ?

A.—No; I would not have them. They have been recently abolished. The tolls are very troublesome and I think as regards traffic and for indigenous trade it is not worth having.

Chairman. Q.—Toll money is not worth paying by people who use good roads ?

A.—It is only agriculturists who have carts, etc., and they are paying already one anna and they will be overburdened.

Q.—Would not villagers who have no good roads envy villagers who pay tolls and have good roads ?

A.—I think, if it is decided to levy tolls the people might pay but they were more pleased to have these tolls removed so far as I know.

Hon. Mr. Patel. Q.—If the Local Board says to the Post Office, well, your servants have been using our roads and you have been making large profits and we are going to make a charge on your income. Are they justified in doing so?

A.—I do not think that has anything to do. The Postal servant walks on the road, and therefore you say they must pay? Well, everybody walks on the roads; do you mean to say that they should pay capitation tax?

Q.—I understand you are decidedly opposed to levying anything further on the agriculturists surely.

A.—Well, if you can save them, so much the better.

Q.—They are sufficiently overburdened in your opinion?

A.—I cannot say, they are sufficiently overburdened; but unless there are very strong grounds I would not favour the idea of raising the burden.

Hon. Moulvie Rafiuddin. Q.—Would you be in favour of any community levying a cess for education purposes?

A.—Well, if a man wants to help a cause in particular, he may pay a cess; but voluntarily a man won't pay a tax.

Q.—On the principle of Mr. Bhurgri cess in Sind, the Government should collect, if the people are willing to pay for the education purposes.

A.—Why should Government collect if the people voluntarily pay? Why should they not collect amongst themselves? Government have to pay also for collecting the cess to Talatis, etc.

Hon. Moulvie Rafiuddin. Q.—Well, the charges will be paid.

A.—I have no objection.

Mir Ayub Khan. Q.—Supposing the Boards engage certain engineers for the roads which are under the control of the Public Works Department; would you like that these engineers should be taken from the Government service; or the boards should have the power of taking them directly?

A.—I would like to give the power to the boards to select the best man possible.

Q.—Now, don't you think there would be danger if the members who are on the Works Committee select a man? I don't think we find a great majority of engineers and experts on that Committee. Now, they select a man and the man in the long run proves a failure; but if he is a man selected from the Department they can easily ask the Department to take him back, and I think, it will not go very hard upon the man. Don't you think, it would be advisable?

A.—Well, it is better to consult the Department and take a man on the approval of experts; then they would get a better man.

Hon. Rao Bahadur Sathe. Q.—Would you give the District Boards the power of taxing themselves?

A.—I do not think that Boards would care to tax themselves voluntarily.

Q.—My question is not about self-taxation. Can you give us any items which can be taxed in the rural areas if the Boards are given the power of self-taxation?

A.—The people will have to pay the tax; is it not?

Q.—I shall make myself clear. In Municipalities the Municipalities are competent to introduce certain taxes with the sanction of Government. If the power is given to District Boards can you give us some items which can be taxed in rural areas?

A.—I am not in favour of giving that power to the Local Boards.

Mr. Seddon. Q.—Why not ?

A.—Because they might pick up an item of tax which might be injurious to the public at large.

Hon. Rao Bahadur Sathe. Q.—If they get the sanction of Government ?

A.—Well, if they get the sanction of Government, I do not think there is any objection.

Q.—Then you will give them the power of self-taxation. What are the items ?

A.—Almost all the important items have been exhausted. I cannot tell you at present, on what items you can now levy and realize a fairly good income.

Mr. Seddon. Q.—Will you tax occupation ? Well, there are lot of people in big villages who make a certain amount of income.

A.—There are Potters and Chamars .

Q.—I am not thinking of those people. I am talking of petty money-lenders and petty traders.

A.—What standard would you lay down ?

Q.—Well, that is a matter of detail.

A.—Well, you might devise a scheme by which those people who do not pay the cess and enjoy the benefits might be taxed.

Hon. Moulvie Rafiuddin. Q.—Would you be in favour of taxing Pilgrims as in Pandharpur ?

A.—Oh yes. They enjoy the benefits of Sanitation and I think they should pay.

The Chairman. Q.—You know, in Madras, there is a profession tax.

A.—No ; I don't know.

Q.—In other parts of India there are license taxes and occupation also.

A.—I have heard of License taxes. I think they may be feasible in rural areas perhaps.

Q.—Is there any feeling on the part of the agriculturists that they bear the whole burden of taxation of traders ?

A.—Yes; I think there is that feeling. Very often they have to bear the brunt, but the number of people in small villages is very insignificant and it is not openly felt but there is a general impression that they have to bear the brunt of the Local cess.

Hon. Mr. Patel. Q.—Are you in favour of increase of subventions by Government; or are you in favour of a share for Local Boards from Provincial revenue ?

A.—That is a rather difficult question to answer. One must study the figures. I have not carefully studied the figures and I think I would rather not answer it.

Hon. Mr. Patel. Q.—Would you like a provision in the law that Taluka Boards must hold a certain number of meetings ? At present there is no law. It is left to the discretion of the Boards.

A.—Do you wish to make it compulsory ? They are not at present precluded from holding as many meetings as they like. There is no number fixed, but they hold certain meetings. But without work what is the use of compelling them to hold a certain number of meetings ?

Mr. Martin. Q.—Do you think that Local Boards are a failure ?

A.—No; I do not think so.

Hon. Mr. Patel. Q.—With regard to question No. 11, Mr. Kadri, have you found it of any use ?

A.—I think, as we are going to increase the number of elected members I should rather have a larger number of voters and for that perhaps we might just lower the assessment from Rs. 48.

I should rather bring it down to Rs. 30 or Rs. 36. As regards the moveable property I should reduce it from Rs. 5,000 to Rs. 3,000 and annual income from Rs. 500 to Rs. 300 and in case of Pensioners from Rs. 30 to Rs. 25.

Mr. Seddon. Q.—A man who draws a pension of Rs. 25. Is he an intelligent man?

A.—I should think so.

Hon. Mr. Patel. Q.—Well, you suggest a separate electorate for Mahomedans would you also suggest a separate electorate for the educated classes?

A.—No; for this reason that is the money of the agriculturists (the cess) and educated classes will come and create all sorts of trouble. Unless the educated classes are agriculturists or they pay an assessment I would not allow them the franchise of separate election.

Q.—Do you mean to say, those who hold property worth Rs. 5,000 under the present law should be given the vote whether they pay the cess or not?

A.—Yes.

Q.—You want to reduce it to Rs. 3,000 if possible?

A.—Yes, if possible.

Q.—Whether they pay the cess or not.

A.—Mostly they have some vested interest in the rural area, even if they possess a bit of land. If a man is worth Rs. 3,000 he is supposed to possess some land or some interest in land.

Q.—Your opinion is that a man who pays no cess must not be asked to vote.

A.—If a man has property worth Rs. 5,000 he has got some interest; but an educated person who has no vested interest or no property he is not entitled to vote; if he has got a house worth Rs. 3,000 certainly he comes in as an educated man and a property holder. Simply because he is an educated man; if he has no vested interest I would not give him the vote.

Q.—Have you formed any opinion about question No. 16 as to dividing the Local Fund Cess between Taluka Board and District Board without deducting the education portion?

A.—At present it is divided, I should think.

Q.—There is no law.

A.—No. The District Board allots a certain amount out of the revenue to each Taluk Board and the Taluka Board is asked to prepare a Budget.

Q.—It is left to the District Board to decide what portion they should give.

A.—Well, the District Board is a responsible and a better body to see whether the money is really required or not. Each Taluka Board is represented on that Board and the member would safeguard in the interest of his Taluka.

Q.—If there is any work which is exclusively for a particular village, say a well to be sunk or something of that kind; is it not advisable to the Taluka Board to leave it to the village Committee?

A.—Well, I think they do that, if I mistake not, in certain places.

Hon. Moulvie Rafiuddin. Q.—In your opinion it is advisable to leave work exclusively for the village community to do it.

A.—If people are intelligent enough to do that.

Q.—Supposing this Committee decides to hand over schools to Local Boards, would you be in favour of having some safeguard for Mahomedan schools in the Presidency?

A.—Well, I object to that on principle.

Q.—If Government do not agree with your principle and decide to hand over the schools?

A.—The Board will have certain members to safeguard educational interests and these members will look after Mahomedan schools as well.

Q.—In case of there being a danger of being over-ruled by a majority. Would you be in favour?

A.—I think that common-sense tells us that if there are Urdu schools and there are a large number of Hindoos who do not understand Urdu necessarily they would go to the Mahomedan Member.

Q.—We do not want to leave it to common-sense. Would you be in favour of having a Committee for these Urdu schools?

A.—Yes; if there is any danger of their being hampered.

Hon. Mr. Patel. Q.—Who really prepares the Budget of the Boards?

A.—The Vice-President.

Q.—No non-official members?

A.—I think, they appoint a special Committee so far as I know. The Vice-President consults some members in fact and the whole thing is done by the Committee.

Q.—Do you find that the Taluka Board performs any useful function?

A.—Yes; I think it is an important body.

Chairman. Q.—There are some people who suggest that the Taluka Boards should be abolished.

A.—I would not agree. If they abolish Local Self-Government they can abolish the Taluka Boards. I would certainly not be prepared to abolish Taluka Boards unless you are prepared to abolish the Local Self-Government.

Mir Ayub Khan. Q.—Supposing instead of Taluka Boards they have what they call village Panchayats. Would you have anything in substitution to the Taluka Boards?

A.—I would certainly keep the Taluka Boards. The village Panchayats would be subsidiary to the Taluka Boards.

Mr. Seddon. Q.—Would you assign some Revenue to the gam Panchayats?

A.—That would depend upon the functions that may be assigned to the village Panchayats.

Q.—Supposing that it has some functions in regard to small work in the village?

A.—I should make it subordinate to the Taluka Boards as a sort of Informal Committee to the Taluka Boards.

Q.—The Taluka Board may say, you have got a small building to be built.

A.—The Taluka Board must do it. I would not give a special grant to the village Panchayats.

Q.—Why not?

A.—Unless you have got a source of revenue they might privately raise subscriptions amongst themselves. And if the work is done by the Panchayat with the Taluka Board money it must be done under the supervision of the Taluka Board.

Q.—Every villager pays a certain amount of cess and I think that money should be spent by the gam Panchayats.

A.—Without control or supervision or consent of the Taluka Board?

Q.—With some control.

A.—Yes; if there is control; but not without control or consent.

Q.—Will you make the Taluka Board a merely supervising body?

A.—Yes. But I do not think that they should leave everything to the village panchayat. There may be some cases which the

Board itself might look after. I do not advocate it, because it would do away completely with the Taluka Board.

Mr. Martin. Q.—Which do you find is the most workable, the Taluka Board or District Board?

A.—The minor works are done by the Taluka Boards and important roads are undertaken by the District Boards.

Q.—Does the District Board do anything in regard to schools?

A.—No.

Q.—The Taluka Boards?

A.—Yes; in connection with construction, etc., and they get a copy of inspection reports.

Q.—What do they do with the reports?

A.—They are placed before the Committee and their remarks are communicated to the Educational Department.

Hon. Moulvie Rafiuddin. Q.—Are you in favour of non-official Presidents for the District Boards?

A.—No.

Q.—And for Taluka Boards?

A.—I have answered that.

Chairman. Q.—As regards the Vice-President?

A.—At present they are elected. Whether they elect an official or non-official I don't mind. But I have one suggestion and that is, when an Assistant Collector or a Deputy Collector is in charge of 2 or 3 Talukas, I should have him as President of only one Board, as he will have no time to attend to all of them. In that case I should suggest the Mamlatdar.

Hon. Mr. Patel. Q.—In no case a non-official?

A.—When the Mamlatdar is President, the Vice President will be a non-official. In some Talukas they appoint the Mamlatdar; but for the sake of efficiency I should not like to have the Presidentship of more than one Taluka Board given to a Sub-Divisional Officer.

Chairman. Q.—Do you find in many Talukas men of experience and education?

A.—Only in a few Talukas. For instance, the Taluka which Mr. Patel mentions, Nadiad; but except in such places I do not think there are people who are fit to be Vice-Presidents.

Q.—It requires time for men to become capable.

A.—It requires a lot of time. The Vice-President does the whole work of the Taluka and so he must be an official.

Hon. Mr. Patel. Q.—So it is, the Vice President, who bears the brunt of the work. Then why not a non-official President?

A.—Because the President is supposed to go round the whole Taluka; and if he is an official he will be all right; whereas if you keep a non-official President, he may not be well versed in all the requirements of the Taluka.

Q.—If a Mamlatdar is Vice President what harm will there be if there is a non-official as President?

A.—We do not want ornamental figureheads. They have not much to do; but still they must have the ability to supervise and look after.

Hon. Moulvie Rafiuddin. Q.—There is a suggestion made that the Collector should be a member of the Local Board; and if there is a non-official as President, do you think it would be good if the President is non-official and the Collector a Member?

A.—It depends on the man possessing the Local knowledge of the whole District. If you find that one man has knowledge and experience it might be limited to a particular area whereas the Collector who moves about the whole District knows the whole District and the peoples views well.

Q.—If his experience is utilized by the District Board as a Member.

A.—Well, it is one thing to be a member and another thing to be President.

Mir Ayub Khan. Q.—Supposing we have non-official President and non-official Vice President. Under these circumstances would it be right to have the Collector as a Member of the Board and sit there.

A.—It is a question of sentiment. There may be some Collectors who may not mind and may remain members but what I am thinking of is the actual result of the work. But why then keep him at all. He would be very glad to be away if he is stripped of some work.

The Chairman. Q.—How do you propose about seeking his advice?

A.—If the Committee is competent and experienced why seek the advice of the Collector at all?

Hon. Mr. Patel. Q.—You talk of the experience of the Collector but you forget that the Collector is there for only 4 or 5 years but the non-official is there always for the whole of his life.

A.—But there are non-officials who have not seen a second taluk of their own District.

Q.—I don't mean those non-officials whom you have in view. I mean non-officials who have experience of the needs of the taluks.

A.—What sort of experience?

Q.—They know the people, they know their requirements.

A.—They have not got the means to know I am afraid. How could they know?

Q.—The Collector visits every village from day to day.

A.—I think non-officials cannot get information like the Collector.

Q.—Are you in favour of giving allowances to Members for attending meetings?

A.—I don't think they care. They would rather have it as Honorary work than stipendiary or mercenary. If you bring it down to that level, but I don't think that men with some respect for honorary work and local self-Government will accept that. If you offer it as an inducement to work, I do not think it is an inducement.

Mir. Ayub Khan. Q.—Mr. Kadri, it was suggested that Rs. 5 for the District and Rs 2-8 for the Taluk Board Members should be paid as allowances. I think it will be a ridiculous sum.

A.—It is not a question of a ridiculous sum but it is a question of patriotism and zeal for the work.

Hon. Mr. Patel. Q.—Your opinion is they won't care, and consider it humiliating themselves.

A.—Yes.

Hon. Rao Bahadur Sathe. Q.—At present we don't pay any expenses. Do you think that it is one of the reasons for the lack of interest?

A.—No. Not at all.

The Chairman. Q.—Well, if you have election for Taluk and District Boards is there any danger of unfit persons being elected?

A.—Yes, I am afraid.

Q.—Is there any safeguard which you can suggest?

A.—What safeguard? As in the case of Municipalities canvassing will go on and those will win who secure a majority.

Q.—If it is subject to the approval of Government.

A.—Well, in that case we shall have to prescribe qualifications for the President. What sort of persons should be President, etc. Without very strong safeguards I would not run the risk of allowing the election of Presidents. If safeguards could be prescribed then it might be allowed. It is a very delicate question and I think

it must be handled very carefully. The qualifications must be laid down otherwise the Boards instead of thriving will go to dogs.

Hon. Mr. Patel. Q.—Now the Local Boards are given the right of electing their Vice-Presidents. Do you think they have not exercised their rights properly ?

A.—Because the President has control and keeps an eye over the action of the Vice President.

Q.—Do you think that Local Boards have not exercised that right in a judicious manner ?

A.—I don't know that.

The Chairman. Q.—I take it Mr. Kadri that whatever powers are given to the District Boards they must be brought under a considerable degree of control.

A.—Yes, I should think so. Because as a matter of fact we are just progressing and in order to give people some benefit we must do it with care.

Q.—Do you think that the existing powers of control are sufficient or that they must be strengthened.

A.—At present there is sufficient supervision under the present circumstances.

Q.—With the suggested increase of powers for the Boards is there any necessity for increased control from outside.

A.—I think when you give greater powers greater supervision and control is necessary.

Hon. Mr. Patel. Q.—What greater powers would you suggest than those already suggested.

A.—I have not thought over it seriously, what powers should be given.

The Chairman. Q.—Have you studied the questions?

A.—Well, I have not given it the necessary attention.

Hon. Mr. Patel. Q.—The Collector has got at present the power to compel the Board to execute or carry out a work or Government have got the power to suspend any work. What more powers do you think should be given?

A.—What the Chairman meant was the powers of the Board.

The Chairman. Q.—I mean the control by the Collector and the powers of the Executive. I think the present powers are sufficient. Has the Collector any power to order the Local Board to do anything ?

A.—I think there is a provision for that in the Municipal Act. In certain emergencies they can be asked to carry out certain work.

The Chairman. Q.—That is only in the matter of Public Health and Sanitation.

A.—Yes.

Q.—Under the new scheme supposing you dislike a School Board, is it necessary to give the Collector any power ?

A.—If the Boards have got the control then I think the Collector might have some power to set right the Board in matters which are detrimental to the people in point of education. There may be occasions when that power will be necessary.

Q.—I take it that under existing circumstances the powers are all right, but if special circumstances arise greater powers will be required.

A.—Yes.

Hon. Rao Bahadur Sathe. Q.—In the case of schools would you be in favour of leaving a certain amount of control to the Education Department rather than to the Collector ?

A.—I think so long as the Education Department exists it will have the power to supervise or guide as in the case of Municipal Schools and not the Collector.

HARI NARAYAN APTE, ESQUIRE.

(18th October, 1915)

Hon. Rao Bahadur Sathe. Q.—You have been on the Poona Municipality for 15 years ?

A.—Yes.

Q.—For a major portion of that time you were on the Schools Committee ?

A.—Yes. In fact ever since my entrance into the Municipality till very recently. I was on the Schools Committee and for some years I was Chairman of that Committee.

Q.—You have got the questions which this Committee has issued out ?

A.—Yes, I have got them.

Q.—Now with regard to Question No. 6 in regard to Education, have you formed any idea about the first part of it ?

Chairman. Q.—Don't you think, Rao Bahadur Sathe, it would be well if you start from Mr. Apte's written evidence ?

Mr. Apte. Q.—In my written evidence I have given you a reply to the first portion of it.

Hon. Rao Bahadur Sathe. Q.—What is your experience of management by Schools Committees ? Is that a satisfactory management ?

A.—No, it is not quite satisfactory.

Chairman. Q.—In Poona City ?

Witness. A.—No. Not even in Poona City.

Hon. Rao Bahadur Sathe. Q.—With this experience of yours, do you advocate that the management of Primary Schools should be entrusted to Local Boards ?

A.—Yes. But in the way I have proposed. Not independently to each District Local Board.

Q.—So your answer is to be taken along with your scheme ?

A.—Yes.

Q.—If the scheme is not accepted, your recommendation is not to be taken into account ?

A.—I have distinctly said that each District Local Board should not be taken into account as an independent unit for educational purposes.

Chairman. Q.—As an independent unit ?

Witness. A.—Yes.

Hon. Moulvie Rafiuddin. Q.—What do you mean by "independent unit" ?

A.—That is, so far as primary education is concerned, each district should not have all the power to itself. The control should not be given to a District Local Board.

Hon. Rao Bahadur Sathe. Q.—If I understand your scheme rightly, you want to introduce a Board on the lines you have suggested in place of the Educational Department ?

A.—Yes, completely. But I have also said that in certain cases Government sanction should be necessary.

Hon. Moulvie Rafiuddin. Q.—You have put it there ?

A.—Yes. I have said that the Central Board's resolution should be considered final except in certain cases where Government sanction should be necessary.

Chairman. Q.—You don't specify those cases ?

Witness. A.—I do not specify them there.

Hon. Rao Bahadur Sathe. Q.—Has your scheme got any precedent in other countries ?

A.—I think there is some similarity between the County Councils in England, not to the whole extent of course.

Q.—You mean there is some such Board in England ?

A.—Yes, the Board of Education in which all power is centralised.

Q.—Leaving aside Ahmedabad and Poona which are very important towns, do you think we shall get good material in District Local Boards to represent on this Educational Board which requires special knowledge of education and special aptitude ?

Witness. From each district ?

Q.—Yes, from each district ?

A.—I do not think that from each district you can get experts to control education, but you can get 3 such men from each division.

Hon. Moulvie Rafiuddin: Q.—Including Sind ?

A.—I have not included Sind.

Hon. Rao Bahadur Sathe. Q.—Would you restrict the choice to the Members of the Local Board or you can have educational experts from outside also ?

A.—I think the candidates need not be particularly from the District Local Boards, because in that case you cannot have a choice from amongst the educational experts.

Q.—On what merits have you proposed your scheme ?

A.—The first merit is that the whole control of education of the people will be in the hands of the people themselves. Now, for instance, if you want them to levy a tax for education, to have an educational cess, if the people themselves ask you to have such a tax, there won't be any difficulty to sanction its levy.

Q.—Do you think it is likely that people will ask for that ?

A.—I think if a responsible Board comes into existence, it may.

Q.—You consider that the curriculum is the most important ?

A.—The curriculum and the selection of text-books and even the preparation of text-books. These are all very important items in primary education.

Q.—This Board should lay down rules for the guidance of the District Local Board ?

A.—The relations between the District Local Boards and the Central Board should be something similar or exactly like the relation between the Municipalities and the Department of Public Instruction at present.

Q.—Under the system which is prevailing at present in Municipalities, all questions of detail, such as promotions, transfers, employment of teachers is left to the Schools Committee, am I right ?

A.—Yes, in some Municipalities.

Q.—Is it not your experience that these questions are better handled by one individual rather than by a Committee, that is Government is not suited to the disposal of such questions, is that your experience ?

A.—Yes, my experience is that committee Government is not suited for dealing with these questions.

Q.—And may I know the reasons why the Committee administration is not satisfactory ?

A.—I think the Committees have generally narrower views than one individual who is responsible for the administration of a department ?

Q.—It ought to be broader really ?

A.—But practically it is not.

Chairman. Q.—I do not understand what you mean by narrower views in matters like that.

Witness. A.—I shall explain myself. Supposing one teacher is transferred and the teacher does not want to go where he is transferred, it generally happens that he goes about visiting several members of the Committee, and if he is fortunate enough to secure a majority, his transfer is cancelled. Such a thing ought not to be allowed.

Q.—That is an example of narrower mind ?

A.—Because the members do not care to look to the necessities of the Department but look to the individuals.

Hon. Mr. Patel. Q.—So you are in favour of one-man rule ?

A.—Yes, I am in favour of one man rule so far as executive work is concerned.

Hon. Rao Bahadur Sathe.—Q.—If at all according to the scheme you have proposed the management is transferred to District Local Boards, what executive officer would you recommend for the Schools Committee ?

A.—I have suggested the appointment of a Secretary.

Q.—Of what qualifications ?

A.—Of the rank of a Senior Educational Inspector for the whole Board.

Q.—You mean the whole Presidency Board ?

A.—Yes.

Q.—My question was as regards the Schools Committee of the district ?

A.—For the present it is the Deputy Educational Inspector, but he is responsible to the Director. He is not responsible at present to the District Local Board at all not being their subordinate. If according to the new scheme he becomes a subordinate of the District Local Board, I will have him as Secretary of the Schools Committee.

Hon. Mr. Patel. Q.—So a strong School Board Committee with an executive officer of the grade of a Deputy Educational Inspector, that system would work well ?

A.—I do not think even then it would work well.

Q.—Not in any district, according to you ?

A.—So far as I know. I know only Poona district. I cannot say of other districts positively.

Chairman. Q.—You are afraid of the narrower views, in other words, jobbery ?

Witness. A.—Yes. I cannot call it jobbery. The members of the Committee gain nothing thereby. It is only weak-mindedness.

Hon. Moulvie Rafiuddin. Q.—With regard to these Committees, is it your experience that the best man cannot always get elected as Chairman ?

A.—I think such a thing may happen anywhere sometimes.

Q.—Is it a fact that in your own town you have selected a man who did not know English in preference to Professors ?

A.—Yes.

Q.—Was it by canvassing ?

A.—All elections go on by canvassing.

Q.—Now you say that in place of the Educational Department you will have your scheme. Supposing your scheme is rejected by the Committee you would not like to place the Primary Schools under the control of the District Local Board ?

A.—No. I would suggest Divisional Boards at least. If you cannot have provincial boards, have divisional boards at least.

Q.—If that scheme is not carried by the Committee, you would not give the control of the schools to the Local Boards ?

A.—No.

Chairman. Q.—You prefer the existing system to be controlled by a School Board of a District Council ?

A.—Yes.

Hon. Moulvie Rafiuddin. Q.—In your scheme I find you have been good enough to give three representatives to my community. That would be one fourth. Why is this liberality ?

A.—Because here it is education to be considered, and especially as you are fighting for education through Urdu, I think it right that you should have representatives for Urdu.

Q.—That is to say for our special circumstances ?

A.—Yes. Because we are not competent to judge of Urdu.

Q.—Supposing the management is given to the Local Boards, there also you will have such a representation of the Mahomedan community if the Boards are going to control the schools ?

A.—In fact I do not like the idea of handing the management to the Boards at present.

Q.—But unfortunately to the Committee, it is handed over.

A.—I should not like to have any Mahomedans there.

Q.—What will you do for the Urdu Schools ?

A.—I think they will have to go on as they have been going on hitherto.

Q.—Unless your scheme is brought into force, you would not be liberal to them ?

A.—No.

Chairman. Q.—Would you explain the difference of attitudes in these two cases. I don't quite understand what you say. You give Mahomedans to a Central Board, why not on a smaller Board. What is the difference of principle ?

A.—Because generally Mahomedans or other people taking special interest in education are very rare, and simply adding to the numbers of those who understand nothing of educational matters won't improve matters at all.

Q.—Want of satisfactory Mahomedan representatives ?

Witness. A.—Yes.

Hon. Moulvie Rafiuddin. Q.—But if they are found ? and if they are specially nominated on the schools committee as co-opted members, could you give them on principle the same place ?

A.—On Schools Committees you mean ? According to the Municipal Act, for instance, we can co-opt members.

Q.—I am only asking you with reference to your scheme whether you would extend the same concessions to the Mahomedan community in the case of the Local Boards ?

A.—Yes. So far as education is concerned.

Q.—According to your scheme you want to have the entire control of primary education ?

A.—Yes.

Q.—Including the curriculum of the schools ?

A.—Yes.

Q.—You would give no place to the Director of Public Instruction excepting as Chairman ?

A.—As President of the Board.

Q.—And the existing Inspectors will have nothing to do with your scheme ?

A.—They will be the servants of the Board.

Q.—I mean the existing Inspectors of the Department ?

A.—What I have suggested is that the whole of the primary education service should be transferred to the Central Provincial Board.

Q.—You want Government to pay for them ? The present Inspectors will have to be retained and paid by Government ?

A.—I have said in the last but one para of my note that “ the expenses of the maintenance of this Board should be met partly from contribution..... ”

Q.—With your Board do you think that the present Educational Department should be continued or it should be abolished as far as primary schools are concerned.

A.—It should be abolished. All Government Inspectors as Government Inspectors should cease to exist.

Q.—What do you propose should be the agency in their place for the purpose of inspection ?

A.—This Board will maintain its own staff of inspectors—the individuals may be the same.

Chairman. Q.—When you say abolish, do you mean transfer ?

A.—So far as Government control is concerned, they are to be abolished. Same people who are there may be employed by the Board.

Hon. Moulvie Rafiuddin. Q.—What objection is there to the State paying these Inspectors. If they are merely to be transferred why do you think that the State should cease to pay them ?

A.—They should be considered as servants of the Board, whether the State pays them directly or whether a grant is made to the Board by Government and they are paid from that grant. What I say is they should be considered as servants of the Central Board.

Q.—Beyond that do you think that Government should have any control ?

A.—With certain reservations.

Q.—What are those reservations ?

A.—Supposing for instance some text-books are prepared under the supervision of this Board and Government does not think that they are proper text books, Government should have the power to withhold sanction for their use in schools.

Q.—You know that at present there are two duties like direction and inspection. But according to your scheme, who will do the duties of the Director ?

A.—The Board will do the duty of the Director.

Q.—Who directs the policy. For instance, at present the Director of Public Instruction is supposed to direct the policy and he interferes through the Inspectors. Under your scheme the Director is the President. He has no more power excepting what is given to him by this Board. So who will do the duties of the director's office ?

A.—The policy should be in the hands of this Board as to how education should be conducted. For the executive work, there is the Secretary.

Q.—For the entire Presidency ?

A.—Yes.

Q.—So practically the Secretary will be the executive officer of this Board ?

A.—Yes.

Q.—Will you give him the powers of dismissal, etc. ?

A.—The power of dismissal of officers up to a particular grade. Above that grade all questions should be referred to the Board.

Q.—And then what should be the relation between this Board and the Local Boards.

A.—The Local Boards should not have any power to dismiss teachers or transfer them. That should be done by the Secretary.

Q.—And should an arrangement similar to the present deputy continue ?

A.—The present organization will continue, but it will continue as subordinate to this Board.

Q.—You are in favour of the representation of Mahomedans on the Local Boards ?

A.—Yes, so far as education is concerned.

Q.—I am talking of the representation of Mahomedans. You are in favour of the Mahomedan community being represented on the Local Boards ?

A.—No.

Q.—Are you aware that it is being represented ?

A.—Nominated by Government, I am aware of it.

Q.—Are you in favour of these nominations ? You know that one or two Mahomedans are appointed by Government. Are you in favour of the proposal that instead of Government nominating the community themselves should elect ?

A.—Simply because they are Mahomedans ?

Q.—Are they not appointed now because they are Mahomedans ? Are you in favour if those nominations are given to the Mahomedan communities themselves to elect their own representatives ?

A.—No. Because Government here can use good discretion and select good people. I am not sure the Mahomedans will be able to do that at present.

Q.—Then in your opinion nomination is better than election ?

A.—Yes.

Q.—For Mahomedans alone ? You are in favour you say because Mahomedans will not be able to exercise the right properly, therefore Government should nominate. But in the case of the Hindus it should not be so ?

A.—No.

Q.—Is there any particular reason why the Mahomedans are not able to exercise this right of election ?

A.—That is my experience.

Chairman. Q.—How is it arrived at ?

A.—So far as the Municipal elections were concerned, they were given an opportunity to combine and bring in their own representative, on the Poona Municipality but they could not combine. They did not want to.

Q.—What is the history of this case ? [They have had separate community representation here ?

A.—The territorial extension of the electorates were so far extended that the Mahomedan voters if they had thought it necessary, could have combined but they did not do it.

Q.—Did they get any Mahomedan representative ?

A.—They did not find any deserving Mahomedan and they did not combine and elect one. In Poona in two Wards that opportunity was given to them.

Hon. Moulvie Rafiuddin. Q.—You are aware of the fact that on the Poona Municipality during the last two years no Mahomedan was elected ?

A.—Yes.

Q.—And your Sub-Committee passed a Scheme for the election of two Mahomedan members on the Municipal Board, but was it passed by the general body? What happened to that scheme?

A.—Nothing came out of it.

Q.—Was it rejected by the general body?

A.—I think it was rejected. We submitted it to the general body. I do not remember whether it came for discussion or it was dropped.

Mr. Martin. Q.—How long have you been here a Member of the Local Board?

A.—About six years.

Q.—Is there a Schools Committee of the Local Board?

A.—So far as I can remember, there is none.

Hon. Rao Bahadur Sathe. Q.—Do members of the School Committee inspect the schools?

A.—The members of the Municipal Schools Committee inspect sometimes.

Hon. Moulvie Rafiuddin. Q.—With regard to the electorate which you said was formed by re-adjustment, are you aware of the fact that in that ward or electorate there is a large number of Mahomedan weavers who are indebted to a sowcar?

A.—I do not know.

Q.—Is a Marwari elected for that constituency?

A.—Yes, a Marwari has been elected.

Q.—And are you aware of the fact that this Marwari deals with these weavers?

A.—But he is not the only one. There were five candidates,

Chairman. Q.—Your disapproval or condemnation of the Mahomedan power of election is based on this experience?

A.—Yes. They are not able to combine. They do not want to combine.

Hon. Moulvie Rafiuddin. Q.—Everywhere?

A.—My experience is confined to Poona.

Rao Bahadur Artal. Q.—Have they any factions?

A.—I do not know.

Hon. Mr. Patel. Q.—Have you any experience of villages in the Poona district?

A.—Not much.

Q.—I do not quite understand your scheme. One suggestion is that there should be a District Board Educational Committee with experts as co-opted members with an executive officer to work the scheme. And your scheme is for a division of the whole Presidency, that is the only distinction if I have understood you aright?

A.—What I have suggested is that in the Presidency Board the whole power should be centralised.

Q.—Here the power is to be centralised in the District Board Committee with educational experts on them and with an educational officer to work out the scheme. Your scheme is for the whole of the Presidency. That is the only distinction. One is a district service and the other is a provincial service, if I understand you aright?

A.—Yes.

Q.—Don't you think it is rather outside the scope of Decentralisation?

A.—I do not think so. Because the chief aim of my scheme is to have the best men as representatives and have the whole policy of education in their hands. So that gradually this power may be divided and sub-divided going down to the Taluka Boards rather than begin with the Taluka or District Local Boards and go upwards.

Q.—Then your scheme suggests that the time will come when the central authority will delegate its power by and by to District Boards and the District Boards to the Taluka Boards ?

A.—Yes. In fact I have said that for the present to start with we should have three representatives from each division, but ultimately it should be that every District Local Boards should have a representative on the Central Board.

Q.—Do you know what portion of expenditure on primary education is borne by Government at present ?

A.—About two-thirds. But I have said that Government should endow the Board with an annual grant equal to the amount which is spent by the Educational Department at present.

Q.—You are in favour of the whole of the expenditure being borne by Government ?

A.—That is two-thirds which they are spending now. The remaining one-third should come as at present from our treasury.

Q.—You do not want to add to it ?

A.—Either you may ask Government to increase the grant or you may ask them to have an educational cess or something of that sort.

Q.—Would you have it fixed by statute that Government must bear a particular proportion of expenditure on primary education ?

A.—I think in the beginning it must be so. It must be fixed by statute.

Hon. Rao Bahadur Sathe. Q.—How could you supplement the resources of the Local Boards ?

A.—You mean by increasing taxation ?

Q.—Because the present cry is that sufficient money is not given to Local Boards and much work has to be left over. As you are here for six years, I would like to know if you have given any thought to the question of supplementing the resources of the District Local Boards ?

A.—I think unless we impose fresh taxation it is not possible to increase our resources.

Q.—Which items would you select for fresh taxation ?

A.—There is a proposal to increase the cess on Abkari. I should go to the Abkari Department certainly last, because I am a temperance man, and I do not like that vice should contribute towards the education of the people.

Q.—That would be the last resource ?

A.—Yes.

Chairman. Q.—Are there many who think with you ?

A.—I know of one gentleman who thinks with me on this point.

Hon. Mr. Patel. Q.—If there is a cess on excise, and if the price goes high, don't you think that drink would be reduced ?

A.—Perhaps a drunkard would have some consolation that by paying more, he pays for education, but I do not think that it is very sorry consolation for others.

Q.—Do you mean that the more the price the more the drunkards ?

A.—I cannot say that. But somehow I do not like the idea. It is a sentimental idea. It is allowing people to drink and thus bring in money for education.

Q.—My object is to lessen the drink by imposing a cess on excise revenue. Instead of 16 annas Government might take seventeen annas and pay us one anna ?

A.—I do not think that would lessen the vice.

Q.—Not to any extent ?

A.—Not to an appreciable extent.

Q.—You are in favour of increasing the land revenue or forest cess ?

A.—No.

Q.—Nor are you in favour of any other cess ?

A.—Unless it is a voluntary cess.

Chairman. Q.—What is a voluntary cess ?

A.—People should ask you to have a cess.

Hon. Mr. Patel. Q.—If several members of the District Local Board ask for it then do you agree that they should have the power ?

A.—Except the Abkari cess.

Q.—And land revenue ?

A.—If they themselves ask for it, I do not know why you should object to it.

Chairman. Q.—What you object to is a compulsory cess imposed by Government ?

A.—Yes.

Hon. Rao Bahadur Sathe. Q.—There should be an enabling section ?

A.—Yes.

Q.—Would you advocate the imposition of a professional tax in the rural area. You know that the income-tax limit is one thousand, but there are several people who earn above one thousand and possess lands and don't pay anything by way of land cess or land assessment and get all the benefits of the Local Board's activities and connections. So would you advocate a profession tax as is current in the Madras Presidency.

A.—Yes, I think there should be no objection to such a tax.

Hon. Moulvie Rafiuddin. Q.—Will you kindly read the opinion of the Hon. Mr. Gokhale on the Municipal Amendment Bill in 1901 ?

(A copy of the proceedings of the Bombay Legislative Council for 1901 was then handed to the witness).

Q.—Do you agree with it ?

A.—No, I do not.

Hon. Rao Bahadur Sathe. Q.—Is it worth while making an experiment of giving some seats to minorities to be elected by mixed electorates ?

A.—Yes. That is reserving seats but having no distinction so far as voters are concerned.

Q.—Do you consider it practicable and advisable ?

A.—I do not think it is advisable. It is, however, practicable.

Hon. Mr. Patel. Q.—I understand you are in favour of non-official Presidents for District Boards and Taluka Boards ?

A.—Not for Taluka Boards.

Q.—You think people will be available for District Boards ?

A.—Yes, but I do not think you will find people fit to be non-official Presidents in the Taluka Boards.

Hon. Rao Bahadur Sathe. Q.—Will you go in for election or nomination in the case of District Boards ?

A.—Election, I think, generally in all the Districts. But I have already said that I have not got much experience of other Districts. I have got particular experience of only two or three Districts, viz., Poona, Sholapore, Satara, Ahmednagar, Nasik, Khandesh which comprise most of the Central Division. I have no experience of Bijapur and Belgaum and Dharwar. I do not know anything of the Northern Division also.

Mr. Seddon. Q.—What should be the position of the Collector ? Will he sit as an ordinary member of the District Board ?

A.—I do not think anybody would like the idea of a Collector being an ordinary member of a District Board. I think he should not be a member at all but should hold the same powers in connec-

tion with the District Boards as he holds in connection with the Municipalities, *i. e.*, he should be given certain powers under the District Local Boards Act.

Chairman. Q.—Should he not attend the meetings at all ?

A.—He should attend the meetings as an expert sometimes. In the District Local Boards Act as well as in the Municipal Act there is a provision under which experts are invited to attend the meetings, for instance the educational authorities; so the Collector may come and attend the meetings, but it should not be compulsory on him to attend the meetings as a member.

Mr. Seddon. Q.—Do not you think any difficulty will arise in view of the fact that the working of the District Local Boards is so mixed-up with the other District work, *viz.*, that the accounts of the District Boards are kept in the Huzur Deputy's Office and there is also some work of the District and Taluka Boards which is done in the Assistant Collector's and Mamlatdar's Offices and so on; the Executive Engineer also carries out some work of the District and Taluka Boards; and so do not you think it will be rather difficult to keep the Collector out of it? Would it not be rather awkward?

A.—At present he manages the whole thing. But if a separate office establishment is given to the non-official President, I do not think there would be any difficulty. There should be separate accounts and everything should be entirely separated. In the beginning there may be some difficulty but ultimately it will have a very salubrious effect. Everything will be managed separately as in the case of Municipalities.

Hon. Rao Bahadur Sathé. Q.—Just as in the Municipalities we have an Executive Officer, so when the Local Board Offices are separated from the Revenue Department, it will be necessary to have an Executive Officer for the District Local Boards?

A.—Yes one will be necessary.

Mr. Seddon. Q.—Would it not be a pity to lose the advantage of the Collector's knowledge of the whole District? The case of Municipalities is rather different. There you are dealing with a limited area. But how you are going to ascertain the wants of the whole District or of the several Talukas in the District, unless you have the guidance of an officer like the Collector?

A.—No doubt in the beginning it may be found rather inconvenient, but ultimately it would be better if the people know what they have to do and in the long run such a system would be very healthy.

Hon. Mr. Patel. Q.—Preferably Mr. Apte you say in your written statement "However in no case. . . ." Then who you propose should be the President of the Taluka Boards?

A.—When I wrote that I had in view either the Deputy Educational Inspector or the Engineer or the Assistant Engineer who have not got anything to do with Magisterial powers or with the revenue collection or with income-tax.

Q.—But if an Assistant Engineer or an Educational Officer is not available?

A.—For every District there is a Deputy Educational Inspector.

Q.—In every District there are 7 or 10 Talukas and you could not get 7 or 10 Deputy Educational Inspectors or Assistant Engineers?

A.—In that case I would certainly leave it to the officials.

Hon. Moulvie Rafuddin. Q.—Would you be in favour of having a Munsiff?

A.—Yes.

Hon. Mr. Patel. Q.—You think a Sub-Judge would be a good President in preference to a Mamlatdar.

A.—He would not be in a position to influence the votes. People would not be so much afraid of a Munsiff as of a revenue officer.

Rao Bahadur Artal. Q.—I know that the Sawkars are more afraid of a Sub Judge than of the District Magistrate or the Sub-Divisional Magistrate, and I do not think Government will allow a Sub Judge to be the President of a Taluka Board.

A.—If that excludes him I have nothing to say.

Hon. Mr. Patel. Q.—Would you rather like Government to nominate a Munsiff to be a member of a Taluka Board ?

A.—Yes, they would be preferable to revenue officers. Wherever you can find non-official members able men, have them, but generally I do not think in Talukas you can get able unofficial members to be Presidents.

Rao Bahadur Artal. Q.—But do you think you can get competent men in Taluka Boards everywhere ?

A.—I do not think. That is why I have said that the Presidents of the Taluka Boards should not be elected.

Chairman. Q.—They are to be nominated non-officials ?

A.—I have only excluded particular officers. Other officers I do not object to.

Hon. Rao Bahadur Sathe. Q.—Even if they are ex-officio, that is, by virtue of this office ?

A.—I do not think they should be ex-officio.

Q.—Other than those who are excluded here ? For instance, Engineer or Educational officer, *i.e.*, the Deputy Educational Inspector or a Munsiff are the officers whom you would have no objection to being Presidents of Taluka Boards ?

A.—Certainly not.

Hon. Mr. Patel. Q.—Your view is that Mamlatdars or Assistant Collectors should not be members of Taluka Boards ?

A.—They may be members but they should not be Presidents or Vice-Presidents.

Chairman. Q.—You think there is great evil in the Vice Presidentship of a Mamlatdar or an Assistant Collector ?

A.—Yes, I think so. There is no free discussion. Members are generally guided by what the President or the Official vice-President says. Voting is influenced by their presence.

Hon. Moulvie Rafiuddin. Q.—Suppose he suggests a road in a certain place and the members think otherwise ?

A.—I think most of them agree with him even if they think otherwise.

Q.—Have you had any direct experience of the Taluka Local Boards ?

A.—Direct experience I had none.

Hon. Mr. Patel. Q.—Surely you had experience of District Boards ?

A.—Yes.

Q.—And generally you have found that the view of the Collector is the view of the District Board ?

A.—Yes, the Collector does express his view and there is no dissentient voice.

Mr. Seddon. Q.—That is because it is the correct view ?

A.—Not always.

Hon. Moulvie Rafiuddin. Q.—You have been six years in the District Local Board of which the Collector has been the President. Were you personally afraid of giving your opinion before the Collector ?

A.—I was not.

Q.—Do you think Pleaders in Poona generally and other educated people in Poona have ever experienced such a fear ?

A.—Yes in some cases I know. And in the District Local Board of Poona there are very few Pleaders.

Q.—Would you say majority of the people did not ?

A.—Yes, I think.

Q.—You mean if a proposal is wrong members will not say so before the Collector ?

A.—I think they generally keep quiet.

Rao Bahadur Artal. Q.—Do you know of any instance in which the Collector as President has expressed his authority in an arbitrary way ?

A.—I think he generally expresses his opinion. I must say in several cases counting of votes is not done. If there is very keen difference and if somebody stands up then only they are counted, otherwise, generally things are taken for granted as passed. There are so many members who do not understand what is passing.

Hon. Moulvie Rafiuddin. Q.—In what language are the proceedings conducted ?

A.—When the Collector presides it is done in English.

Hon. Mr. Patel. Q.—The Huzur Deputy Collector sometimes explains them in the vernacular ?

A.—I think it very rarely happens.

Rao Bahadur Artal. Q.—Poona is an advanced District and does such a thing happen there ?

A.—Yes.

Hon. Rao Bahadur Sathe. Q.—A meeting is finished within half an hour ?

A.—Yes.

Hon. Moulvie Rafiuddin. Q.—Last time the meeting of the Poona District Board lasted for three hours when Mr. Mountford presided ?

A.—Because it was a Budget meeting which generally takes time in simply reading the several items.

Chairman. Q.—What do you consider the best agency for the development of Local Self-Government ?

A.—The District Boards.

Q.—Would you like to see the Taluka Boards abolished ?

A.—Yes, and villages should be given greater importance and greater representation if possible.

Q.—The Taluka Boards play no useful part ?

A.—I think so, but my opinion is generally based on the information I have from my friends.

Q.—Now these school boards that you suggest, is that a model from anything that exists in any other country ?

A.—On a general idea of board-control of education in several countries.

Q.—Where ?

A.—In England and in France during certain periods.

Q.—How many school-masters are there in the Presidency ?

A.—About 12,000.

Q.—Do you want their control to be centralized in this Board ?

A.—Most of these appointments should be made by the Secretary ; only the higher appointments should be in the hands of the Central Boards ; say above Rs. 100 or Rs. 200. In certain cases you may have an appeal to Government. Against the Secretary to the Board and against the Board to the Government.

Q.—You say you would not entrust primary education to school-boards, is that, because you distrust their discretion or judgment ?

A.—What I think is that there cannot be real control over the schools and the school teachers because there can be no visiting. In the Municipalities no doubt we have school committees, but I

do not think people are able to do that. It is a matter in which experts are required and experts are generally very rare.

Chairman. Q.—If you have an expert inspecting staff obtained by the District Local Boards would that not meet your want of expert knowledge ?

A.—Who is to get that staff ?

Q.—You have the Deputy and the Assistant Educational Inspectors. Would all these men remain ?

A.—But they will be under Government and so there will be double control there. Partly Government control and partly the control of the District Local Boards, and so I am afraid it will be the business of neither.

Q.—You have not double control in other walks of life ?

A.—We have, but I do not think the schools are managed very well.

Q.—Is that because of the double control ?

A.—Double control and want of proper advice from local bodies. Local bodies are not able to guide education while the inspecting staff only comes once a year to examine generally, and examination once a year is not calculated to guide educational policy. There are no inspectors coming and teaching the teachers how to teach or guiding them in their work. Simple examinations and their results are not of much use. In fact in Poona we found that an inspector of our own was of greater use and we appointed an inspector of our own here. We did not get a first class man and so we were not able to guide the education in our schools here.

Q.—I do not understand what is the difference between your private schools and the District Local Board schools. There you have the annual examination by the Assistant Educational Inspectors and your Municipality have the annual examination too. What is it that those schools have which you have not ? What advantage have they got which you have not got ?

A.—The District Local Boards have not got that advantage, they should have that advantage and that is why the different agency has been suggested.

Q.—You are satisfied with the existing management of the Local Board schools ?

A.—I am not.

Q.—As regards efficiency ?

A.—Efficiency, teachers and everything.

Hon. Rao Bahadur Sathe. Q.—Do you mean that if the schools are transferred the efficiency will suffer ?

A.—What little efficiency there is that will suffer.

Hon. Mr. Patel. Q.—There will be much more efficiency by the scheme you suggest ?

A.—People will be solely responsible for education and then they will be wide awake to that. At present we find ourselves in the position of critics only. Then we won't be critics but Government will be our critics. I do not think things will improve in the hands of District Local Boards.

Q.—Not satisfied with the present system, you think the system that you suggest is the best ?

A.—Yes.

Mr. Martin. Q.—If the Board is to take the place of the Educational Department, how often is the Board to meet ?

A.—It will depend upon the work it will have to do.

Q.—Your Board will then become only an advisory Board to guide the policy ?

A.—They may appoint a committee of theirs to go and inspect.

- Mr. Martin. Q.—There may be many schools ?
A.—They will divide the work.
Q.—It is an administrative board and an advisory Board ?
A.—No.
- Hon. Moulvie Rafiuddin. Q.—All the Members would be honorary ?
A.—Yes, just as in the Legislative Council.
- Mr. Martin. Q.—How often do they meet ?
A.—Three or four times a year.
- Hon. Mr. Patel. Q.—Would you rather like that these boards should delegate some of their powers to the District Boards ?
A.—If they find it necessary they might do it.
- Mr. Martin. Q.—You are not giving the District Local Boards the powers of appointment or promotion ?
A.—That must be done by the Secretary upto a certain limit. I think we should not ignore the fact that I maintain that we should have the whole staff as it is now. The Secretary is to do the Director's duty upto a certain limit and his inspectors and deputy inspectors all are to be maintained.
Q.—Would not your Board be an advisory Board ?
A.—Yes, partly it will be an advisory Board and partly administrative also.
- Hon. Moulvie Rafiuddin. Q.—But it will have statutory powers ?
A.—Yes.
- Chairman. Q.—Have you discussed this question with any gentlemen of the educational department ?
A.—Yes, I have discussed it generally and they approve generally of the idea.
Q.—In France they have a Superior Council of Public Instruction which includes Members of the Ministry and other persons, about 60 or 70 of them, purely an advisory body and primary education is controlled by the departmental councils. So also in England the County Councils have been specially appointed as educational authorities for delegation of powers from the central body. And all experience in England and France tends in the opposite direction to that which you recommend ?
A.—With this difference. The power now is in the hands of Government and you all at once want to give it to the lowest unit. Instead of that what I suggest is to hand it over to a big body like the board, and then let the board develop its own schemes and ideas and let them hand over their powers to the Taluka Local Boards by and by.
- Hon. Mr. Patel. Q.—How many members do you suggest there should be on the educational Board ?
A.—About one from each District and an equal number of nominated members with of course special provision for Urdu Schools.
Q.—Then you would not in that case put the Director as President. If there is an educational Board whom would you put ?
A.—I think the educational inspector.
- Hon. Moulvie Rafiuddin. Q.—In that case your scheme will be so much diluted that there won't be any spirit left ?
A.—At first perhaps.
- Chairman. Q.—I understood you to say you were contemplating an educational cess. Have you worked up that idea ? How would you levy an educational cess ?
A.—No.
Q.—Do you approve of the idea ?
A.—I approve of the idea if it comes from the people. Let the people understand the value of education.

Hon. Rao Bahadur Sathe. Q.—You mean the initiation should come from the people ?

A.—Yes, and such educational boards as I propose are the proper bodies to consider the advisability and induce the people to have such cess. I do not think the Local Boards are ripe enough.

Chairman. Q.—Not ripe enough to consider taxation ?

A.—I think they would not like to have an educational cess at all.

Q.—Supposing a certain Board desired it, you won't object ?

A.—No, I would not object in that case.

Q.—Would you give them power of taxation ?

A.—I would certainly not give them that power. You may make that provision in the law that if the initiative comes from the people let them have it.

Hon. Mr. Patel. Q.—It is one thing to make such a provision in the law and it is another thing for Local Boards to ask for such powers ?

A.—The thing is this if in law you make a provision that if any board asks for permission to tax themselves, they may be allowed to do so, such a provision is harmless.

Chairman. Q.—Have you heard this matter discussed in private or public or in papers ?

A.—I was asked to give opinion on a similar question *viz.*, with regard to opening up railway lines and I said that such a permissive measure may be brought into existence.

Q.—There is generally some opposition even to any idea, any mention of educational taxation on any line ?

A.—In what way ?

Q.—Local Fund Cess ?

A.—It does not meet with any approval. It does meet with opposition.

Q.—People generally talk about that as a compulsory cess ?

A.—They do not think that one Board would ask for it and that it was necessary for that Board.

Hon. Mr. Patel. Q.—That does happen ?

A.—Sometimes it does happen.

Q.—Such powers are not safe ?

A.—I think the people should have option.

Chairman. Q.—Supposing your Collector says your Board must have a one anna local fund educational cess, would you accept it or dissent ?

A.—If it be made compulsory I should certainly dissent, but I do not know what others would say. If such a proposal comes from the Collector I do not think there will be a free opinion on it.

Hon. Mr. Patel. Q.—In that case, so long as there are official Presidents, is it safe for Government to empower District Local Boards with powers to tax people, because, after all when the Collector presides he carries the day ?

A.—Somehow it is a question for consideration. Well where there is excessive taxation it is not safe certainly though theoretically it is proper that we should have permission to tax ourselves, it would however depend upon the different circumstances of the different boards.

Chairman. Q.—You propose that such a proposal if passed by the District Local Boards would not be objected to by a petition to Government ?

A.—Outside the Board they might.

Q.—Would Government not consider those petitions of objection ?

A.—Might or might not. It all depends upon what view Government might take.

Chairman. Q.—It still would require the sanction of Government ?

A.—Even though there is that reservation, if there be a Local Board that would ask for an educational cess Government might say we do not see any reason to interfere with the discretion of the Board.

Hon. Mr. Patel. Q.—It would certainly be different if the whole Board be elected ?

A.—Then there would not be much danger. At any rate people will be responsible for that taxation.

Chairman. Q.—Thank you Mr. Apte.

MR. R. P. KARANDIKAR.

(19th October 1915).

Hon. R. B. Sathe. Q.—What items of the excise revenue you will bring under your proposal of having one anna cess ?

A.—I must confess it did not occur to me that I had to make any exception with regard to any item of Abkari Revenue, but of course if my attention is directed to it I will not exclude the excise revenue on liquor.

Q.—Would you have it on Ganja and Opium ?

A.—As regards Ganja I do not think it forms a very major part of revenue and inasmuch as I have classed them under one head I should include them too.

Q.—Under your proposal the work of collecting this cess will be left to Government as in the case of land revenue ?

A.—I have not given a thought to that point. I was under the impression that it could just be arranged as with reference to the other local fund cess, viz., one anna in a rupee on land revenue.

Q.—When you are thinking of this cess is it in your mind to give the power of taxation to the District Boards ?

A.—No, not in this respect.

Q.—But would you give that power in other respects ?

A.—There have been no instances of the kind and one is not able to say definitely on the point. I have had no experience of that department of Local Board levying special taxation. I do not think it feasible because we may make a beginning and allow matters to be arranged as Government have been arranging and be content with a contribution only according to one anna in a rupee.

Q.—Suppose we incorporate a section in the Act empowering the introduction of new taxation with the sanction of the Governor in Council, would you have any objection to such an enactment being introduced ?

A.—No, I should have no objection. But there should be a power given to Government to except certain branches of taxation, for instance, this particular excise revenue, if it at all were to come in as a branch of the realization of the District Local Boards I should rather like Government to control it, in the beginning to collect it. I would go in for a general authorization of the District Local Boards for taxing as recommended in some instances by the Decentralization Commission, and as is followed in some other countries, but I should not be prepared to give the excise revenue to the District Local Boards for taxation.

Mr. Pratt. Q.—What do you mean when you say excise revenue for taxation ? I do not quite understand what that phrase means.

A.—In the sense that I would not enable each individual District Local Board to rate their revenue according to their pleasure, for instance, in some places when they fix their rate at three pies in a rupee or one anna in a rupee like that, I would not allow it. I believe my attention is particularly directed to excise revenue.

Hon. Rao Bahadur Sathe. No, my question is general.

Mir Ayub Khan. Q.—Supposing Local Boards want to tax themselves voluntarily for a special purpose, I mean, to improve sanitation, then do you think it advisable to have a clause empowering Local Boards to have such a tax levied provided Government consents ?

A.—Then of course that would be an enabling section and I would go in for that in addition to the present one anna cess if necessary and subject to Government sanction.

Hon. Mr. Patel. Q.—On land revenue also ?

A.—No, I was under the impression that land revenue is determined by the Local Fund Act. The Local Fund Act determines the taxation of land revenue so far as one anna cess is concerned.

Chairman. Q.—We are concerned with considering whether that legislation is to be altered. Is it desirable that the law should be altered so as to enable the District Local Boards to levy a tax either on land revenue, excise or any other thing, and do you agree that any modification of the existing law to empower them to levy any kind of additional voluntary tax is desirable ?

A.—Permit me to say that I am not in favour of District Local Boards being allowed to charge more than one anna in a rupee as taxation.

Mr. Pratt. Q.—When you say one anna in the rupee, you mean the one anna in the rupee paid as land revenue by the agriculturist ?

A.—Land revenue and such other cesses under the Local Fund Act. I am under the impression that under the Local Fund Act the Sayer revenue includes excise and secondly I should think that there is no amendment necessary to make it clear that excise revenue is included in Sayer revenue unless there is some misapprehension in some quarter that this expression may not include that. I submit Sayer revenue must include excise revenue.

Hon. Mr. Patel. Q.—So it is perfectly clear that you are not in favour of raising one anna cess to two annas.

A.—No, I am not in favour of that.

Q.—When you say excise cess, do you mean that the present 16 annas should be turned into 17 annas or that Government should give one anna free from the 16 annas ?

A.—Whatever their excise revenue may mean, they will have one anna in that amount. To the total amount of 16 annas Government may be pleased to add one anna more for the purpose of enabling the District Boards to have the benefit of that one anna. It is their choice.

Mir Ayub Khan. Q.—You want this power to be given to the District Boards but with this restriction that in any case they should not impose a self-tax which will be more than one anna in a rupee ?

A.—No, that is not my point ; because there may be other items on which they may, but I cannot conceive them just at this moment because we have no experience.

Mr. Pratt. Q.—You say that they may have power to levy the additional tax if that additional tax shall not be derived from any one of the resources from which their present revenue is derived ?

A.—It should not exceed one anna in the rupee of the land revenue.

Q.—You say that the local fund cess must not be more than one anna in a rupee and at the same time you say that you would not object to any extra excise taxation ?

A.—I do not think how it follows from that. I am only restricting the power of taxation to items other than land revenue. With respect to land revenue I am positive that it ought not to be levied more than one anna in a rupee.

Hon. Mr. Patel. Q.—Do you think that the agriculturists are sufficiently overburdened ?

A.—They are, and that is my reason for what I say.

- Mr. Pratt. Q.—You do not object to additional taxation provided it is derived from any other source than land revenue ?
A.—If that is so, I am not quite sure about that.
- Hon. Mr. Patel. Q.—Have you never served on the Local Board ?
A.—That is my defect, I have never served on any Local Board.
Q.—Are you in favour of income-tax cess ?
A.—With reference to income-tax I was at one time in favour of raising one anna in a rupee.
- Mr. Seddon. Q.—One anna, not four annas ?
A.—One anna only, on the ground that the non-agriculturist population also derive benefit from the institutions under the District Boards, but finding that we have larger items which will enable the District Local Boards to carry on their work, I have corrected myself, and I do find that it is not necessary.
- Hon. Mr. Patel. Q.—If it is necessary for the resources after the excise cess, you would go in for it ?
A.—Yes, then I may go in for it.
- Chairman. Q.—What virtue is there in one anna in a rupee ?
A.—Mere conservative view with regard to that one anna and besides as we are accustomed to one anna in a rupee, I do not think we should carry matters further than that. I am not prepared to increase it over one anna.
- Hon. Moulvie Rafiuddin. Q.—Are you in favour of enabling local boards to tax certain occupations ?
A.—You mean for licensing fees and something like that ?
Q.—Are you aware that such a thing exists in Madras ?
A.—No, I am not.
- Chairman. Q.—Are you acquainted with local fund cess in any other part of the Country ? You know that there is a houstax in Mysore ?
A.—I know it is in contemplation but I am not sure that it is actually in existence.
Q.—It is very ancient.
A.—If I may be permitted to say it is with reference to Mohoturfa tax similar to the houstax in localities outside principal towns, but it was abolished by the Act of 1841, I think.
Q.—It still exists in Mysore ?
A.—I cannot say that.
- Hon. Rao. Bahadur Sathe. Q.—In villages there are certain merchants and men of other professions whose income does not come to one thousand rupees but who make some income and who do not pay anything by way of land revenue to Government ; for such people would you go in for a tax on professions ?
A.—If we empower District Boards to impose taxation to make up their amount, then this item may be included. I wont include it myself but if the District Local Board is prepared to do it they may go in for it, but, I would not do it myself.
- Hon. Mr. Patel. Q.—Have you given a thought to forest cess ?
A.—I am in favour of imposing one anna in a rupee also on the forest cess.
- Chairman. Q.—Is that a cess ?
A.—I look upon it as realization from land.
- Mr. Seddon. Q.—Do you think it is possible ?
A.—They may have a proportion from the realization of revenue.
Q.—Is that your idea with regard to excise revenue.
A.—That is my idea.

- Hon. Rao Bahadur Sathe. Q.—But you would not call it cess ?
 A.—With me words do not carry much. If it is a yield from land in the shape of revenue as land revenue or forest, agriculturists also have to pay, and if the lands are taken away from their holdings that land ought equally to bear the burden.
- Hon. Moulvie Rafiuddin. Q.—Would you make any distinction because forest revenue is derived from teakwood ?
 A.—Only as a minor item, but, I should go in for total realization of forest.
- Mir Ayub Khan. Q.—Then is it not that the Local Board will be empowered to levy any tax ?
 A.—I am not thinking of the agency when the amending Act will come into operation but I am just thinking of what ought to happen now.
- Mr. Pratt. Q.—That was not the question that was put to you ?
 A.—If it is possible for the District Board to control the forest department they might think of adjusting their revenue accordingly, but I fail to see how District Local Boards can ever contemplate to have the forest department under their control in any manner until autonomy is extended to Districts. I do not include that agency at all as one of the possibilities.
- Mr. Seddon. Q.—What do you mean by saying by putting one anna cess ?
 A.—I would request Government and include in the section, if it is necessary to amend the local Fund Act, "forest revenue".
- Mr. Pratt. Q.—That might make it a Statutory obligation ?
 A.—I should think there was a question about the forest revenue being responsible for local fund.
- Hon. Rao Bahadur Sathe. Q.—You said that you would not advocate one anna cess on forest revenue because you cannot contemplate of an agency that will be able to control forest department. Is not the same principle applicable to revenue cess ?
 A.—That is the reason why I am excepting land revenue and forest revenue.
 Q.—So without having the control of the department you would not go in for that kind of cess ?
 A.—If there is a chance of a district possessing forest in the event of a District autonomy then only there is the need of the question. There will be realization by the District Board.
- Rao Bahadur Artal. Q.—That is to say, District Boards can manage the forests ?
 A.—That is a recommendation that I can make at present. I am only of opinion that the forest revenue is as much responsible as land revenue to contribute towards the local fund.
- Hon. Moulvie Rafiuddin. Q.—You have not studied the subject particularly.
 A.—Not with a view to adjustment of the department because that is the business of the administration.
- Mr. Martin. Q.—This is not self taxation at all. It is only subvention from Government ?
 A.—In a manner it is indirect taxation. It is self taxation because forest revenue is made up of items for which people pay in one manner or another because the contemplated value of this will have to be paid for.
 Q.—Self taxation which increases your income without any sacrifice on your own part is a very peculiar notion of self taxation ?
 A.—It is a sacrifice on one's own part to pay a value at a very higher rate. Let me give a concrete instance and then perhaps :

I will make myself clear. The instance is that fuel is dearer now and one of the theories why that is dearer is because there are forest restrictions. Those that pay dearer for this fuel in a manner contribute out of their own pocket by paying more and consequently the revenue that is brought in by the forest department is to a certain extent self taxation.

Hon. Mr. Patel. Q.—You are in favour of having a non official President for the District Local Board at any rate ?

A.—Yes.

Mr. Seddon. Q.—You have no experience of the work of the Taluka Boards ?

A.—I have no personal experience.

Mr. Pratt. Q.—May I ask if you pay land revenue and also Local fund taxes?

A.—Yes, I do pay those taxes.

Chairman. Q.—Thank you Mr. Karandikar.

SIR N. G. CHANDAVARKAR, Kt.

(19th October 1915).

Chairman. Q.—I understand that you have no detailed knowledge of District Board Administration but that you are prepared to give us general advice ?

A.—No. Not at all as to detailed knowledge. I have given my views in writing.

Chairman. Q.—You would like to see the Panchayat system more widely developed ?

A.—Yes. Something in that direction. Not exactly as it was in former times.

Chairman. Q.—Do you think that the Village Panchayat system can cover the whole area of Local Board Administration ? Do you suggest that all the different little villages should be grouped together ?

A.—I should like to see the different villages grouped into one.

Chairman. Q.—Do you think it can be done now or would you wish to introduce it gradually ?

A.—Well, that is a subject on which it is very difficult for me to express an opinion. But I should certainly like that the tendency should be in that direction.

Chairman. Q.—Do you propose the retention of the District Local Board ?

A.—Yes.

Chairman. Q.—And all the Taluka Boards ?

A.—Yes.

Chairman. Q.—And as Presidents of the Taluka and District Local Boards you would like to see non-officials ?

A.—Yes.

Chairman. Q.—Do you consider that persons possessing the necessary qualifications will generally be available in talukas amongst non-officials ?

A.—I should think so. I cannot speak dogmatically on that point, but I think that the time has come when they might begin with non-official Vice-Presidents.

Chairman. Q.—I was speaking of Presidents ?

A.—I have said presidents were available.

Chairman. Q.—Do you think that they will be generally available or only in rare cases ?

A.—I cannot say that they will be generally available. They may be in rare cases, but I think that, as far as possible, Government should encourage.

Chairman. Q.—Then do you consider that Local Government has any relation to the power of local self-taxation ?

A.—I think myself that, though people always dislike taxation even in England they did it—if you have regard to one fact that our people tax themselves for religious or social purposes, where they see the benefit of the thing, if you once make the Local Board administration popular, make the people realise its usefulness—of course it all depends upon a number of influences like education, sanitation, etc., and also as I have said, the guidance of a sympathetic officer is required, with all these, in course of time, I think, they will be able to tax themselves. Because I myself see it, where you go amongst the people, point out to them the advantages—not merely theoretical—but working it in one or two places, and they see that it is beneficial to them, then they tax themselves. I know in Indore that was done. In the district there was no Municipality at all, and before I could get an Act passed by the Maharaja, I went amongst the people, pointed out to them that they should

tax themselves until the Municipality was formally and legally established. It all depends upon how you work it out, and I think they will ultimately, say in 20 years or so, be able to do it, although I am not prepared to say that the state of things is quite ripe.

Chairman. Q.—That is as regards putting such a power in the hands of the local bodies ?

A.—Yes.

Chairman. Q.—Do you agree that the Local Boards should be given the power to tax themselves ?

A.—I do not see any objection to it. Of course if they want the benefits they must pay for them. I would give them the power of taxing themselves.

Chairman. Q.—Whether on land or for any purpose ?

A.—If you ask me specifically, I will give my opinions, although they are not the opinions of a man who has seen the thing from inside. I would not raise the tax on land more than what it is now.

Chairman. Q.—You would not allow the Local Board to tax themselves on land ?

A.—Not at present, I mean. It will make the Local Board administration quite unpopular.

Chairman. Q.—Supposing you have areas where people are willing ?

A.—In that way of course you might make it discretionary.

Chairman. Q.—Voluntary ? On the will of the District Board ?

A.—If you leave it to them, I do not see any objection, if they are prepared to see the benefit of it.

Chairman. Q.—We have evidence from certain persons to that effect.

A.—I do not see any objection to that.

Mr. Seddon. Q.—The East Khandesh Board ?

A.—There it comes to discretion, because that would at once make whole thing popular, if the people ask for it.

Chairman. Q.—How are you going to obtain evidence that it is popular except through the representatives of the people ?

A.—I think that is a question which it is very difficult for me to answer.

Chairman. Q.—If you give the power to the District Boards to pass it by a certain majority, say 3-4ths or whatever limit, and if that Resolution has the sanction of Government, and if the people have the opportunity of sending in their petitions of objection, with all those safeguards, have you any objection ?

A.—I think in that case you might safely presume that the people are in favour of such a power being given.

Chairman. And to that you have no objection ?

A.—I have no objection to that.

Mr. Seddon. Q.—You are in favour of the Panchayats. I do not quite gather from your evidence whether you would like to have Village Panchayats or you would group the Villages ?

A.—I am not exactly in favour of Village Panchayats such as they were on the hereditary principle which I think it out of place just now. You cannot go in for the old system which worked well in olden times, but it won't work under the British system and under present conditions.

Mr. Seddon. Q.—What I want to know from you is whether you would prefer to have Village Panchayats for each separate village or whether you would have them for 4 or 5 villages grouped together.

A.—I should be in favour of grouping together. You might try the grouping system for some years.

Mr. Seddon. Q.—How many villages ?

A.—That is for a practical administrator. I cannot answer that. I merely said that the villages can be grouped together on account of their nearness to one another, language and so many other things.

Q.—What objection would you have to constitute a separate individual Village Panchayat for a village like Hadapsar ?

A.—I should have no objection to that. But what I mean is that is a matter on which I would not venture to express an opinion as if I knew all about it. Unless one has administered a village, has seen all the difficulties and advantages, one cannot express an opinion.

Q.—If you would have the Village Panchayats, do you intend to have them for the whole Talukas, or you would have them for the particular places specially suited for them ?

A.—Places specially suited.

Q.—The rest of the area would be administered by the Taluk Boards, or how ?

A.—I suppose it would be left to the authority of the Taluk Board.

Q.—Would you control those Panchayats by the District or Taluka Boards; or you would leave them entirely outside their sphere ?

A.—I would give them limited powers, as I have said, in certain matters, a certain limit for certain purposes. The details I cannot fill in.

Q.—Who would control them; the District Boards, or the Government with its officers ?

A.—I should leave them to be controlled by the Government.

Q.—Not by the District Board ?

A.—No. Not by the District Board.

Q.—Why not ?

A.—For the purposes of that particular discretionary power which is given to them, I would leave them to be controlled by Government, entirely outside the District Board.

Chairman. Q.—In Madras they come under the District Boards ?

A.—I believe, they do. I would leave it entirely to Government.

Q.—Do you know of any special disadvantages of the Madras system ?

A.—No; I do not know. The only disadvantage that I knew of when I was travelling about, there seems to be a sort of jealousy between the District Board and the Taluka Boards. That is what I heard, and the same sort of thing I hear.

Hon. Rao Bahadur Sathe. Q.—I find from your written evidence that you suggest the appointment of a special officer to advise the Local Boards. Is it because you apprehend that under non-official Presidents, they are likely to fail in the beginning ?

A.—No; it is not a question of failure. To popularise the thing, I think you want, as you have in the co-operative and other movements, an officer who can hold the threads of the administration. You want a centralising power, as it were.

Q.—You don't think the Collector would do it ?

A.—The Collector has so many things to do, and I don't think he will be able to do it. You want a man who will devote himself entirely to it. He would be a sort of educating officer.

Q.—In addition to that, would you be in favour of honorary organizers if some people are coming forward ?

A.—Yes; I am in favour of that.

Q.—As regards the Primary schools, have you any experience as to how they are managed by the Presidents of the Municipalities ?

A.—Well, the Director of Public Instruction, I suppose, looks

after the curriculum and all that, and only as regards the funds, it is the Municipalities.

Q.—No; as regards matters of detail such as promotions, transfers, leave, etc.

A.—I suppose it is the Municipalities that do it.

Q.—Are you not prepared to say that the administration under Municipalities is satisfactory?

A.—Nothing is satisfactory, to my mind, but at the same time I am not quite enamoured of the Educational Department. No system is perfect. There are evils everywhere. It can only be in the process of time that all these things can be eradicated. I know that there is a good deal of favouritism, caste jealousies in the way of appointments in Primary Schools. I should like, as far as the curriculum is concerned, to reserve that power to the Educational Department. But as regards the management such as transfers, appointments and all that, I would leave that to the Municipalities, because they pay the money, and they ought to have the right, but not as regards the curriculum.

Mir Ayub Khan. Q.—And the qualifications of the teachers?

A.—The Educational Department should do it.

Chairman. Q.—Would you apply that system to District Boards?

A.—I would apply to it all. The curriculum and qualifications of the teachers should be laid down by the Educational Department, otherwise I think there would be a good deal of chaos in our system of education.

Hon. Rao Bahadur Sathe. Q.—Are you of the opinion that Committee Government is better suited, *i. e.*, a committee of five persons, is it competent to manage such affairs?

A.—I suppose the Municipalities have School Board Committees.

Q.—My experience is that it is not competent, and whether it would not be better for one officer to control.

A.—I am for Committee Government. Of course you will always find disappointments, difficulties, caste-prejudices and so on in the beginning, but we have to pass through all that, and ultimately and gradually I think it will come round all right, subject to the control of the Educational Department and control of public opinion, newspapers, and so on.

Hon. Moulvie Rafiuddin. Q.—You say that you are in favour of elected majorities in the Local Boards. May I know why you are in favour of that? Why do you want elected majorities?

A.—Because I want the men to know that they have certain responsibilities.

Q.—Do you think, election is better than nomination?

A.—Certainly.

Q.—Do you think that there is general desire for elected majorities in the Local Boards?

A.—It is not a question of desire or anything. It depends upon the point of view from which you start as regards the function of Government and especially the mission of the British Government. I take it that under the old system the individual counted for nothing at all. The Raja or whoever it was, the people existed for him. The British Government does not exist for that view. Each man has his worth, and if you want to make the administration popular, if you want to get the country to move on the lines which we all desire, each man must have a responsibility thrown upon him. That can only be given by giving a vote. All politics are an evil. Elections also are evil from that point of view; but we must make the best of all, and even if at present there is no general desire, I would create that desire. And

besides that, our ideas of election, I think, are very vague. We have got them in a crude form; it may be the power of election in caste matters. It is not that the people are unfamiliar with the thing, but the thing has become obsolete, but in course of time, as I have said, people will learn to discharge their duties better. Parliaments were mere farces in the beginning.

Q.—If you prefer elections to nominations, would you do away with the latter?

A.—I would not do away with nominations altogether.

Q.—Would you not have the nominations up to three-fourths and leave the one-fourth non-officials or officials for nomination? Three-fourths to be elected by the people and one-fourth to be reserved for officials to be nominated.

A.—Yes; I would leave that discretion to Government.

Q.—What is your opinion? Would you be in favour of having three-fourths of the representatives being elected by the people, and Government may appoint their own officials?

A.—They may appoint officials or non-officials. It is for Government to decide.

Q.—You would be in favour of three-fourths being elected.

A.—Elected majority means three-fourths.

Chairman. Q.—Is it two-thirds or three-fourth or five-sixth?

A.—Upon that point I cannot answer with definiteness, because it is only officials who have tried the thing that can make a statement. As an outsider I cannot say what the limit ought to be without having an actual experience.

Hon. Moulvie Rafiuddin. Q.—You would be in favour of protecting the minorities by nominations. If instead of depending upon the Collector, these minorities desire that these seats should be thrown open for election, would you be in favour of it, as you are in favour of elections in preference to nominations?

A.—No; I would not.

Q.—If the minorities for instance are protected by nominations, and then Government nominates one or two Mahommedans and others, and according to yourself, as you say there is a general desire for educational purposes, if the Mahommedans say that instead of the Collector nominating, that they should be allowed to elect, would you be in favour of that?

A.—I would not be in favour of it. That will create endless difficulties, and therefore it is that I thought that this was a much simpler problem, and although we make much of the Mahomedan minority, and Hindu majority, I think ultimately both Hindus and Mahommedans will find that their interests are identical. At present we regard the Local Board administration as being for the popular benefit and also as an educational process.

Q.—Supposing this Committee decides to have the whole Board elected and only the officials nominated, how would you protect the minorities?

A.—That is not my scheme and I would not answer that. My scheme is that the one-fourth minority should be nominated by Government, and they ought to have the power of making up for any of the defects.

Q.—Would you suggest any way from your intellectual resources to remedy that?

A.—I do not think any intellectual resources can provide a remedy.

Q.—Have you any personal experience of the schools being managed by the Municipalities? Were you a Member of any Schools Committee?

A.—No. But I have visited schools and generally wherever I have gone, I have made enquiries from teachers. But if you ask me about the inner working, must say that I am an *ignoramus*.

Q.—You would not take away the present powers from the Educational Department?

A.—As regards the curriculum and as regards the qualifications of the teachers I would not.

Q.—And as regards inspection?

A.—Inspection also must be in the hands of the Educational Department; I mean the general supervision which affects the Educational Department.

Q.—Do you know what supervision is now exercised by the Local Boards?

A.—I believe, they follow the curriculum; the qualifications of the teachers, inspection and so on, as directed by the Educational Department; I would retain that.

Mir Ayub Khan. Q.—In your answer to No. 2, you say that you are not in favour of election by communities; but none the less you suggest that there should be an elected majority which means that there should be $\frac{2}{3}$ th and $\frac{1}{3}$ th?

A.— $\frac{2}{3}$ th and $\frac{1}{3}$ th, whatever it is.

Q.—At present you know that one-half is elected and the other half is nominated, and amongst the latter there are a good number of officials; and then Government also nominate certain gentlemen, whose community is not in a minority but because they are useful men. But if the present system is changed, then don't you think the chances for the Government to protect the minorities would be rather decreased?

A.—I speak as an outsider. Knowing of course as I do, the jealousies and all that, for a time, we shall have to weather the storm; but ultimately I think, if my scheme of a sympathetic officer were adopted, if these elected majorities go on in spite of their faults, in course of time, say in 12 or 15 years, the minorities will cease to exist, and all people, especially under the Local Boards, will regard their interests as identical. We must not look to the present only, because in my humble opinion, the defect of the administrator is that he thinks sufficient unto the day is the evils thereof. He provides only for what is, but you must also provide for the future so as to minimise these differences in course of time and that will be only done by educating the people; it may be the theory of a theorist, but that is how it stands. I quite admit that there are practical difficulties. If you look to the present alone, it will not, by any means, be a scheme which will safeguard the interests of the minorities as things stand at present; but I look to the future, and judging from that point of view, I think ultimately, these minorities will not feel that they are a minority.

Q.—Would you limit the number of officials that are to be nominated, *i. e.*, your scheme is two-third and one-third. Now from the one-third the officials are to be nominated. The Government has power to nominate anybody. Not more than half. Would you put any such restriction in the case of one-third that will be left to Government?

A.—I would not, as far as Government's powers are concerned. I would leave them at large, because Government will have to make the nominations with reference to the state of things existing for the time being. That is why I say that Government ought to have discretionary power instead of restricting it by any rule.

Q.—As regards the Presidents, you say that the President should be a non-official where one possessing the necessary

qualifications is available. Who is to advise the Government, the Collector you mean ?

A.—That is for Government to see whose advice they should take. In these days everybody thinks that he is able to advise. Government ought to take into account not merely the Collectors' opinion, but it ought to consult public opinion. There are a variety of ways of determining public opinion. I think, the Commissioner, the Collector, the Press, you, myself, or whomever Government chooses.

Hon. Mr. Patel. You say in your replies that a certain proportion of the permanent assignments on certain heads of revenue should be made over to Local Boards in order to better their financial condition. What heads of revenue would you suggest ?

A.—I have already suggested the forest revenue and the abkari revenue. And as far as the land revenue is concerned, the unearned increments.

Q.—Within the limits of the Local Boards ?

A.—Yes.

Q.—Would you suggest a portion of the land revenue ?

A.—I think I have also said the fees on building sites, the income derived from fines on the conversion of agricultural lands into non-agricultural lands.

Q.—Would you advocate Government parting with land revenue to the Local Boards ?

A.—No; I would not. They have already one anna cess on land revenue. But do you mean in addition to that ? I would not.

Q.—When you are talking about handing over the control and management of Primary Schools to Local Boards, would you like to fix by a statute the proportion of expenditure on primary education to be borne by the Government and the Local Boards ?

A.—I think, I have answered that question. I would not restrict it by law.

Q.—I confine myself to expenditure on primary education. Would you like that the proportion which the Government should bear towards the expenditure on primary education should be fixed by statute, or would you leave to Government to do as they like ?

A.—I think there is a question to that effect.

Q.—Now I ask you whether it is right to fix by statute the proportion which Government should bear of the expenditure to be borne by the Local Boards and the Government, so that there may be no difficulties.

A.—That is a thing which can only be answered by one who has practical acquaintance with what the state of things up to now has been in consequence of the policy hitherto adopted; but speaking as a lawyer, I should think that it is always inexpedient to restrict by law. It is better to leave it to discretion so as to enable the executive authorities to make arrangements with regard to the circumstances which change from time to time. Speaking as a matter of principle, I am against restricting it by law and having a cast iron statute on the subject.

Q.—You have never heard of complaints that the Government is apathetic towards primary education.

A.—I have heard numbers of complaints as regards Government being apathetic in many matters. I hear complaints in many matters; but if you ask, what my opinion is, whether the complaint is correct or not, it is a different matter.

Hon. Mr. Patel. Q.—Supposing this Committee has got one application from one district out of the whole Presidency, that they want

to raise one anna cess to two annas on land revenue, would you advise this Committee to lay down general law empowering all the District Boards of the Presidency to raise the cess ?

A.—No; I would not. Especially I would not trifle with the land policy and land revenue in that way, and I will give you my opinion as an outsider. It appears to me that the ryot at present is already in the hands of several people, the money-lenders, the priests, the officials and so on, and I think that he is bearing the burden of taxation more than the professional classes. I would not therefore change the land policy whether as regards Local Board administration or as regards the imperial policy in any way. As it is, my opinion is, the ryot gets the least benefits of the Government.

Q.—It has been suggested in some quarters that the District Board should elect a committee of non-officials to advise the Collector in certain matters of administration. What is your opinion about this ?

A.—It would be a good thing .

Q.—What matters would you leave to such a Committee ?

A.—Matters that would pertain to Local Board administration.

Q.—Then you are in favour of the appointment of a Committee of non-officials to guide the officials in certain matters of administration ?

A.—Committees may, or may not, become useful; it all depends upon the temperament of the Collector, and of the Committees.

Q.—When you say that you would not generally get people to preside over the deliberations of the Taluk Boards, I presume, you have had much experience of the villages in this Presidency.

A.—Where have I said that ?

Q.—Have you any experience of the villages in this Presidency ?

A.—Of course, you can get any number of people to preside. Anybody will be very glad and he will consider it as an honour, but I mean with the necessary calibre; it would be difficult to find many men at present.

Q.—Are you acquainted with any Local Board members of any Taluka in this Presidency ?

A.—Yes; I have got some friends.

Q.—Any in the N. D. ?

A.—I cannot say any in the N. D.

Mr. Pratt. Q.—I would like to ask you about the Government officer whose appointment you suggest. Would his duties be primarily to establish connection and communication with the villagers or primarily to work through the agency of volunteers such as you mention in your evidence ?

A.—The volunteers must work under his guidance.

Q.—Then he would work primarily through the volunteers. He would not approach them directly.

A.—He may approach. I think, he must be responsible for the whole thing. He must allot the work to voluntary workers. They must work under him.

Q.—You would have one man working in the whole of the 19 districts of the presidency and he will have to establish personal relations.

A.—In the beginning, you may find that one man is not quite enough; but I think, even if he is able to concentrate his efforts upon a portion of the Presidency and show that it will be a success, that will be an object lesson.

Q.—It would not be possible for one man at first to tackle the problem in the whole Presidency.

A.—No; you cannot achieve success in a matter like this. I am only saying that you ought to lay the foundation as it were in selecting areas. It might be for the whole presidency, but he might not take the same care with certain portions of the Presidency, as he might with some portions; but his work will be to create an object lesson as it were for the rest of the portions to which he is not able to devote special attention in the beginning. Or you may start by having two officers if you like. Of course, what I had in mind in making the suggestion is to have an officer such as you have for the co-operative and other movements.

Q.—I will ask you about the village Panchayats. You say that in villages the crying need is that the villager should be made to feel that he is not merely a villager but he has a sort of imperial importance as a member of the village. Nevertheless you say that the Panchayat should not be linked up with the rest of the machinery of Local Board administration. The village Panchayat should stand by itself quite apart from the rest of the machinery of local self-government. Would not that isolation work exactly in the opposite direction which you intend?

A.—There are other influences which will foster him in the imperial idea.

Q.—Other influences not at all connected with local self-government? Those local activities being confined purely to his own minute area would be likely to divert his attention?

A.—I don't think they will divert his attention.

Q.—Now the District Boards and the Taluk Boards have a direct connection with the Government by the fact that they elect members on the Provincial Council. Is that not so?

A.—Yes.

Chairman. Q.—I understand that you do not wish to increase the burden of the agriculturists; but you say that the non-agriculturist should bear his share.

A.—Because my own opinion is, as I have said, it is the professional classes and others who should bear his share.

Q.—Have you thought what particular taxes should be imposed on these professional classes, license tax, professional tax, income tax, or what?

A.—Yes. I should suggest that these taxes may be levied.

Q.—What sort of standard or limit would you lay down?

A.—I cannot fill in the details of it. It is merely my general idea that the land is already made to bear the weight that it could.

Q.—In western countries two-thirds of the local taxation is derived from income-tax. It is income-tax for local purposes and it is sometimes a hundred or two hundred per cent. of the income. Would you welcome an income tax of such dimensions?

A.—I don't think, the country is yet ripe for it.

Q.—The last witness could not swallow the tax more than one anna in the rupee; but in Western Europe it may be a hundred per cent. Would that suit this country?

A.—I don't think, it would suit this country for the present.

Q.—Would you put any maximum limit?

A.—One anna in the rupee.

Q.—That would bring very little.

A.—When I made the calculations, it appeared to me, sufficient for the present. If the abkari and forest revenues are given, they would bring us very near to what is required for local purposes. I may be right or I may be wrong. That is how it struck me, and the question of additional taxation might be taken up when Local Board administration has become more popular than it is and the people know the advantage of taxing themselves.

Q.—But what we are dealing with, is how to give the powers to Local Boards; are they to be given powers?

A.—I do not see any objection to giving them powers.

Q.—You increase the taxation on the income tax to what limit? A hundred per cent.?

A.—No; I would not. That is a question very difficult for me to answer. It must depend upon the conditions of life in the different localities.

Q.—In England, as you are aware, a District Council is permitted to assess a County borough. Would you agree that a District Local Board here should be permitted to draw a part of its revenues from Municipal towns within its limits?

A.—I have not thought over that question. I cannot answer it.

Q.—Do you think that a Municipal Council derives any benefit from the expenditure of the District Board?

A.—I think, it does. There is that mutual benefit; but still it is a question on which I should hesitate to give an answer without further thought. I would not like to commit myself.

Q.—Most important persons in a District Local Board are residents of a Municipality and many of them pay no revenue to the Local Board.

A.—I daresay not.

Q.—Do you think that it is satisfactory?

A.—No, it is not satisfactory.

Q.—Then what would you have? There are two possibilities. One is that, no man should be allowed to become a member of the Board, and the other is to bring him into the Local Fund taxation scheme by permitting the Local Board to levy taxation within the Municipal limits.

A.—No man ought to be qualified to sit on the Local Board unless he pays a taxation. I would not allow him to be a member unless he pays.

Q.—Thank you very much, Sir Narayan, for your trouble.

MR. G. K. CHITALE.

(19th October 1915.)

Hon. Rao Bahadur Sathe. Q.—You have been on the District Local Board for six years ?

A.—Yes, and I was on the Taluka Board for nine years.

Q.—Do you think the time has come when we should have non-official Presidents for District Boards ?

A.—I think so.

Q.—Will you adopt that principle in Taluka Boards ?

A.—Not for the present.

Q.—As regards the management of schools you have experience as President of a Municipality as to how they are managed ?

A.—Yes, I have.

Q.—What is your idea as to the management of schools by the School Board Committee ? Do you consider it efficient or satisfactory ?

A.—Satisfactory in a sense.

Q.—With what experience you have about that management in Municipalities, are you in favour of transferring the educational department (of course excepting the curriculum and qualifications of teachers, etc.) to the management of District Local Boards ?

A.—I am for the creation of Divisional Educational Boards.

Q.—What is your exact idea ?

A.—My idea is that the educational policy should be dictated by the Director of Public Instruction who should be a member of the Divisional Educational Board in that Division; for instance, there should be one Divisional Board for Marathi, Gujarathi and Canarese speaking Districts in order to have a uniform policy. I think, that all the District Boards should be allowed to allot one member each on the Educational Board within that Division which Board should consist of officials and non-officials.

Q.—What merit do you find in transferring the control of the Educational Department to the newly created Educational Boards ?

A.—Those Boards will have more initiative.

Q.—Does it mean that the representatives of the people should have a direct voice in the regulating of curriculum of primary education ?

A.—My idea is that they have a right to be heard at least.

Q.—In case your scheme is not approved you would not press the view of transferring the control of primary education to Local Boards ?

A.—No, I would not.

Q.—Is it because you think the efficiency will suffer ?

A.—I should think in a sense it will suffer.

Q.—Have you given any thought to the question of supplementing the resources of the Local Boards ?

A.—Yes, I have.

Q.—And what items you would bring in ?

A.—I am in favour of maintaining the local fund cess and adding for the one anna cess, a two anna cess. I would also place a cess on income tax, on abkari revenue, forest revenue and on water rate leviable under the provisions of the Bombay Irrigation Act.

Q.—Do I understand you to say that you want the limit fixed by the Act III of 1869, viz. one anna to be increased to two annas wholesale ?

A.—Yes, that is what I mean.

Q.—District Local Boards may utilize that power ?

A.—Subject to this condition that there is a non-official President.

Q.—Why do you add that ?

A.—Because the non-official President is likely to analyze the proposal with greater care than the Collector, that is, supposing a case has to be made out for putting on any taxation for the satisfaction of Government, the non-official President shall have to satisfy the Collector with the reasonableness of the proposal and to convince him in the merits while an official President's proposal will not be scrutinized with the same care but is likely to be accepted as a matter of course.

Q.—Is it your idea that there will not be sufficient voluntariness when the Collector is presiding ?

A.—That is my idea subject to this that all the procedure that is laid down in the Municipal Act shall have to be followed.

Q.—When you linked that with the provision of having a non-official President, I want to know what was passing in your mind ?

A.—Various reasons as I have said roughly, that the proposal emanating from a non-official President will have to be backed up with a really good case.

Rao Bahadur Artal. Q.—Then you are of opinion that all the official element should be removed from the Board ?

A.—No, I am not. What I mean is that if the Collector is President, the non-official opinion is not sufficiently articulate.

Chairman. Q.—Supposing we remove the Collector, would that meet your view ?

A.—Yes. What I want is that it should be a meeting of the non-official members of the District Local Boards.

Q.—That will mean that in any District there the Collector is President, it will be impossible to impose that tax ?

A.—Yes, that is my view.

Hon. Rao Bahadur Sathe. Q.—As regards the Public Works, are you of opinion that we should have a separate public works department of the Local Boards ?

A.—Unfortunately that is the only point on which I differ from our Collector (Mr. Mead). I am of opinion that it should be taken off their hands and transferred to the public works department of Government. Local Boards should not have the power of carrying out their own works.

Chairman. Q.—Village roads ?

A.—That is those roads which are necessary for passing from one village to another, subject to this, that is the maximum expenditure of Rs. 1,000. My experience is that these roads are complicating the administration of Local Boards more than anything else. The Boards cannot have expert agency that Government can command and we can never hope to have it because we have not sufficient resources.

Q.—If you have resources given you ?

A.—We cannot have resources to the same extent which Government have.

Mr. Pratt. Q.—Do I understand you to say that this is the one point on which you differ from the Collector ? As I read the Collector's evidence I see that you are at one with him on the point.

A.—What the Collector means is that in fact we should advocate for 10 per cent. I say not even 10 per cent. I want all the

roads to be handed over to Government once for all. In our own District the Executive Engineer executes the works to the extent of about Rs. 90,000. Now my view is that even if the Local Boards employ 5 or 6 Overseers, still the work of the roads is not satisfactory; and the roads are not in fit condition to travel on, because, we cannot afford to spend sufficiently on them. Not only that but if we were to compare the expenditure we find the whole expenditure is almost a waste.

Hon. Rao Bahadur Sathe. Q.—That applies to roads, but what about Dharamsalas and Chawdies ?

A.—We have agreed that such buildings as our people are used to build, there should be no objection subject to the supervision and control.

Q.—If any particular District Board is able to maintain its own Engineer, would you leave it with the District Board ?

A.—I would rather not.

Hon. Moulvie Rafiuddin. Q.—You say that you are opposed to the control of primary schools being given to the Local Boards and you say that in any case the efficiency will suffer. What is your chief objection or objections ?

A.—My chief objection is this that we have to take into consideration the local conditions, viz., the factious spirit on the one hand and the jealousies on the other and several other factors, and in such a matter as the educational policy, it is not a thing which can be allowed to be played with. I would rather take it out of the hands of the Boards and put it into the hands of persons in whom we can put complete trust.

Q.—There has been a suggestion by Mr. Belvie that rather than have schools under the Local Boards, he would like to see the schools entirely out of Government control. Do you agree to that ?

A.—No, I would not.

Q.—Then unless your scheme is introduced the present educational control should be maintained.

A.—Yes.

Q.—You say when the Collector is the President, then the people are not so free in their discussions as they would be otherwise ? Is it because of your experience of Ahmednagar or generally ?

A.—I can only speak of my experience at Ahmednagar.

Q.—With regard to forest revenue you say that a cess might be levied. May I ask you whether you have considered from whom the revenue comes ? Who are the contributors to the revenue of the Forest Department ?

A.—I should think Government Contractors who buy coops. I am not sure of the people who pay.

Q.—But you know that part of the revenue is derived from fuel ?

A.—So far as only occupation is concerned. But I think headloads are exempted.

Q.—You would agree if these Contractors themselves come forward and say they would like to have a cess ?

A.—No, I would tax them.

Q.—Then would you charge those people against their will simply because the Board chooses to do it ?

A.—Simply because we think that forest is such a commodity that it ought not to be allowed to be cut without paying this cess. I may not be representing the popular view.

Hon. Moulvie Rafiuddin. Q.—In allowing people to be taxed would you not take into consideration the fact whether they have ascertained the wish of the people ?

A.—There might be local conditions. In my own District only one Taluka can boast of a forest and taking that view of it, I would rather be slow to tax that one Taluka if a proposal comes forward and say that, that particular taluka should not be taxed for the benefit of the other talukas. Perhaps conditions might be different in Kanara and perhaps there the forest revenue might be proper revenue on which a cess ought to be put.

Hon. Mr. Patel. Q.—You are a Member of the Ahmednagar Municipality for a long time.

A.—For about 10 years.

Q.—That Municipality is managed by non-officials only ?

A.—It is so. There are 24 Members and there is no official on the Municipal Board.

Q.—Would you like to see the District Local Boards manned by non-officials entirely ?

A.—If Government think fit. I think it is an ideal for which we are all working.

Chairman. Q.—Is it practicable ?

A.—Not everywhere. In some places it is.

Hon. Mr. Patel. Q.—For instance Poona, Ahmednagar.

A.—I will not name.

Q.—Have you heard the last witness saying that an officer similar to the one in charge of co-operative societies should be appointed by Government to guide the Local Boards ?

A.—I should have considered that suggestion practicable if there was some sort of an institution of the local self-Government Board constituted for the Presidency.

Q.—So instead of the suggestion made by the last witness to appoint an officer, you would go in for a Local-self-Government Board for the whole Presidency ?

A.—Yes, with one Government Officer attached to it.

Q.—What would be the duties of the Board ?

A.—The duties performed by similar Boards in England and in other places.

Q.—Then in that case you would not have control of the Collector but of Government ?

A.—Yes.

Q.—If there are non-official Presidents you would advocate the appointment of an executive Officer ?

A.—Unless the necessity arises I would not advocate the appointment of an executive Officer subject to this condition that non-official President shall have to tour in the District for a certain portion of the year.

Q.—Supposing the control and management of Primary Schools is made over to the Local Boards, would you still not advocate the appointment of an executive Officer with educational qualifications ?

A.—I think the work is done by the educational department and nothing more is needed.

Q.—Are you in favour of prescribing by a statute the proportion which Government should bear in matters of primary educational expenditure.

A.—I would rather not at this stage. I think Government is helping us more in that direction.

Q.—You have heard the suggestion made to the last witness that the District Local Board should elect a committee to

advise the Collector on certain matters of administration ? What is your opinion about it ?

A.—If I am asked an opinion I think it will be a very good idea.

Hon. Mr. Patel. Q.—Just turn to section 30 of the District Local Boards Act. You know when the Local Funds were started the original idea was to improve the local things as the construction of local roads, etc., and after the passing of Act III of 1869 Local Funds were diverted into different channels. Are you aware of that from the literature ?

A.—It appears so to a certain extent.

Q.—What should have been spent from provincial revenues was spent from Local Fund revenue ?

A.—This is so.

Q.—Now coming to section 30 Clause (a) the construction of roads and other means of communication (roads). Do not you think that this clause is too wide ?

A.—It is for that reason that I advocate that it should be taken out altogether. I am not prepared to say that it is too wide. What appears to have been done is that all roads which are vested in them have been made from the local funds. I am not aware of any roads that have been handed over to the Local Boards for maintenance.

Q.—This clause puts an obligation on local Boards to construct roads and other means of communication. Would you not rather like that the section should make it definitely clear that certain specific roads should be constructed from specific local funds ?

A.—No, I would not. As far as my District is concerned all the trunk roads which are at present maintained by the District Boards have been constructed from the point of view of joining two or three talukas, except perhaps such roads as may have been constructed in famine times.

Q.—Expenditure on famine relief is an imperial concern and not a local concern.

A.—I think it is so.

Q.—Do you know that the Boards have spent money on famine reliefs ?

A.—Some only.

Q.—You have read the opinion of the Decentralization Commission on the point of control of primary education by District Boards ?

A.—I entirely disapprove of that.

Mr. Martin. Q.—Do you agree with Mr. Mead generally ?

A.—Yes.

Q.—What functions are you going to leave to the Local Boards ?

A.—The control and supervision of all works which have been entrusted to the village Panchayats.

Chairman. Q.—Public health and sanitation ?

A.—Public health, sanitation, improvement of agriculture, improvement and storage of small water works.

Mr. Martin. Q.—Your proposal to extend Local-self-Government is cutting down Local-self-Government.

A.—It may be so. But I should think that roads and other matters are rather technical matters on which Local Boards are not competent to guide and maintain efficiently.

Mr. Martin. Q.—What majority would you suggest for elected Members ?

A.—My idea is that the whole board should be of elected Members.

Q.—No officials at all ?

A.—They may be elected. I do not want any nomination. That is the idea.

Mr. Martin. Q.—Would you allow officials to be elected ?

A.—I will have no objection to a Mamlatdar being elected.

Q.—Do not you think if officials are allowed to be elected they will carry the day ?

A.—I am not afraid of that.

Q.—You know that it has happened elsewhere ?

A.—I do not know that is done.

Q.—As to the President and vice-President, you want the President of the District Boards to be non-officials.

A.—The President of the District Board should be a non-official wherever possible.

Q.—Who is to decide that ?

A.—Government. And even there I should leave it to election. Not that the Collector shall be ex-officio President of the District Boards. Members of the District Boards may be allowed to elect their own President or vice-President.

Q.—What about Taluka Boards ?

A.—There also if the President is official the vice-President should be non-Official.

Q.—Do you think an Assistant could reasonably be the President of one or two Talukas ?

A.—He could be. He can attend all the meetings. In fact he directs the policy. It does not matter whether he attends or not.

Q.—Supposing the District Local Boards have non-official Presidents, then would you like the Collector to be a Member ?

A.—I would certainly like the Collector to be a Member. He may attend. I may explain at once that I am not making that sort of sharp distinction between officials and non-officials. Even if there is a non-official President nothing will be done without the Collector's advice as he has more experience of the District than the non-official President. I am not sure that any non-official President would like to carry out his policy without the knowledge and concurrence of the Collector.

Q.—Are you also of opinion that it is better that the work of the Schools Committees should be left in the hands of the Schools Committee or in the hands of one man ?

A.—The two cases are not parallel. In the Municipalities we have a much smaller area which can be controlled by the President, but as far as the Local Boards are concerned, if there is a non-official President, it should be that he should go over the District for a certain number of days. With reference to the Schools Committees I have not much to say.

Q.—Then the management of schools should remain as they are ?

A.—If the District Educational Boards are not formed it should remain as they are.

Q.—Would you place any restriction on the recruitment of engineers for the Boards, viz., that they should be recruited from Government service or from outside ?

A.—It should be left to the option of the Board. They may have any man they like.

Q.—Do not you think it will be better to recruit a man from Government service ?

A.—The same principle which guides us in appointing our Chief officers of Municipalities should guide us here.

Q.—Would not you like that the approval of the head of the P. W. D. should be taken ?

A.—I would not.

Q.—You are in favour of village Panchayats.

A.—At present we like the Taluka Boards to remain because the nucleus is made of the village Panchayats.

Q.—You are in favour of the District or Taluka Board taxing themselves with the approval of Government. Would you also then like that Government should contribute an equal sum ?

A.—Yes. But that taxation should be subject to the approval of Government.

Q.—Are you in favour of any professional tax ?

A.—My own view of it is that almost all such persons as you are contemplating have got some such tax to pay and as far as my District is concerned I cannot find one instance in which some one is not paying some such tax.

Q.—Supposing some of them are not ?

A.—There may be very few.

Q.—You do not like any professional taxation ?

A.—I shall have no objection if the Local Boards think fit.

Q.—Would you like that the District Boards may have power to tax certain gentlemen who live in the Municipal area ?

A.—Yes.

Mr. Seddon. Q.—You are in favour of village Panchayats.

A.—Yes; I am.

Q.—Do you mean to have a large number of village Panchayats or a Panchayat of a small village ?

A.—We have to take into consideration the fact of the factious spirit of the village.

Q.—Would you like to have Union Panchayats ?

A.—Union Panchayats grouping together small villages.

Mr. Pratt. Q.—I think, I understand you rightly when I say that your main point is that the main idea of fostering the spirit of Local Self-Government lies in these village Panchayats.

A.—Yes.

Chairman. Q.—You told us that Municipal Committees in your District have control over the schools and some control is also exercised over those schools by the Educational Department and you do not find that there is any difficulty owing to this double control ?

A.—No; we are getting on quite friendly.

Q.—Then you also told us, you like to see the Collector sitting as a Member in the meeting of the District Board. Are you not afraid that the presence of the Collector will interfere with free discussion ?

A.—The only question is that if the Collector is President, then there will not be free discussion, but if there is a non-official President they will have no fear in speaking their mind. I mean that the Collector's presence as President of the board is only feared. But his presence as an ordinary Member will not interfere with free discussion and free voting. In fact, it will stimulate the right sort of spirit and encourage concord and harmony.

Q.—And you do not think that there is anything derogatory to the Collector to be present as an ordinary Member of the District Board ?

A.—I think, they would like to co-operate so far as the Collector is concerned. I cannot conceive of any proposal coming from the non-official President without the consent of the Collector.

Chairman: Thank you Mr. Chitale.

DAJI ABAJI KHARE, ESQUIRE.

(19th October 1915.)

- Hon. Mr. Patel. Q.—For how many years were you a Member of the Legislative Council of Bombay ?
- A.—For nearly 12 years. I was representing the Local Boards of the S. D., but I was never a Member of any Local Board.
- Q.—You are for elected majority ?
- A.—Yes; I am. I have not settled any particular direction of the policy. I would suggest about $\frac{3}{4}$ and $\frac{1}{4}$.
- Q.—Amongst the $\frac{1}{4}$ what portion of officials would you suggest ?
- A.—Amongst the $\frac{1}{4}$ I would leave Government to nominate either officials or non-officials, and in that one-fourth I would desire that Government should make provision for representation of minorities. I for myself do not believe in the representation of minorities.
- Q.—You do not believe in the principle of community representation at all ?
- A.—No; not at all. I do not think there are any interests with which Local Boards deal which have got anything to do with minorities.
- Q.—I am told the question of Urdu Schools comes in.
- A.—That might come in; but I do not know why there should be the representation of minorities simply for that reason. Generally if good sense prevails among the Boards they might watch the interests of the minorities. What I mean is that there are not elements to cause appreciable difference of views in the matters with which the Local Boards are concerned.
- Q.—Is it not also true that the principle of representation by community is impracticable in its working ?
- A.—At all events although not impracticable it is very inconvenient, because you can make anything practicable.
- Q.—Can you make it practicable ?
- A.—You can make anything practicable but at the same time it is inconvenient.
- Q.—Do you think time has come when our District Local Boards should have non-official Presidents ?
- A.—I think so.
- Q.—In all the districts that you know of you can find at least one man in each district fit to be asked to be President of the District Board.
- A.—Certainly.
- Q.—I believe you are acquainted with most of the districts of the Southern and Central Divisions.
- A.—Yes, I am; but I cannot speak of the Northern Division.
- Q.—Under the present arrangement all the Taluka Boards are merely an agency of the District Boards ?
- A.—Yes in a way.
- Q.—I suppose you could find men to do these duties, that is the duties of a President of a Taluka Board ?
- A.—At present not in every Taluka.
- Q.—You would also like to have non-official Vice-Presidents.
- A.—Yes. I have no doubt that in District Boards you can get plenty; but you cannot get as many in the Talukas.
- Q.—In that case where you could not find men in the Talukas, would you rather like to leave it to the sense of the Boards to elect an official or non-official; or would you give power to Government ?

A.—As far as Taluka Boards are concerned I would give power to Government. I would not trust the Taluka Boards to elect just now. I would have nomination by Government of an official or a non-official. I would leave the whole thing to Government. At present there are some Talukas where you can get non-official Presidents who can be elected. If you confer some duties upon the Taluka Boards then only the question arises. Leaving the duties as they are at present I would have a non-official President of the Taluka Boards.

Q.—But if the duties are at all going to be increased?

A.—Then in that case as far as the majority of the Talukas are concerned, I think the matter of the President should be left to Government who should appoint either an official or a non-official. The Board should refer it to Government, and Government should endeavour to appoint as far as possible a non-official.

Q.—Do you advocate the retention of the Engineering Staff by the District Boards if funds permit?

A.—If the funds permit certainly. In that case I would do away with the limitation placed by law on the execution of works, but all that will depend upon what funds you are going to allot to them. Assuming that the funds permit I would not have any limitation placed on plans and estimates on the execution of work.

Chairman. Q.—None at all?

A.—None at all. I would rather leave all that to be worked out by the Boards themselves.

Hon. Mr. Patel. Q.—Do you think the time has come to hand over the control and management of primary schools to Local Boards?

A.—By control and management if you mean inspection and all that sort of thing, then again it is a question of funds.

Q.—You must assume all my questions to have been asked on the assumption that the funds permit.

A.—As far as the appointment of teachers is concerned they will have to conform to the general scheme prevailing in the Presidency.

Q.—Surely you would not object to the District Boards appointing their own inspecting staff.

A.—Indirectly it comes to that.

Q.—If one curriculum is prescribed by the Educational Department you would not object to the appointment by the District Boards of the inspecting staff also.

A.—Even then if the same curriculum has to be preserved unless the inspecting staff is the same you have no guarantee that the same curriculum is being really carried out.

Chairman. Q.—That is to say you must have a supervising Inspector by Government.

A.—That will entail double expense.

Q.—You accept the necessity of final control by the Government Department.

A.—In my opinion the scheme of education throughout the Presidency should be one.

Hon. Mr. Patel. Q.—If you think that the policy should be controlled by Government, do not you think that the proportion of the expenditure for primary education should be fixed by statute?

A.—That will depend upon what the Board is able to provide for. If the Board can spend a reasonable amount, then I would advocate a fixed proportion determined by statute which should form the contribution by Government.

Q.—What would you suggest hereafter when the whole control is left to the Boards?

A.—Whole control means supervision ; and final control should be left in the hands of Government ; and I would have the proportion fixed by statute.

Q.—Coming to the question of finances, have you thought how the financial conditions of the Local Boards may be improved?

A.—I have thought of it only generally. They have got that one anna cess at present. I am not in favour of increasing the one anna to two annas, because that would press hardly upon the agricultural population ; but on the contrary as I have suggested a specific subvention should be given them by a fixed proportion in certain heads of revenue, that is, the provincial revenue, on land revenue, income-tax, forest revenue, etc. I have selected these particular heads, because they are progressive in one sense. I have also suggested irrigation revenue.

Q.—What special claims the Local Boards have on these heads ?

A.—Because they are raised from the people; the people have got a claim on them. I am not partial to these particularly, but to begin with I take them.

Q.—You know that Stamp and Registration laws were enacted with the object of seeing that the agriculturists are not defrauded. Do not you think Government ought not to make any profit out of these revenues ?

A.—They are enacted that no body should be defrauded; not particularly agriculturists. As to profit, I think Government make profit out of every item of revenue and they ought to do that because they have to conduct the Government.

Q.—But they were not enacted with the intention of making money ?

A.—All these Acts are enacted primarily to raise revenue.

Q.—But do not you think Stamps and Registration have special claims ?

A.—I do not make any special restriction with regard to that.

Q.—You are not in favour of extra cess decidedly ?

A.—Yes.

Q.—You have heard a suggestion made by me when Sir Narayan was being examined that the District Boards should appoint a Committee to advice the Collector in certain matters of administration. Are you in favour of that ?

A.—Yes.

Q.—You also heard a proposal that an officer should be appointed to educate the people in the matter of Local Self-Government as in the case of Co-operative Societies.

A.—I do not think at present it is practicable. But it is desirable, but we must allow some period to elapse. I am in favour of a Local Self-Government Board. But that will require some time. I cannot say how much.

Q.—Now with regard to qualifying limits would you rather like to reduce the limit; and if so to what extent ?

A.—I think I have answered that question in my written statement.

Hon. Moulvie Rafiuddin. Q.—Are you the Secretary of the Congress Committee ?

A.—I am one of the Secretaries of the Reception Committee of the coming Congress. I was Secretary of the Congress up to 1914.

Q.—Are you aware of the opinion of the Bombay Presidency Association in the matter of the representation of minorities ?

A.—Yes. But I am not one with it.

Q.—Then you do not think that representation of minorities is at all desirable ?

A.—Not in this connection. We are talking only of Local Boards, and there are no interests of minorities as such. It may be desirable, but it is very inconvenient.

Q.—Would you recommend that nomination even should be suspended ?

A.—If Government think they are fit persons I would have no objection to their being nominated.

Mr. Seddon. Q.—Are you in favour of village Panchayats, or not ?

A.—Yes ; I am ; but not in the case of all villages ; only in the case of large villages.

Chairman. Q.—If there are no community representations of Mahomedans on the District Boards would not that arouse any resentment among the Mahomedans ?

A.—Not naturally, unless it is created.

Q.—Do you think the presence of the Collector on the Board will handicap free discussion ?

A.—I think so. It is undesirable that the Collector should be present. The Collector should be out of the Board altogether. He should not be a member even.

Q.—Supposing he should come as a Collector and not as a member ?

A.—I would certainly object to that also.

Q.—You think that his presence would embarrass people ?

A.—Yes, certain people.

Q.—You also consider it would not be well to his dignity ?

A.—I do not think there is a question of dignity.

Q.—You have studied the question of Local Self-Government in other countries ?

A.—No ; I have not done it. I have generally read it but not studied it.

Q.—You know that in France they have the officials called prefects.

A.—I know there are prefects, but I do not know that they are officials.

Q.—You know that in France there is such a thing as Self-Government ?

A.—I presume, there is, but I cannot say.

Mir Ayub Khan. Q.—You just now said that this representation of Mahomedans is not a real grievance but it is a worked up grievance.

A.—In villages.

Q.—Then do I understand you to say that even a responsible body like the Mussalmans is liable to be worked up by sentiments ?

A.—Why should I cast a reflection on other people ? I can say this that I have several friends who are members of the Mahomedan community and they have told me that they personally do not care for it.

Chairman. Q.—You think such a power should be taken by the Government ?

A.—It should be conferred upon the Boards themselves.

Chairman. Q.—You consider the District Boards and Taluka Boards should develop Local Self-Government ?

A.—It begins with the Taluka Boards and goes up like that.

Q.—Would you pay members for their attendance ?

A.—No.

Q.—Would you pay them for performing any functions on behalf of the Boards ?

A.—I would pay them expenses, a bhatta for performing special functions, *i. e.*, going round the district, but I would not pay them for attendance ?

Q.—Would you require that inspection should be ordered by special resolution of the Board ?

A.—I would prefer the Boards to lay down rules on that point.

Q.—In small Municipalities it has been suggested that the School Committees have not been working satisfactorily. Do you agree ?

A.—Yes.

Q.—Would you like the powers of the School Committees of small Municipalities to be transferred to the District Local Boards School Committees ?

A.—No ; I would keep those powers with the Municipalities.

Q.—In England by a certain legislation County Councils have been given the authority over schools of small towns.

A.—I do not approve of that.

Q.—Even though the District Local Boards may be contributing largely to the expenditure of the schools ?

A.—The thing is this ; Government also contribute to the maintenance of Municipal Schools. Government have the inspecting control and I would leave that to Government even in the case of Local Boards.

Q.—Thank you Mr. Khare.

N. C. KELKAR, Esq., B.A., LL.B.

(19th October 1915.)

Hon. Mr. Patel. Q.—Mr. Kelkar, you are the Editor of the 'Kesari' and the 'Mahratta' ?

A.—Yes.

Hon. Mr. Patel. Q.—You have been on the Municipal Board for a number of years ?

A.—For 16 years.

Hon. Mr. Patel. Q.—You are also a Member of the District Board ?

A.—I was a Member for about three years, ten years ago.

Hon. Mr. Patel. Q.—Who was the President; the Collector ?

A.—Yes, the Collector.

Hon. Mr. Patel. Q.—What is your experience of the working of the Board when the Collector is the President ?

A.—I have stated in my written reply that it is not very encouraging.

Hon. Mr. Patel. Q.—Why ? Don't the non-official members speak out their minds ?

A.—I think good constructive criticism can only come from taluka people but they are small in comparison with the other people who sit there, and the President being the Collector, who is the head of the district, I think they are afraid of speaking out their views. They have no courage to insist upon a particular thing being done in a particular way.

Hon. Mr. Patel. Q.—You suggest that there should be non-official Presidents elected by Taluka and District Boards ?

A.—Yes.

Hon. Mr. Patel. Q.—Do you think that men will be available to work as Presidents ?

A.—As far as the districts are concerned, I think there should be no difficulty in getting the men. As for the talukas, there may be some difficulty. I would make non-official Presidents for the Taluka Boards the rule, and the official the exception.

Chairman. Q.—Who is to decide ? ×

A.—Government, of course.

Chairman. Q.—How will they decide ? ×

A.—Government would say from time to time in the case of particular talukas whether the Presidents should be officials or elected non-officials. They should prescribe that from time to time.

Hon. Mr. Patel. Q.—Do you mean to say that the law should provide that as a general rule Taluka Boards should have non-official elected Presidents subject to this provision that the Governor-in-Council may at any time exempt from the operation of that section the particular taluka which is not sufficiently advanced to elect its President ?

A.—Yes ; I would throw the onus of doing so on the Government. I would lay down that all Taluka Boards should have non-official Presidents elected by the Boards. I would leave it to the Governor-in-Council to exempt certain talukas if on certain considerations non-official Presidents will not be available.

Mr. Pratt: How would that differ from the present law ?

Chairman. Q.—Do you know what the present law is, Mr. Kelkar ?

A.—Yes ; More specific wording should be introduced in the present law. I do not think the present wording is as much in favour of my proposal as it should be. My idea is that it can be

put in the form of a section that the Presidents of the District Boards shall invariably be non-officials elected and the Presidents of the Taluka Boards shall be as far as possible elected non-officials, provided that the Governor-in-Council may from time to time declare that in the case of particular talukas, they should be exempted from the operation of the Act and non-officials may be appointed by Government.

Hon. Mr. Patel. Q.—May I turn your attention to section 8 of the Bombay Local Boards Act? You mean to have some such section introduced into the legislation?

A.—Of course I have not thought over this matter with reference to this particular section.

Hon. Mr. Patel. Q.—You would like to have a similar provision introduced in the statute?

A.—Yes.

Chairman. Q.—Would you exclude certain talukas permanently?

A.—Not permanently.

Chairman. Q.—If the circumstances vary some times, who is going to decide, to vary the notification from time to time?

A.—On the recommendation of the Collector and the Commissioner the notification may be changed by the Government. When particular areas are regarded as good enough for exercising their right, they should extend that provision to that area, or in certain cases the rights already given may be withdrawn. The same may happen in this case also, as happens, *e. g.*, with regard to the Jury notification.

Hon. Mr. Patel. Q.—With regard to those Taluka Boards which the Governor-in-Council may exempt from the operation of the particular section which you think should be inserted, would you rather like to leave it to the Board to elect an official or non-official in respect of those talukas, or would you give power to the Governor-in-Council to appoint any one they choose?

A.—I would rather leave the power to the Government when the taluka is not in a position to elect its own non-official President. I would rather leave the power to Government to nominate their own man.

Hon. Mr. Patel. Q.—But you forget one fact. In one case you say that Taluka Boards may elect their non-official Presidents, in the other case, that is the exempted taluka, you would not like to leave it to the Board to exercise their selection with regard to the President?

A.—I would not.

Hon. Mr. Patel. Q.—When you leave power to the Governor-in-Council, you would also recommend that the Governor-in-Council should as far as possible find out and nominate a non-official?

A.—Yes; I would say that.

Hon. Mr. Patel. Q.—You say that the District and Taluka Local Boards should have an elected majority?

A.—At least two-thirds.

Hon. Mr. Patel. Q.—Would you object to giving them elective majority of $\frac{2}{3}$ th and $\frac{1}{2}$ th?

A.—For some time I would not, for this reason. My idea is that nominated non-officials have a place to a certain extent; though to a small extent. The other communities whose representation must be taken care of, they also have a place, and we must make room for both these within that small area, I mean of those nominated non-officials, and therefore I would rather keep some places for nominated officials.

- Mr. Martin. Q.—For whom is this ?
A.—As a rule for all.
- Mr. Martin. Q.—Your scheme is one-third elected.
A.—I want two-thirds to be elected and one-third to be nominated.
- Hon. Mr. Patel. Q.—Don't you think that the field of nomination with regard to minorities as well as with regard to persons of special qualifications or merit and who do not like to stand for election would be curtailed by extending the franchise of election to Local Boards from one-half to two-thirds ? At present the elected elements is one-half. Under your scheme the elected element will be increased to two-thirds. Will not the field of election for nomination which is now available to Government for minorities and for men of special qualifications be curtailed ?
A.—There is room enough within those nominations. I think one-third is quite enough. Half of this one-third may be officials and the rest may be nominated non-officials including representatives of special communities.
- Hon. Mr. Patel. Q.—I understand, Mr. Kelkar, that given a competent engineering staff, you are entirely in favour of doing away with all limitations with regard to plans and estimates as well as the execution of works ?
A.—Yes. I think that so far as Local Board works go, they are practically on a level with the works that the Municipalities have to execute, and I think that, with a competent staff of their own, Local Boards may be able to deal with their own works without any reference to the Public Works Department, except perhaps in special cases when there are very big works.
- Hon. Mr. Patel. Q.—What is your idea about big works ?
A.—If there are any particular patterns requiring special knowledge, which is not within the ordinary reach of the supervisor or overseer ; but I would lay it down as a rule that the Local Boards, just as the Municipalities do now, should have their own staff, and should do away with all the present limitations as to plans, etc.
- Hon. Mr. Patel. Q.—You have no restrictions as to plans and estimates at present.
A.—In the case of those works for which Government pays large grants, of course the works have got to be approved by Government, and sometimes also they are executed by Government agency.
- Mr. Patel. Q.—So in fact you place the Local Boards on the same level with the Municipalities ?
A.—My idea is that the Local Boards should be placed as a unit on the level of the Municipalities.
- Hon. Mr. Patel. Q.—Now come to the question of cesses. I believe you have studied that question very well. Are you in favour or against the levy of two annas cess on land revenue ?
A.—For the present, I am against.
- Hon. Mr. Patel. Q.—You would not give power to the Local Boards to raise the one anna cess to two annas ?
A.—Not for the present.
- Hon. Mr. Patel. Q.—Not even give power to the Local Boards ?
A.—No ; I would not give even them the powers, because the time has not come for again tapping the same source. A time may perhaps come. It is quite conceivable that the time may come when that one anna may have got to be raised to two annas. My idea is that the present income of the Local Boards may be safely doubled by other means before we again go to the old source

of revenue, viz., the Local Fund cess, and unless we do that, we are not justified in tapping that source.

Hon. Mr. Patel. Q.—What are the cesses which you think should be levied ?

A.—I think all heads of provincial revenue should be subject to a cess.

Hon. Mr. Patel. Q.—Do you know what a cess is ?

A.—I can tell you what I understand by a cess. It is a special levy assessed at a particular ratio in relation to the tax, say one anna in a rupee, paid by all those who pay the tax, in addition to the tax.

Hon. Mr. Patel. Q.—Those who pay hundred rupees as income tax they ought to pay hundred annas more ?

A.—Yes; my idea of a cess is that every one who pays a tax also pays a cess.

Hon. Mr. Patel. Q.—You are in favour of having cesses on all the heads of provincial revenues ?

A.—If possible. At any rate, before we come to the land revenue again.

Hon. Mr. Patel. Q.—What would you place in the forefront, excise or what ?

A.—First of all excise. Then I would take income tax; then I would take Forest revenue, and lastly I would take irrigation.

Hon. Mr. Patel. Q.—Would you have the whole of the Forest revenues ?

A.—I have stated in my written reply that if possible I might make a discrimination. I would not levy a cess on those who pay for the fire wood and grazing fees.

Rao Bahadur Artal. Q.—What about timber ? Timber is sold by auction.

A.—Yes; it is sold by auction, and therefore it is not inconvenient to make the auction purchasers to pay one anna more.

Mr. Seddon. Q.—They are business people.

A.—Yes; they are business people. The prices of timber are very fluctuating, so one anna in a rupee would not be very much.

Rao Bahadur Artal. Q.—Would you like to levy a one anna cess on salt revenue ?

A.—My idea is to exclude the poor people from all taxes.

Rao Bahadur Artal. Q.—The duty on salt has been reduced from one rupee to 8 annas.

A.—I would first of all exhaust the whole schedule of the remaining heads of revenues before coming to salt or land revenue.

Hon. Mr. Patel. Q.—Would you ask the people to tax themselves with these cesses irrespectively of the corresponding obligation on the part of Government to come forward with equal amounts ?

A.—Generally my idea is that Government do not contribute as much as the people do. Take the case of the grants-in-aid and other contributions. Generally the idea is Government pay as much as the people themselves pay. In the case of Municipalities for drainage and other works, Government have issued a Resolution recently saying that Government should contribute half of the total expenses.

Rao Bahadur Artal. Q.—Do you know how much they contribute now ?

A.—It is less than half.

Rao Bahadur Artal. Q.—What is the income of the one anna cess ?

A.—My idea is, it is 33 lakhs or so; and Government don't pay even that.

Chairman. Q.—Government contributions are 34 lakhs and the Local Fund cess is 33 lakhs, last year's revenue.

A.—Take the revenue as a whole. I think the total revenue is 75 lakhs, and the Government contribution, I think, is less than half.

Hon. Mr. Patel. Q.—Would you leave it to Government to give as much as they like, or would you rather insist that the people should tax themselves only on condition that Government comes forward with the corresponding amount ?

A.—Yes, I would have that understanding.

Hon. Mr. Patel. Q.—You would have that understanding or you would have that put in statute ?

A.—If you are going to touch the Act, I would rather have it in the statute. Of course when I speak of an understanding I mean that it is to be carried out, and Government know what is the best form of giving the guarantee of carrying it out.

Hon. Mr. Patel. Q.—With regard to the educational expenditure, do you think it should be fixed by statute that Government should bear a certain proportion of expenditure on primary education ? And if that is so, what should be the proportion ?

A.—I should say two thirds should be the Government proportion, and one third should be by the people, and that should be fixed by statute.

Hon. Mr. Patel. Q.—I understand you are against giving over the control and management of Primary Schools to Local Boards ?

A.—Yes, under the present circumstances.

Chairman. Q.—Will you explain that ; how and why ?

A.—At present the direction and control of Local Boards is entirely official, and so long as that obtains, I don't think that education ought to be transferred to the Local Boards. Then again the Local Board is too small a unit for the control of the education to be vested in it. I look upon education more as a provincial matter than as a local matter.

Hon. Mr. Patel. Q.—If that is so, why should Local Boards contribute anything towards the expenses of primary education if it is a provincial concern.

A.—Every one has to contribute. Whether it is provincial imperial or local, everyone contributes, whether it is Government or people. The proportion is different in each case that is all. The theory however, is that every one contributes.

Hon. Moulvie Rafiuddin. Q.—Are you the Secretary of the Sarvajanic Sabha ?

A.—I was.

Hon. Moulvie Rafiuddin. You agree with the Sabha's views also ?

A.—Yes, to a certain extent.

Hon. Moulvie Rafiuddin. Q.—You have been for many years a member] of the Poona Municipality.

A.—For 16 years.

Hon. Moulvie Rafiuddin. Q.—You know that during that time not a single Muhommedan has been elected there.

A.—Yes, I know that.

Hon. Moulvie Rafiuddin. Q.—When you were a member you had kindly put yourself on the sub-committee which drew up a scheme for giving two seats to Muhommedans on the Poona Municipality ?

A.—Yes, I was on the sub-committee.

Hon. Moulvie Rafiuddin. Q.—And what became of that scheme ?

A.—It was ultimately not taken up. It now rests where it was and I have left the Municipality now.

Hon. Moulvie Rafiuddin. Q.—Now with regard to the provision of these minorities, you say one third is enough for all these purposes. Do you think it is enough ?

A.—Yes.

Hon. Moulvie Rafiuddin. You say that you are not in favour of more than one third. You are not in favour of the three fourth majority ?

A.—I think that a certain number of the representatives of the special classes or communities would be enough, and that would generally be covered by the one third.

Hon. Moulvie Rafiuddin. You are not in favour of $\frac{3}{4}$ th being elected and $\frac{1}{4}$ th being nominated. But I am asking you another question. Now with regard to these, why are you in favour of two thirds? Don't you think that the present arrangement would be good enough, say half and half ?

A.—No, I don't think so. I should have a decided majority of elected members in Local Boards.

Hon. Moulvie Rafiuddin. Q.—Do you prefer elected members to nominated members ?

A.—To a certain extent, under certain circumstances, and within certain limitations I do.

Hon. Moulvie Rafiuddin. Q.—Would you prefer elections to nominations?

A.—I would have election rather than nomination.

Hon. Moulvie Rafiuddin. Q.—Is that the popular view ?

A.—Yes, I think so.

Hon. Moulvie Rafiuddin. Q.—If in the present number on the Local Boards the Government kindly supplies the deficiency, and the Government appoints one or two Muhommedans as representatives of the community upon these Boards, and if the Muhommedans felt that it was not healthy for them, and if they wanted the same number to be given to them by election, would you object ? I mean the nomination by the collector. Supposing they do not want the nomination by the collector ?

A.—I would not object if they are pleased by getting those seats by election. I rather think they ought to get them by election.

Hon. Moulvie Rafiuddin. Q.—With regard to these schools, what is your objection? Are you a member of the School Board here?

A.—One moment I want to make my last answer clearer. I would give the Muhommedans or other communities their representatives through election if possible, but I would not give them communal electorates. I would have them on the Board as elected members but by a mixed electorate both by Muhommedans and Hindus.

Chairman. Q.—You are prepared to have Muhommedan representatives on the Local Boards provided they appear on behalf of mixed electorates and not on behalf of communal electorates?

A.—Yes, I would even go so far as to reserve certain seats for them but I would have them to go to the mixed electorates for them.

Hon. Moulvie Rafiuddin. Q.—You are a Member of the School Board now?

A.—I was never a member of the School Board within these 16 years.

Hon. Moulvie Rafiuddin. Q.—Have you visited them or are you fairly conversant with their working ?

A.—I have been taking interest in my own way, but I have absolutely no first hand information about the management of the schools as a Municipal member. I was never on the School Board.

Hon. Moulvie Rafiuddin. Q.—I am talking of the School Board of the Municipality ?

A.—I was on the general body of the Municipality, but not on the School Board.

Hon. Moulvie Rafiuddin. Q.—Do you think that they are satisfactorily worked now?

A.—I don't find that efficiency which I would expect or which I would wish for.

Hon. Moulvie Rafiuddin. Q.—What is the defect?

A.—At present practically they have power only to dismiss or get the teachers transferred. Beyond that they have no power, either as regards the curriculum or other things connected with education.

Rao Bahadur Artal. Q.—Dismissal of trained teachers?

A.—They can punish, I mean, hand them over back to the department that is the sort of dismissal. Municipalities can do away with them so far as they are concerned.

Hon. Moulvie Rafiuddin. Q.—Is there a good deal of favoritism in the committee management of the schools?

A.—What I think is that in matters of education, we laymen have not got much experience and the Board also changes from time to time. The whole personnel of the School Board is likely to change every year, and we have to depend upon the miserable School Board clerk who becomes practically our head and chief.

Chairman. Q.—What would you prefer; you prefer to hand over the schools to the Educational Department?

A.—If the Department is willing I would rather hand them over back. That is one reason. There is another reason. We have got bad experience of the Government not giving us the promised grants. You will find that in the early eighties I think, when the schools were transferred to the Municipalities; a distinct understanding was given that grants equal to one-half of the expenditure would be given. At first enthusiastically we went on increasing our expenditure as if we had got something very great, but Government grants never kept pace. They are periodical, they are uncertain, and we find ultimately that we bear the burden of the increased cost of education. We are never satisfied with the reforms that we are making and all along we have been paying for the reforms, and Government grants have never kept pace with us. It is only with primary education that we are concerned in the Municipality. It is very rarely that we have High Schools or Technical Schools.

Mr. Seddon. Q.—Anglo-Vernacular Schools ?

A.—Very rarely.

Hon. Moulvie Rafiuddin. Q.—You say you have been a member for three years of Local Boards.

A.—Yes.

Hon. Moulvie Rafiuddin. Q.—Do you think the presence of the Collector exercises a terror among the people ?

A.—Upon the educated people perhaps his presence does not exercise a terror, but upon the people coming from the Talukas, it does.

Hon. Moulvie Rafiuddin. Q.—Even if the Collector sits there, do you think it will exercise a terror ?

A.—I would rather prefer that he should not be on the Board but he should remain aloof and keep a benevolent watch on the District Board rather than be a member.

Hon. Moulvie Rafiuddin. Q.—For what officials would you have this one-fourth ?

A.—I would rather have the Deputy Educational Inspector; at present he is invariably not a member. In the Poona district, he

is not ; therefore I think that he might necessarily be made a member. Perhaps the District Engineer might be asked to be a member.

Hon. Moulvie Rafiuddin. Q.—And in the Taluka Boards I think the position of the Assistant Collector to be the same as that of the Collector.

A.—Yes ; I would not have him.

Rao Bahadur Artal. Q.—A Native Deputy Collector ?

A.—No ; perhaps he is sometimes worse.

Hon. Moulvie Rafiuddin. Q.—The Indian Deputy Collector exercises more terror than the European Collector ?

A.—No ; not terror. A Native Deputy Collector does not feel so sure, does not enjoy the confidence of being backed up by the District Collector as an Assistant Collector feels ; and therefore he always feels shaky in his position.

Hon. Moulvie Rafiuddin. Q.—Would you lose the experience of the Collector and the Assistant Collector ?

A.—It is not a question of losing experience. They are there all the same watching over the operations, and they can inspect and advise.

Rao Bahadur Artal. Q.—Collectors and Assistant Collectors always move about the district, and it will be very good to have advice from them.

A.—Yes ; but it is not necessary to have them on the Board. They may hold annual meetings. When the members take up the responsibility, they have themselves got to do things.

Rao Bahadur Artal. Q.—Unless they go to the Talukas they cannot.

A.—They should be made to go.

Chairman. Q.—By the Board making it a rule and providing for their expenses ? All Members should travel ?

A.—I do not say all ; some at any rate. Those on the Works Committee for instance, should be made to travel and should be paid their expenses.

Chairman. Q.—How would you do it ?

A.—I would make it a rule that those members of the Works Committee who do not tour for so many months, would be unseated from the Works Committee. I would put in only those members of the Works Committee who are willing to go on tour.

Rao Bahadur Artal. Q.—Unless there is a provision to that effect, how will you unseat those members who do not travel ?

A.—The District Board can make rules for its own guidance.

Hon. Moulvie Rafiuddin. Q.—With regard to the cess, you have made a distinction in the forest cess in the case of the poor people ; but do you think that the contractors will ever agree to be taxed ?

A.—It is not a question of their agreeing or not.

Hon. Moulvie Rafiuddin. Q.—You will take the opinion of the Board ?

A.—Yes.

Hon. Moulvie Rafiuddin. Q.—Have you any scheme for education ?

A.—I have read Mr. Apte's evidence and I entirely agree with him, that there must be popular voice expressed with regard to educational matters ; but a Local Board, in my opinion, is too small a unit for these things.

Rao Bahadur Artal. Q.—You were on the District Board ?

A.—Yes ; for three years ; but there were no regular proceedings ; no proceedings were confirmed ; in fact we never knew what the business was, before we came to the meeting—we simply got a notice saying that a meeting will be held for passing the Budget.

Mir Ayub Khan. Q.—When you say that the Collector should not be on the Board, would you, under those circumstances, give them more powers of interference ?

A.—The powers of interference should be very large, but they should be exercised very rarely, I mean in exceptional cases.

Mir Ayub Khan. Q.—As regards the School Board matters, has it ever been your experience on the Municipalities that while Government had promised one-half of the grant sometimes they do not pay even one-third ?

A.—Yes ; I can well believe it.

Mir Ayub Khan. Q.—The Collector has always the power to interfere.

A.—There are matters of detail in which he finds no room for interference.

Chairman. Q.—Do you consider that the appointment of President, whether of the District or Taluka Local Board, should be subject to the approval of Government ?

A.—I would have that rule in certain circumstances. If there be a certain fixed majority, the election of the President should be final. If it be a case of a simple majority, then it should require the approval of Government. I think that would be a good rule.

Chairman. Q.—There is no danger of getting unfit persons elected by two-thirds majority ?

A.—When there are two-thirds in favour generally it would be a wide choice.

Chairman. Q. Would you approve of Government having power to remove a member or a president who proved himself unfit for his position ?

A.—On the recommendation of the Board, as in the case of a Municipality.

Chairman. Q.—You have a similar rule in the Local Boards Act.

A.—There is none, I think.

Chairman. Q.—Would you like to see inserted any other safeguards as regards the removal of unfit persons ?

A.—For the present, I do not advert to any. But if any are pointed out, I may suggest.

Chairman. Q.—In England the election of Mayors is an annual affair. Would you like to see these annually here ?

A.—I would rather have some members continued on the Board as in the case of aldermen in England. They retain their seats more permanently. I would rather have continuity in that form. I would have the President for 3 years, and I would ensure that particular members who are experienced, may somehow be enabled to remain there longer than even three years if possible.

Chairman. Q.—By the votes of the expiring Board ?

A.—From what I have read, I think, there is such a procedure as that in England.

Chairman. Q.—Which do you consider a better agency ; the District Local Board or the Taluka Board ?

A.—I think the Taluka Board, if we could secure that.

Chairman. Q.—Would you abolish the District Boards ?

A.—No ; they could not be abolished unless of course you have a new scheme altogether in which there are representatives from Taluka Boards who would go direct into the larger Council, say a Local Government Board ; then in that case I would perhaps suggest that the District Boards may be dispensed with, but not until then.

- Chairman. Q.—You say that travelling expenses should be paid to members of the Board.
A.—Yes. Till now it was not being done, and that is one of the reasons why members did not move about to see works. There was one peculiar defect, *i. e.*, they were obliged to pay toll on their own carts, whereas the toll was the property of the Local Board. There were so many deterrents in the way of the people going out and seeing things for themselves.
- Chairman. Q.—Would you pay these gentlemen for attending the meetings?
A.—I would not.
- Chairman. Q.—You would authorise certain individual members to travel on the business of the Board?
A.—The Works Committee particularly. Just as in the case of Municipal committees, it is the business of some to go and see things for themselves, only some particular members should go, and not every individual member of the general body.
- Chairman. Q.—When you advocate an excise cess, you think that would be a useful weapon in the reduction of the drinking of alcohol?
A.—I never looked at it from that point of view. I look at it only as a fiscal measure. I know, I am liable to be interpreted in that way when I advocate that cess; but I wish to be distinctly understood that I look at it only from a fiscal point of view.
- Chairman. Q.—There are certain advocates of the excise cess who base their advocacy on the hope that it will reduce drink.
A.—I don't see the matter from that point of view. I may also say that the temperance idea does not come into my mind when I advocate the Abkari cess. In order to prove that, I had put in three articles in the Kesari wherein I have discussed facts and figures. That might perhaps give you an idea, and I could produce those articles before the Committee if they have no objection.
- Hon. Rao Bahadur Sathe. Q.—Have you got a translation?
A.—I have not got a translation.
- Chairman. Q.—You say you wish to have ample powers of interference and control by the officials. Do you think that it is better that those powers should be exercised through the power of the reduction of the grants-in-aid, or through the powers vested in the officers under the Act?
A.—Not by reduction of grants. Because that would hit the Local Boards themselves badly. I would rather have the Boards suspended than the grant reduced. If it is a serious matter and if there is no hope of the Board improving, I would rather have the Board suspended than make the Board suffer for want of money. That is not so in Municipalities. How many times have you suspended Municipalities? Practically whenever advice is offered, it is generally accepted.
- Chairman. Q.—You see there are two methods of control by a central authority. In England it is exercised by a reduction of the grant. Are you in favour of having ample legal power?
A.—Yes.
- Chairman. Q.—Would you be in favour of a cess on cattle and bullock carts?
A.—You mean for keeping bullock carts? No. ultimately it touches the agriculturists. I am of course entirely in favour of the tolls.
- Chairman. Q.—Don't you think that tolls have been a bad thing?
A.—Of course, I would rather tax the bullock carts through the toll than direct, because the carts would be going on some profitable business and we should be intercepting only a small portion of

their profit by the toll. I would not tax people merely possessing cattle.

Chairman. Q.—You are acquainted with the people around the Poona district?

A.—I have not got that acquaintance which I would wish.

Chairman. Q.—Do the people live in places where roads are not good and where there are tolls?

A.—I think they would rather have the roads and the tolls than no roads and no tolls.

Chairman. Q.—Have you ever discussed this question with any one?

A.—I have heard it from a number of people.

Chairman. Q.—Do you advocate a cess on cattle?

A.—No, because it is taxing them for nothing.

Chairman. Q.—What about the Gowlies?

A.—Business tax or trade tax is perhaps thinkable.

Hon. Moulvie Rafiuddin. Q.—Would you impose a tax on lawyers?

A.—They have nothing to do with rural areas, unless they are themselves agriculturists.

Chairman. Q.—Would you like to enter into business on behalf of the District Local Board as a universal monopoliser of liquor shops? Would you like to have a monopoly of selling liquor on behalf of the Local Board in the District and take the profits?

A.—Yes; Local Boards would appoint their own men; why not? There is no objection to that. In England I think the Municipalities sometimes go in for it.

Chairman. Q.—Is there the same feeling there as regards alcohol as they have here?

A.—The municipalities would tolerate the shops. They would not be as bad as the Temperance preacher on the one hand and as bad as Government on the other.

Chairman. Q.—There will be no vice in accepting the money?

A.—No.

Chairman. Q.—Thank you very much, Mr. Kelkar, for your trouble.

THE HONOURABLE MR. DATTATRAYA VENKATESH
BELVI, B.A.,

(19th October, 1915.)

Rao Bahadur Artal. Q.—I believe you are an Additional Member of the Legislative Council.

A.—Yes; I am.

Q.—For how long?

A.—For five years.

Q.—Also a Member of the District Local Board?

A.—I was a Member, but not now.

Q.—For how long?

A.—For 3 years.

Q.—Are you a member of the Taluk Board also?

A.—Yes; of Hukeri. I was from 1909 for about 6 years.

Q.—How many meetings were held during that period of the Taluk Board?

A.—I cannot tell you the exact number.

Q.—There were 38 meetings held.

A.—May be.

Q.—Did you attend any of them?

A.—I attended only one. The first one.

Q.—Your house is close to Hukeri.

A.—Yes; it is.

Q.—Why did you attend only one meeting?

A.—For the simple reason that nothing important had to be done.

Q.—How do you know that?

A.—By experience. In the case of the Taluk Board, practically nothing has to be done by the people now. The Mamlatdar does everything.

Q.—Then why did you stand for election?

A.—I had the object of getting a seat in the Legislative Council, and with that object I went.

Q.—There is no provision in the District Local Board Act that a member should attend a certain number of meetings; if there was a provision like that would you have attended?

A.—Certainly, if I cared to retain my seat there.

Q.—Is there any difference between elected members and nominated members, with regard to qualifications, ability and all that?

A.—I do not think there is much. Only very little.

Q.—You say, there should be only $\frac{1}{4}$ th nominated and $\frac{3}{4}$ ths elected members.

A.—Yes.

Q.—If there is no difference, why do you restrict it?

A.—There is a radical difference. Those who take their seats by the suffrages of the people, sit there as a matter of right.

Q.—Do you mean to say that elected members have more interest than nominated members?

A.—They ought to, if my scheme is approved. The present members do not take any interest in Local Boards.

Q.—That is to say, officials do everything.

A.—Yes; there is official domination from top to bottom.

Q.—What do you mean by official domination?

A.—It simply means that when you go to meetings, you find that there is either the Collector or the Assistant Collector and very few men have got the courage to oppose the official view.

Q.—You were a member of the District Local Board. You used to discuss matters in the presence of the Collector.

A.—Yes.

Q.—Of course, you were working.

A.—You and I both were working together when a particular road had to be constructed or repaired; a suggestion from the Collector was always accepted by the board.

Q.—Yes; if it was a good suggestion and there was no better suggestion to be made. You cannot say domination. Domination means tyranny or exercising authority in an arbitrary way.

A.—The very fact that it is the Collector who brings forward a proposal is sufficient to induce people to agree with the Collector.

Q.—Well, if the Board does not care, the official element should be altogether abolished.

A.—Yes; if possible, altogether abolished.

Q.—All members must be elected.

A.—No; not all elected just now. $\frac{3}{4}$ elected and $\frac{1}{4}$ nominated. Government should nominate only non-officials. There may be retired men like you, but if you were in office I would object to your sitting with me, because you were an official.

Q.—That is to say that the Collector is the District Board himself.

A.—Yes; the present District Board means the Collector and the Taluk Board, the Mamlatdar.

Q.—Very little is done by the board.

A.—Yes; very little, indeed. Even the Budget is never shown to the members at the proper time and they do not know what is being done in their name.

Q.—The Budget is shown.

A.—The Budget is with the Karkun. Why should not the Budget be printed and circulated as is done in Legislative Councils?

Q.—You mean, that way?

A.—Certainly.

Hon. Moulvie Rafiuddin. Q.—If you are against the official element, why don't you have the whole Board elected?

A.—I want to have due representation of certain small communities that may not find a place on the Board if all members are to be elected and also I want to have due representation of official experience. Not that I want non-officials only, but I want non-official men with official experience. There are also some people who are very good men, but who do not like to stand as candidates and go about canvassing.

Rao Bahadur Artal. Q.—You are a nominated member.

A.—I am an elected member.

Mr. Seddon. Q.—On the Taluk Board?

A.—Yes; I am an elected member on the Taluk Board.

Rao Bahadur Artal. Q.—You are a nominated member of the Belgaum District Municipality.

A.—Yes.

Q.—Why; did you not stand for election?

A.—Yes; I did stand once for election, but I failed.

Q.—Why should the people not care more for election than nomination: Why should we respect a person who says that he won't offer himself for election: Why should we not compel him to go and seek election: why should we nominate: in order to have

democratic feeling is it not right to say that if you want to come, come by the right door ?

A.—It is not bad to have a few nominated members.

Q.—Would you have them ?

A.—Yes.

Q.—You would also advocate minorities' nomination.

A.—Yes.

Q.—I simply want to know that if the Mahomedan community also wants to go in for election, would you necessarily say that you must go in for election and not come as nominated members ?

Hon. Mr. Belvi. Q.—You mean the Mahomedan community should have communal representation ?

Hon. Moulvie Rafiuddin. A.—I mean Government nominates certain persons to represent minorities. Now if your scheme is approved, there will be no chance for election and they will go in for nomination. But as facts exist they cannot get themselves elected and Government supplies the deficiency by means of nomination. Well, if Mahomedans want that particular seat which is now given to them by the Collector or Government if they want their own men to be elected what objection you would have in practice.

Hon. Mr. Belvi. It is difficult to understand your question. Do you mean to say that Mahomedans should form a separate electorate of their own ? I am against such a course in the case of District Local Boards. The thing is impracticable in the case of Local Boards.

Hon. Moulvie Rafiuddin. Q.—Supposing this Committee comes to the conclusion that we want all elected minorities. How will you provide for that ? At present Government does provide, but if all seats are thrown open would it not be necessary for Mahomedans to elect their own men ?

Hon. Mr. Belvi. A.—Would it not be necessary for Lingayats and Jains to elect their own men ?

Q.—On that ground only, you object.

A.—Yes.

Q.—With regard to schools you say that either the District Boards should have entire control and should have District Board officers to select curricula and so on, have entire control or else the alternative is to hand over the schools to Government. Well, supposing this Committee decides not to hand over to the Local Boards, do you think that Government should take over the whole charge even if the District Board should pay ?

A.—Not simply on that ground.

Q.—You would ask them to pay.

A.—When I say that Government should take over charge of Primary Education altogether, I say that Government should exempt us from payment of $\frac{1}{3}$ rd of our revenue which we are bound to pay under the present Act.

Q.—Are you in favour of grants or a cess for increasing the resources of the Local Boards ?

A.—I should prefer the levy of a cess. Government will grant and ought to grant money from time to time according to the needs of Local Boards; but I am in favour of a cess and especially a cess on the Abkari Revenue.

Q.—Any other ?

A.—First of all I should exhaust that source before I go to other sources.

Q.—You would not be in favour of Government allotting some money out of revenue.

A.—I do not think it is possible. The Accountant General will never agree to it. He will at once come down upon us.

The Chairman. Q.—How do you mean ?

A.—He will ask you how you are going to keep up the different departments of Government.

Q.—That is not the business of the Accountant General.

A.—Then the Finance Minister will do it.

Hon. Moulvie Rafiuddin. Q.—Only if the Legislative Council agree the Finance Minister can carry it out ?

A.—The Legislative Council is bound to agree to the views of the Finance Minister.

Q.—Do you prefer this or prefer a cess ?

A.—It is not a question of preference ; it is a question as to whether a thing is practicable.

Q.—You don't think it is practicable ?

A.—No; I don't think so.

Q.—Do you mean to say even if you have a cess, that will not come out of the revenue of Government ?

A.—No; it will not. Government will have its revenue and the one anna cess will go to the Board. It will come out of the pockets of the farmer and those who drink.

Rao Bahadur Artal. Q.—You are a District Court Pleader.

A.—I am a High Court Pleader.

Q.—You enjoy a large practice.

A.—Yes; I do.

Q.—Well; as a Pleader you are obliged to engage yourself with your clients, etc.

A.—Yes; I have to do my professional business. Certainly, I have to study the cases I have to conduct in Courts.

Q.—That is to say, generally in the mornings you have no time.

A.—Generally I am busy.

Q.—In the afternoon you go to the office. Probably your absence is due to this.

A.—No; not at all. If you enquire of the Chief Officer of the Belgaum Municipality you will find that I have been very prompt and strict in attending the Municipal meetings despite my heavy business.

Q.—You are a member of the District Congress Committee at Belgaum.

A.—No; I am not a member. I am against all Congress Committees as now formed.

Q.—Was a meeting held in your house ?

A.—No.

Q.—Did you send a representation in the name of Chatre ?

A.—No; myself, Chatre and others differ on certain political questions. You are referring to certain proceedings of the Peoples Association at Belgaum.

Q.—A meeting was held in your house.

A.—Yes.

Q.—How many persons attended ?

A.—Many.

Q.—Do you know Mr. Dev of the Servants of India Society ?

A.—Yes.

Q.—Do you know Mr. Thakor ?

A.—They were present in my house.

The Chairman. What have these things to do with the Committee ?

Rao Bahadur Artal. I want to show all this evidence is out of Congress proceedings. The Chairman of Belgaum, Bijapur and Dharwar Municipalities have all given the same evidence.

Hon. Mr. Belvi. I am not a member of any Congress Committee.

The Chairman. I take it; we have got a large number of enquiries in the same model. It is clear from the wording that they are all from the same model.

Rao Bahadur Artal. It is all pre-arranged.

Mir Ayub Khan. Q.—Mr. Belvi, your suggestion is that all members whether elected or nominated should be non-officials.

A.—Certainly.

Q.—Then in that case would you give the Collector larger powers of interference?

A.—But these powers should be defined by law and they should be subject to revision by Government or by the Commissioner.

The Chairman. Q.—Have you stated that in the evidence (written)?

A.—I have stated that Government should have the power to suspend and supplant.

Mir Ayub Khan. Q.—You want the School Board also to go into the hands of District Local Boards as in the case of Municipalities.

A.—Yes.

Mir Ayub Khan. Q.—The curriculum, etc., to be fixed by the Education Department?

A.—Not the curriculum. It must be fixed by the District Local Board.

Q.—Don't you think in these circumstances that they should be given the same power as the Municipalities?

A.—If more power is not to be given at any rate Local Boards should be given the same power as Municipalities enjoy.

Q.—When you come to the management of Local Board Schools, should it be by a Committee or single individual?

A.—By a Committee. There should be a School Committee in the case of the Taluka Board as well as the District Board.

Q.—Supposing if this Committee or Government come to the conclusion that $\frac{1}{4}$ or $\frac{1}{3}$, whatever it is, should be nominated; but they don't say that officers are to be excluded; then the chances are that such members must be excluded to safeguard the interests of minorities.

A.—Then I would say, the proportion should be $\frac{2}{3}$ and $\frac{1}{3}$.

Q.—Then in that case you would restrict the nominated and elected.

A.—No; if officials are to remain there, the proportion should be $\frac{2}{3}$ and $\frac{1}{3}$.

Q.—In the $\frac{1}{3}$ should there be restriction?

A.—Yes.

Q.—When nomination is reduced to $\frac{1}{3}$, then the chances of experts and minorities will be reduced.

A.—I would say in such a case that officials should not be more than $\frac{1}{3}$ of that $\frac{1}{3}$ rd.

Mr. Seddon. Q.—If you want to put up with the nuisance of officials at all?

A.—I won't call it a nuisance at all. I don't want to describe it in such unparliamentary language.

Mir Ayub Khan. Q.—Supposing there are non-official Presidents and Vice Presidents, would you ask the Collector to be a Member of the Board?

A.—Your question pre-supposes that the Collector is to be a member.

Q.—I mean, if President and Vice President are non-officials.

A.—If officers are to be Members, then the Collector also may be a member.

Q.—Would not the presence of the Collector over-awe the members?

A.—Yes; it will. It is better to keep him out. He should give only sympathetic advice as to the working.

Q.—Do you want him to be present?

A.—He may be present at a meeting but he should not take part in the deliberation itself. He may watch how the business is carried on there.

The Chairman. Q.—He may be present, but not speak.

A.—He must not take an active part in the discussion.

Q.—Let us have it definitely: He may or may not speak?

A.—He may not speak; he should only watch. It is better if he does not attend. Give him the same power as in the case of Municipalities.

Q.—In the case of Engineers, do you advocate that they should be recruited from Government service or from anywhere else?

A.—From the Engineering College and from retired Government servants.

Q.—Should it be left to the Public Works Department or the Local Board?

A.—Entirely to the Local Board.

Q.—Don't you think that people with knowledge would select better men?

A.—But the work done will always be examined by the Executive Engineer of the District.

Q.—But when you are appointing a man would not you appoint him under the advice of the Public Works Department?

A.—I would not leave these places in the gift of officers of Government.

Q.—Supposing Village Panchayats are constituted; will you leave them under the District Boards?

A.—I must see what form Village Panchayats take.

Mr. Seddon. Q.—You come from a place called Belvi?

A.—Yes; that is my native place.

Q.—Is that a big place or a small place?

A.—It is a small place with about 1,500 inhabitants.

Q.—Could you have a Village Panchayat in that place?

A.—Yes.

Q.—It would be a good thing to have it, or not?

A.—I do not think it would be good in the beginning. It may take time to develop.

Q.—Why will it not be good?

A.—Because people will not know at first what Village Panchayats are, and how business is to be carried on. The people, who will take some interest, will be village officers and those that know how to read and write.

Q.—You are not much in favour of Village Panchayats.

A.—I am not against the system.

Q.—It does not appeal to you much.

A.—It does; but I do not know what form it will take.

Q.—The Village Panchayat is a sort of small Municipality.

A.—It would be very difficult to work such an institution in a village; because every village is full of faction.

Mir Ayub Khan. Q.—Are you in favour of being made to give powers to Local Boards and Taluka Boards to levy certain cess for any special purpose; for instance, Abkari, Excise, etc.?

A.—I do not know why question No. 9 was not sent to me. In the list of questions, No. 9 was cut out and other questions were sent to me.

Q.—Would you like such a power which the District Board or Taluka Board each of their own accord can apply ?

A.—I would rather leave the question of taxation to Government.

Q.—I did not quite understand what you said. Do you mean to say that it should to be left entirely to Government to tax people whenever they like ?

A.—Whenever Government find that District Boards stand in need of money.

Q.—But who will decide that ?

A.—Government will provide in the District Board Act and the Government must take steps.

The Chairman. Q.—The initiative to be with the District Board and the odium on Government.

A.—If the District Board suggest the raising of the money they will have to share the odium with Government.

Q.—Will you share the land assessment of the District ?

A.—Government will think whether it will be right to levy a particular tax.

Mir Ayub Khan. Q.—Don't you think that under these circumstances the other scheme will have some advantage, to specify the resources that could be taxed and ask the approval of Government and make it compulsory for Government to contribute some amount ?

A.—It comes much to the same thing. In the one case the Board recommends to Government and in the other case it does practically the same thing.

Q.—Well, there will be this difference. The District Board will tell Government, these are the resources, and the Government will tax and no other money will be paid. Well, in the other case, they would impose such and such taxes and give an equal amount. Why not take that course which is better ?

A.—If Government will be prepared to give an equal amount of money in each case I would have no objection and would prefer it.

Rao Bahadur Artal. Q.—You know of Chikodi Taluka. The people there are very rich and much better off. They may apply to Government if they want to start a Tramway or Light Railway that they want to impose a cess of one anna. Would you have any objection to that ?

A.—I take it that you pre-suppose that every man in the Taluka is willing to pay the cess. If out of 100, fifty say that such a tax should be levied and the other fifty say it should not be levied, then of course I won't agree to that.

Q.—Have you any objection to give the Local Boards additional power to tax themselves ?

A.—If every tax-payer is willing there is no objection to that.

Hon. Mr. Patel. Q.—If all people in the village are willing there is no necessity for legislation at all.

A.—No; not at all.

Mr. Martin. Q.—Do you think sufficient work is given to the District Boards ?

A.—No; in fact, they cannot do anything on their own initiative.

Q.—Do you think, they are exercising their powers ?

A.—Yes; they are.

Q.—The worst thing is, they have got no power.

A.—No; and no money.

Mr. Pratt. Q.—What is the revenue of your Taluka Board ?

A.—I cannot give it from memory; but I know the revenue of the District Local Board.

Mr. Martin. Q.—You say, the Collector will take just as much interest even if he is removed from the Local Board. You know, in Central Provinces the Collector has been removed.

A.—The Deputy Commissioner is not President, but only a member there.

Q.—He is not a member even. I was told, the Chief Secretary does not approve of that.

A.—I do not understand, why Collectors take interest in Municipalities and why not in the case of District Boards; merely because they are not Presidents.

Q.—You are still of the same opinion.

A.—Yes; I am, especially in view of the experience of Municipalities. I have always found that the Collector of my District takes a very keen interest in Municipal matters. He watches the proceedings of our meetings, studies them carefully, and visits [us] from time to time. But in my experience he has never been a member since we got the power of electing our President.

Mir Ayub Khan. Q.—Were you a member of the District Local Board? Was the Collector then Chairman?

A.—Yes.

Q.—The Huzur Deputy was Vice president.

A.—Yes.

Hon. Mr. Patel. Q.—Would you like to give the power to have the Local Fund cess doubled, to raise the Local Fund cess from one anna to two annas?

A.—I won't agree to that.

The Chairman. Q.—What was your answer to Mir Ayub Khan?

A.—I understood him to say that if particular Boards apply to Government that some particular sources may be taxed, then Government may sanction.

Mir Ayub Khan. Q.—I meant Excise and Abkari. You won't give them Land Revenue.

A.—No; I won't.

Q.—Would you agree to tax Merchants, Pleaders, etc.?

A.—Yes.

The Chairman. Q.—Who else?

A.—Those who drink; also people who form the non-agricultural population.

Q.—Would you tax them heavily?

A.—I would bring them in line with agriculturists.

Q.—What do you mean by bringing into line?

A.—I would ask them to pay 1 anna per rupee of the tax which they pay as income tax, or on Irrigation revenue.

Mr. Seddon. Q.—Supposing their income is Rs. 900. What would you charge them then?

A.—You will have to devise some means by which you will tax them. I have my eye on an 1 anna cess on the Abkari revenue.

Hon. Mr. Patel. Q.—Will you go in for Forest cess?

A.—Not Forest, but income tax.

Mr. Seddon. Q.—Would you take the one anna cess from residents in the Municipal area?

A.—I think, we should exempt them. There is very little to be realised in that way. Half the income tax nearly comes from the Presidency town and in the case of the other half there are not many people living in Municipal limits.

The Chairman. Q.—Why should not you pay income tax living in Municipal limits to the District Local Board?

A.—Why should we pay?

Q.—You get no benefit from District Board expenditure.

A.—We do.

Q.—Then why should you not pay?

A.—It will be difficult to fix the amount.

Q.—Just now you suggested an one anna cess.

A.—One anna cess in addition to other taxes? just consider please, how much it will amount to?

Hon. Mr. Patel. Q.—I suppose, Agriculturists are sufficiently over-burdened.

A.—Yes; they are.

Q.—The major portion of revenue comes from agriculturists. There is no justification in your opinion to raise it to anything more unless a village unanimously passes a resolution that one anna cess should be raised, it should not be raised.

A.—No; it should not be raised.

The Chairman. Q.—You obtain rent from lands. What is the rate?

A.—Yes. I have got my own lands. I cannot give you a fixed rule. Some times it is 4 or 5 times. In the case of garden lands it is 10 times. Also in the case of lands situated on rivers.

Q.—Ordinary dry crop land it is 4 or 5 times.

A.—Yes.

Q.—If the Local Fund cess is raised, it will have to be paid by the landlord.

A.—Yes; by the landlord.

Q.—So it is the landlord generally, who objects to this cess.

A.—It is not merely landlords; there are many people who are agriculturists pure and simple. The men who make money in other ways would not grumble, but those who are purely agriculturists would object.

Mr. Martin. Q.—You want the agriculturist or non-agriculturist regarding the payment of cess. Well, the non-agriculturist pays an income tax of 1-50th of his income. What proportion of the agriculturist's income goes in the assessment? Would you say $\frac{1}{3}$ or $\frac{1}{4}$?

A.—You mean, from his income as agriculturist? That will depend upon the kind of land he holds.

Q.—Tell me $\frac{1}{4}$ or $\frac{1}{6}$ or less?

A.— $\frac{1}{6}$ th was the recognized standard in the olden times.

Q.—That is his gross income.

A.—No; his net income.

Q.—The assessment is $\frac{1}{3}$. Now in the case of non-agriculturist who pays one anna in the rupee, his income tax is $\frac{1}{50}$ th on his income, i. e., Rs. 20 for Rs. 1000.

A.—The agriculturist pays $\frac{1}{6}$ th or $\frac{1}{8}$ th.

Q.—Take it $\frac{1}{6}$ th. Well, non-agriculturist pays $\frac{1}{50}$ th of his income. Now to bring into line with the agriculturist he will have to pay 4, 6, or 8 annas. If he is going to pay the same proportion on his total income we must charge him 4 annas in the rupee at least on his income tax: How would you like that?

A.—Will you kindly explain the question once more.

Q.—The agriculturist pays $\frac{1}{6}$ on his income as assessment and you charge one-sixteenth of that. The non-agriculturist pays $\frac{1}{50}$ of his income as income tax, Rs. 20 per Rs 1000. In order to bring him into the same line you have to charge him 8 annas in the rupee.

A.—Mathematically it may be correct.

Hon. Mr. Patel. Q.—Just look at these sections. Powers of control given to the Collector and Government. Could you conceive of any more powers to be given to the Collector besides these.

A.—I do not think that any more powers are necessary. If any more powers are necessary it will be thought of by the legislature.

The Chairman. Q.—You have studied it.

A.—I have studied it as I have studied other Acts. If the Collectors or Commissioners think they should have more powers they will refer the matter to Government and Government will amend the Act.

Hon. Mr. Patel. Q.—Just turn to section 24, proviso. Would you like to leave that power of appointment to the electorate or to Government, in case election fails no candidate comes forward or some such thing happens, would you like to leave it to elected members to fill that vacancy or to Government?

A.—You mean that elected members should appoint a man of their own?

Q.—Yes.

A.—Cases of this kind will be so very few that I do not think it is necessary for us to rack our brains. I know of no case.

Q.—Come to section 9, proviso. Do you think, these restrictions are necessary now?

A.—The powers of District Boards to alienate may be extended to 5 years or even 10 years. But I am against giving District Boards powers to grant permanent leases of any immovable property belonging to the District Board even by a majority.

Rao Bahadur Artal. Q.—Why?

A.—Under the British Government even the Viceroy has no power to alienate any land without the sanction of the Secretary of State for India. It is better that Government exercise supervision in this matter.

Hon. Mr. Patel. Q.—Would you like the section to be as it is?

A.—Yes; but you may extend the powers to 5 or 10 years.

Q.—What proportion should Government pay towards expenditure on Primary Education? Do you think it should be fixed or left to the self-will of Government?

A.—In fact, Government have already fixed what the Local Boards should pay and the rest is to be borne by Government.

Q.—In your opinion it is not necessary under the present circumstances to fix by statute what proportion Government should pay.

A.—I do not think, it is necessary.

Hon. Rao Bahadur Sathe. Q.—If the management of Primary Schools is handed over to District Local Boards. Assume that. Would you leave the power in the hands of the Collector or to the Education Department so far as Education matters are concerned?

A.—I take it that you assume that the Collector is President.

Q.—In the management of Schools you take it for the purposes of my question that a non-official is not President should the powers be entrusted to the Education Department or to the Collector in matters of Education.

A.—To the Education Department, not to the Collector. I am against giving Collectors powers in all Departments.

The Chairman. Q.—You were told about the abolition of tolls. It is a pity that tolls were abolished. Do you agree to that?

A.—I don't agree to that. I think Government is right in abolishing tolls.

Q.—Why?

A.—Because they interfere with trade and are troublesome to agriculturists. In my opinion they should not be re-introduced.

Q.—If more money is wanted.

A.—You may exhaust all other sources first and then go in for tolls.

Rao Bahadur Artal. Q.—Supposing there is no good road in your village. Will you then advocate it?

A.—On principle, the levying of tolls is not good, because it interferes with trade.

The Chairman. Q.—Have you ever served on the Schools Committee of a Municipality?

A.—Yes.

Q.—Is the work carried on efficiently?

A.—Yes; I think.

Q.—The relations with the Education Department was satisfactory.

A.—Yes; they have been, generally.

Q.—You have had no interference from them.

A.—No; the relations were quite comfortable.

RAO BAHADUR N. T. VAIDYA.

(20th October 1915).

Hon. Mr. Patel. Q.—From the questions sent to you you assume that there will be need for Local Board Establishments entailing extra expenditure. What extra expenditure would you understand it to be ?

A.—The extra expenditure will be involved (1) by appointment of certain extra officers, and, as I have put it in my answer to the question, (2) by travelling allowance, I have said in my additional suggestions that fees might also be given to members to attend Local Board Meetings. This will involve some additional expenditure also.

Q.—Under the proposals now made, if they are carried out, extra expenditure will be incurred in having new staff.

A.—Yes, a larger number of establishment and payment of travelling allowance.

Q.—How much do you think would it involve for the present, in your opinion ?

A.—Supposing a District contains on an average about 7 Talukas it will mean about Rs. 2,60,000.

Q.—The Local Board must be prepared to raise Rs. 2,60,000 in order to carry out the proposals involved in the question. Is that your idea ?

A.—Then, there will be additional works also which will have to be carried out by the Local Boards under the extended powers intended to be given, such as, extra cost on Education and extra cost on Works.

Q.—Who pays at present for such Works and Education ?

A.—The works are paid for generally by the Local Boards. The Local Board revenue is subsidised by Government. In their present financial position some districts may be able to carry out works according to the needs of the people and some may not. With regard to Education, the present Local Board share for Education, subsidised as it is by Government, is not enough for educational purposes.

Q.—But I think that the proposals, as I understand them, are to transfer the control and management of certain branches of administration which are paid for by Provincial Revenues at present. Is that what you understand ?

A.—Not paid by Provincial Revenues. The Works now entrusted to the agency of the Public Works Department are paid out of Local Funds ; and these may be transferred to the latter agency.

Q.—Public Works Agency is paid by Provincial Revenues.

A.—Yes. But they get paid by the Local Board for the work which they perform for Local Boards.

Q.—Partly ?

A.—Entirely. Local Boards, I think pay 10% out of the cost of the Local Board Works for Public Works Department (Government) supervision.

Q.—Your new Works that will have to be done by the Local Boards are not done either from Provincial Revenue or Local Fund revenue. Is that what you mean ?

A.—What I mean is there will be necessarily more works than there are at present and that will entail some more expenditure.

Q.—You think that it is the business of the Local Boards to meet that expenditure on new Works which Government propose to give over to the Local Boards.

A.—There are *additional* works which have to be met and which the Local Boards are not able to meet at present. I mean it is for such works that extra expenditure will be incurred. Boards cannot meet them at present because they have no money.

Mr. Seddon. Q.—You mean new bridges, dharamsalas, wells, etc.

A.—Yes, also school-buildings, &c., if money is available.

Hon. Mr. Patel. Q.—What is your idea as to the amount of expenditure the Local Boards will have to incur approximately? What will it come to in your opinion?

A.—I have answered that question stating that the present Local Board cess of 1 anna will not be sufficient.

Q.—Let it be anything. What is your opinion about the expenditure that will be required?

A.—More than 50 Lakhs of Rupees will be required in addition to the present revenue.

Hon. Moulvie Rafiuddin. Q.—Do you know what the present revenue is?

A.—Yes. It is about 85 Lakhs for the whole Presidency, I believe.

Hon. Mr. Patel. Q.—We want 50 Lakhs more according to you. Do you think Government should pay anything towards these 50 Lakhs according to you?

A.—Government should pay something. In what way Government should contribute will have to be determined.

Q.—What should be the Government grant out of these 50 lakhs? Half and half or 2-3 and 1-3 or $\frac{1}{4}$ and $\frac{3}{4}$ or the whole.

A.—Not whole certainly. With the permanent contributions from Government now proposed, if Government is prepared to pay about $\frac{1}{4}$ it will do. That is the utmost that Government can do. The people should pay three-fourths.

Q.—Do you think that Primary Education is a Local Board concern or is the duty of Government?

A.—Taking the provision for *primary* education into consideration principally I say that the Government should pay one-fourth and people three-fourths. I do not think it is the concern of the Local Board entirely but it is mostly.

Q.—Do you know what Government pays at present towards Primary Education?

A.—Yes. Government have been paying large extra grants for the last 2 or 3 years.

Q.—Government have been paying, but do you think it is 2-3 or 1-3 or something like that?

A.—I cannot answer that question, without referring to records.

Q.—Supposing it is 2-3 would you like to reduce it to 1-3?

A.—In answering your questions I take it for granted that my written answers are the premises. I have stated in my answers that a certain portion of income-tax, Abkari and Forest Revenue and even a portion of Salt Revenue may go to Local Boards. Taking that as the premises and granting that Government will consent to this, I certainly think that Government ought not to pay more than one-fourth.

Q.—Supposing that Government do not agree, you are not prepared to say that they should cut down.

A.—Under the present circumstances I would not suggest that.

Q.—You say in your answer that Government should pay its share from Excise Revenue. What share, one anna?

A.—The same proportion of the Revenue as under Land assessment. That is to say, one anna or more, whatever it may be.

Q.—You want Government to pay from Provincial Revenues.

A.—I do not think Excise revenue is Provincial, I think it is Imperial.

Q.—Excise is entirely Provincial now.
The Chairman. A.—Yes.

Hon. Mr. Patel. Q.—So you would suggest one-anna from the Abkari or Excise Revenue should be paid by Government to the Local Boards. That would bring it to how much ?

The Chairman. A.—What is the use of this question ? We know what it is.

Q.—Very well, now you have one anna from Excise, one-anna from Land Revenue, one-anna from Forest and Income-tax ; one-anna or two annas, if these trifles make 3 or 4 Lakhs of Rupees, you do not want to make any additional taxation on people.

A.—No ; but these “ trifles ” will make a very large sum.

Q.—You say, you are for Mahomedan representation in Local Boards, but would you not go in for representation of any other communities ?

A.—No.

Q.—Why, only Mahomedans. Because of their minority ?

A.—I have given my reasons in my written answers will you please read them ?

Q.—Would you give Mahomedans separate representation by mixed electorate or separate electorate of Mahomedans ?

A.—Separate electorates. I have said that also in my answers.

Q.—Why do you say according to the population and not voters ?

A.—Population is really the standard.

Q.—Not payment of cess ?

A.—Payment of cess comes as an artificial thing, but we must take natural considerations ; so the representation should be in proportion to the population.

Q.—Would you not give the power of voting or franchise to those who do not pay the cess ?

A.—No.

Q.—You say in your answer that the Presidents of District Boards must be Collectors but the Presidents of Taluk Boards may be non-officials.

A.—Yes.

Q.—Do you not think you can get men to work as Presidents of Districts Boards but you cannot get men to act as Presidents of Taluk Boards ?

A.—I have given my reason why the Collector should be President, but in that I have not stated that such persons could not be found.

Q.—In your opinion you can get more people to work as Presidents of Taluk Boards than as Presidents of District Boards.

A.—We can get people who realize the responsibilities of the President of a Board.

Hon. Mr. Patel. Q.—At one place you say there is no reason why the representative of the Municipality should be on the Board. What is your reason for that ?

A.—My reason is this. Only a very small amount of revenue is contributed by the area covered by a Municipality.

Hon. Mr. Patel. Q.—Very small amount is contributed ?

A.—One-third of the local fund cess on Land Assessment of the Municipal area has to be given to the Municipality and in many Municipalities I know not only one-third but even the whole of that is given. So when the Municipality does not contribute very much to the funds of the Local Board there is no reason why they should have a representative on the Local Board.

Q.—If we carry out your suggestion we should exclude the Municipalities altogether from representation on Local Boards.

A.—Yes, I would even suggest that what little comes to Local Boards from Municipal areas should be given as a contribution to Municipalities.

Q.—But if we retain it there is no justification for their non-representation.

A.—Comparatively it is so small that I do not think that the interests of the Municipality would necessitate the inclusion of Municipal Members on the Local Board.

Hon. Moulvie Rafiuddin. Q.—I simply want to know what experience you have had of Local Board management of affairs.

A.—I have been for 3 years on a District and Taluk Board and I was Vice-President of a District Board also, and, what was more, I was not a dummy Vice-President but I was working.

Hon. Moulvie Rafiuddin. (Q)—Elected or Nominated.

A.—I was elected Vice-President but nominated Member.

Q.—What do you mean by not being a dummy ?

A.—Because I used to do all the work.

Mr. Seddon. Q.—What Districts ?

A.—Kolaba.

Hon. Moulvie Rafiuddin. Q.—How many years ago ?

A.—Only 4 years ago, that is to say, after I retired from Government service.

Q.—We have heard that Municipal Schools are not properly managed by Committees. Would you give entire charge of Primary Schools to Local Boards ?

A.—I have said that the charge should be given to Local Boards.

Q.—We have been told by witnesses here that the present management is not satisfactory.

A.—I don't say exactly it should be handed over in such cases, but it will be a retrograde step if they are not given charge of them. I may also tell you that I was Chief Officer of a Municipality for about 2 years, and, I know about Municipal administration also. It might depend upon what sort of people you have been appointing on the School Boards and how schools are conducted both in Municipalities and Local Boards.

Mr. Pratt. Q.—You were a resident of the Kolaba District.

A.—Yes. I have got my property in Bombay as well as in the Kolaba District.

Hon. Moulvie Rafiuddin. Q.—You advocate for Local Boards' Presidents the Collector. Is it a fact that the members are terrified and are almost in terror of the Collector ?

A.—In no way they are terrified. Some members are not inclined to displease or cross the wishes of Government officers: but this is not a rule.

Q.—Does the administration suffer from that ?

A.—I do not think the administration suffers on the whole.

Q.—Even if it is a disadvantage would you still have the Collector ?

A.—Yes, for some years to come at least.

Q.—Have you come across any friends of yours who are afraid of the Collector.

A.—No, not in my experience.

Hon. Rao Bahadur Sathe. Q.—In the case of Municipalities, you know that if a gentleman lives outside Municipal limits and pays land assessment, he is not allowed to vote under the present Act. In the case of Local Boards, if they do not reside outside the Municipal

• District, even if they pay Land assessment they are not allowed to vote? Do you agree?

A.—Provided they have property outside the Municipal limits I think they have a vote in the Mofussils.

The Chairman. Q.—Can you not answer Mr. Sathe's question? Have they or have they not a vote.

A.—They have got a vote. Much depends upon what construction you put upon the word "resident". Now if you have a house in a village and reside in Sholapur you will be considered a resident of both Sholapur and of the place where you have got a house.

Hon. Rao Bahadur Sathe. Q.—People having property outside the Municipal limits and not within the limits can they vote?

A.—Yes, they should, if they have a cottage or house outside and pay qualifying assessment.

Q.—Field is not enough. Cottage or house necessary.

A.—Well, that may be so.

Q.—When you were working as Vice-President the Collector was President. What duties were you both doing.

A.—Whatever duties the President had to discharge under the Act or rules the Collector was discharging; and whatever powers that could be delegated to the Vice-President were delegated to me.

Q.—Is that one of your objections that non-officials would not be able to travel the whole District and have first-hand information? Is that one of your reasons for not having non-official Presidents?

A.—That is one of the reasons.

Q.—As for the capacity have you any doubt in your mind that you will not get capable men except at head-quarters.

A.—I have not said so. Perhaps capable men can be found in some Districts outside the head-quarters.

Q.—In Broach Municipality there was a School Committee. What is your experience of the management by School Committees. Is it satisfactory?

A.—As I have already said it depends upon the personnel of the School Committee. I did hear before going to Broach that it was not working satisfactorily, but after going there I found that the Committee at that time was certainly working well and satisfactorily.

Q.—You have stated in one of your answers that you would not like persons coming within classes 2 to 6 being grouped separately from class 1 persons.

A.—I do not think it is necessary to group them separately. Let them go with the assessment payers.

Q.—Do you not think that such a system would bring in at least 2 or 3 intelligent men from Talukas.

A.—Intelligence must assert itself wherever it is found.

Mr. Seddon. Q.—You are in favour of the establishment of Village Panchayats.

A.—Yes. I consider that to be the backbone of Local Self-Government.

Q.—Have you any personal close experience of village life.

A.—I have been living in villages for about 3 years since my retirement.

Q.—Have you any idea of the work in a village.

A.—Some; not much.

Q.—You have been living for 3 years.

A.—Yes, for 3 years. I have been living at Narangi, a village having about 500 inhabitants.

Q.— Would you have a Village Panchayat there.

A.— Yes, I would.

Q.— They say there are factions in villages and it hampers the working of the Panchayat. What have you to say about it ?

A.— In my opinion the factions would help the working. When I was in villages I used to try to bring men of different factions together and I have often succeeded.

Q.— They want guidance.

A.— Yes, they want a little guidance.

Q.— Do you think that every village must have Panchayats.

A.— If not in every village at least in groups of villages.

Q.— Now how do you think they should get money.

A.— I should propose that they should have a tax on houses as in Madras Presidency. And, for other places also, such as, for erecting booths, &c., they should be allowed to charge fees.

Q.— Do you want a provision in the Act ?

A.— Yes, we must have.

Q.— Would they do it willingly or not ?

A.— That is why I say that the Collector must be President. It depends upon what education they can get from officials. If officials teach them local self-government, it will certainly work.

Q.— Will you put village Panchayats outside the Local Boards scheme.

A.— That is a broad question. I know that there is a Bill before Government for Village Panchayats but its scope is very wide for Local Board purposes. If it is to keep the roads clean and other sanitary purposes Village Panchayats are certainly very desirable and should be an integral factor of Local Boards. They will have to be subsidised by Local Boards.

Q.— Helped by some grants from Government ?

A.— Government need not pay them grants directly. It is a matter of detail. Government might perhaps place at the disposal of the Local Boards for distribution to the Village Panchayats or the District Board may set aside a sum to be utilized for that purpose. In fact I am very much depending upon the Madras Local Boards Act for them. I have been discussing this question with some Madras friends when I had been to Madras and Ootacamund and their opinion is that Village Panchayats if properly guided would be excellent.

Q.— In Madras there are only very few villages. About only 400.

A.— There is a fairly large number. There are groups and groups take up many villages.

Mr. Pratt. Q.— What is the number of villages in India except Punjab.

A.— I don't know. In some cases I find that the area of a village is one square mile, the area of some Panchayats is 20 sq. miles. It is possible that a large number of villages are included in these 20 sq. miles.

Chairman. Q.— An average of 5 or 10.

A.— Yes, I think the total area nearly coincides with the total number of villages.

Mr. Pratt. Q.— That is very interesting. The total area nearly coincides with the total number of villages ?

A.— Yes, I think so. But I will verify it and tell you. (After referring to Madras L. B. administration report) No, no. I am wrong ; it is only 8%.

Mr. Seddon. Q.— You think that these Panchayats require guidance and that is one of the reasons for having Collectors as President of the Board.

A.—What I mean to say is this. Between the Collector and Village Panchayats is a far way off. The Collector's guiding is through the official circle and it is the official circle who can educate village people in Local Self-Government.

Mr. Pratt. Q.—Have you any personal experience of the working of these Madras Panchayats from your own observation or from what you have heard? Do these Madras Panchayats interest themselves partly in expenditure connected with Local Bodies? For instance, a Taluka might contain half a dozen Panchayat areas. Will those Panchayat areas have anything to do with the roads of the Taluka Board.

A.—I don't know personally. They might act as agents for the Taluka Board so far as the roads of the Taluka Boards are concerned. But so far as the needs of the villages are concerned, for instance, if their village is two furlongs from the main road, and a connecting road is to be made that is the work which is to be done by the Village Panchayats.

Q.—The Panchayat has got nothing to do with the maintenance of general Taluka roads.

A.—No; not unless their assistance is asked by the Taluk Boards. Supposing a well is to be cleaned or some such work has to be done in a village forming Village Panchayat; it is to be left to the Village Panchayats.

Q.—From your own experience of village life can you suggest to us what sort of works or objects upon which Village Panchayats would profitably spend?

A.—It can improve sanitation immensely.

Q.—Can you give an instance?

A.—In villages houses particularly are situated in bad quarters. There are other common places which are practically the resort of everybody for some purposes connected with the village. There are other needs also, for instance, water and preservation of purity of water. Water is not taken care of, because nobody thinks it his business to look after it. All these things can be remedied if there is a Panchayat or some responsible body to take care of them. There are various other needs also. For the matter of that the Village school requires looking after. If a Committee is appointed it would be alright if the Committee consists of members such as the Honourable Mr. Sathe said. There was a gentleman on the School Committee at Alibag who used to come to villages only about four times in the year. He was on the Committee but the Committee got no help from him. If there are Village Panchayats, certainly the supervision would be much better.

Q.—Do you think that Village Panchayats have good hopes of carrying out such work with the help of Local Board money and if local contributions have been forthcoming much more freely than they are at present in aid of such work?

A.—It is not merely a question of money. Local grants, if I may call it so, can be raised easily if men who take real interest are found.

Mr. Pratt. Q.—The Patel or some one like that?

A.—No; not the Patels. Patels in Gujarat, Deccan and Konkan differ materially. Not Patels, necessarily, but men who have a good character and who are likely to take interest in their villages. If a Committee of such men were appointed they would certainly bring in proper contributions very easily. For instance, in my village there is a water-work. It is a Local Board Water Work, and I may say that I was to a certain extent instrumental in providing that water-work. The tank filled in and I called some men and said that this water is for our use; there is no reason why the Local Board should clean; why not we clean ourselves? Readily

everyone in the village contributed about two days' labour. Generally there is more contribution of labour than money.

Rao Bahadur Artal. I think these villagers do all that even at present. They contribute only labour, not money.

Rao Bahadur Vaidya. There are some who contribute money also.

Mr. Pratt. Q.—Do you think that this will stimulate village life and Local Self-Government?

A.—Yes; beginning at the bottom.

Mir Ayub Khan. Q.—You advocate the engagement by Local Boards of certain Engineering staff to be supervised by the Public Works Department.

A.—What I have said is that, if necessary the Works Officer employed by the Local Board may ask the assistance of superior Public Works staff with the permission of the Board. It is advisable to have such assistance occasionally though rarely.

Q.—Do you think that they should recruit for this service from anywhere or ask Government to lend them?

A.—Not that we should restrict ourselves to outside men but we may ask Government to provide men also.

Q.—My point is that men from Government service possess better qualifications and may be better checked than men from outside. Whom do you prefer?

A.—I would prefer men from Government service.

Q.—Do you think that when Boards appoint works officers that they should take the approval of the Public Works Department?

A.—Yes. I also think that many of the powers in this connection should be delegated to the Commissioners by Government.

Q.—Do you think that the school management should be on the same basis as they are in the hands of Municipalities, I mean, as regards curriculum, qualifications of teachers, etc.

A.—The general rule must be that these latter should be in the hands of the Education Department.

Q.—Do you want it on the same basis as the Municipalities?

A.—With slight difference. For instance, schools are examined by the Government Inspector. That may continue; but then Local Boards should have more scope or freedom than they have at present.

Q.—Should they have the same freedom as the Municipalities? The Municipalities conduct also annual examinations, etc.

A.—Yes; it must be on the same basis in this respect.

Q.—You have said that in the case of District Boards, you prefer that the Collector should be President. Don't you think it will be a step forward if we find that a District Board ask by a majority of two-thirds for a non-official President, it should be given?

A.—I should not think so. Knowing as I do our people, I have this one fear in my mind. If we fail we lose awfully, whereas if we advocate advancement gradually as we show we deserve and ask for more, it is safe.

Q.—The District Board of its own accord ask Government by a majority of 2-3 that they want an elected non-official President?

A.—I won't advocate that.

Q.—The Vice-President. Would you advocate a non-official?

A.—Yes, I would. There should be a non-official Vice-President.

Q.—In the case of Village Panchayats coming into existence, would you like the Taluka Board between the District Board and the Village Panchayats?

A.—I would like to have the Taluka Board between the two.

Q.—Then we come to the question of self-taxation. Don't you think it would help self-taxation, if we have a proviso that if ever Village Panchayat, Taluka Board or District Board wanted to tax themselves, the Government should come forward with an equal amount to help this taxation ?

A.—That is to say, Government should contribute as much as is collected by way of subscriptions or contribution ? If Government have contributed to the Local Boards sufficiently then the Local Boards may levy their own taxes. I think under the provisions for "Notified areas" the contribution is half by Government or to the same extent from the Provincial revenues as the village authorities are able to raise.

Q.—Supposing the President and Vice-President are non-officials, would you like the Collector to be a member and take part in the proceedings ?

A.—I won't like him to be away. I would like him to be there.

Q.—Would you like him to speak ?

A.—Yes; if he is a member, he must speak.

Chairman. Q.—On the assumption that the Committee decides and Government also decide that District Boards should have a non-official President and Vice-President, do you think it would be proper and dignified to the Collector to be present at the meetings and be a member; or do you think that the President might go and take advice as in the case of Municipalities ?

A.—There is no harm to the Collector being a member. That is the only thing I would say.

Mir Ayub Khan. Q.—If he is not a member may he be present ?

A.—I think, he ought not to be generally.

Q.—You prefer Committee management of schools ?

A.—Yes. I would prefer local management by Committee than by Government.

Chairman. Q.—You have read the Decentralization Commission's Report, I think.

A.—Yes; at least so much as is applicable to Local Self-Government.

Q.—What is your opinion about giving powers to have control over Public Works ?

A.—Local Boards may have control of Public Works subject to the Departmental rules.

Q.—What kind of control do you suggest should be exercised over Local Bodies in regard to Public Works, Education and so on ? Who is to exercise control ?

A.—So far as Education is concerned, as I have said, there ought to be rules sanctioned by Government under the advice of Educational Officers.

Q.—Would you not enforce ?

A.—Enforcement ought to be left to the people.

Q.—Who is to persuade or induce Local Bodies to act in accordance with the rules ?

A.—They ought to act; otherwise they are not fit to be Local Bodies.

Q.—There must be some power of control. What do you advise ?

A.—I think the least check is enough; but I think provision should be made. The control should be negative, not affirmative. That is to say, if Local Bodies do not work properly, then there should be some provision for setting them right.

Q.—There are two ways of doing it. One is by the Department refusing grants and the other is the Commissioners exercising such power as is given by law. At present no such power is exercised by Commissioners except in suspending. Now, if you are going to enlarge the powers of Local Bodies don't you think it is desirable that the power of ultimate control should be increased ?

A.—Yes ; it should be increased.

Q.—In, what form—either by the Department cutting grants or by the intervention of Collectors ?

A.—The first step between the two should be reduction of grants. The next step is, if that does not succeed, the suspension or removal of the Boards complained of.

Q.—Have you ever had the experience of any withdrawing when you were Vice-President of the Board ?

A.—No ; I had not.

Q.—Which is the more dignified form ? To cut a man's pay by a fine, or to direct that it shall be done ?

A.—I think the first step ought to be to cut him or fine, then suspend and then dismiss. I think, I would prefer District Boards to learn their work and if they don't do it let them be fined.

Mr. Seddon. Q.—That would interfere with the Education of the District and punish children and people who really do not know anything about it.

A.—But whose fault is it ? The head of a family does certain faults ; he is sent to jail ; the children suffer.

Chairman. Q.—Supposing a Municipality did not improve a particular school, or no attention is paid to the requisition of the Education Department and suddenly the Education Department withdraw all grants, would that be desirable ?

A.—No.

Q.—The alternative method would be to go to the Collector and tell him the Municipality is not working well and ask him to give them a chance of improving. Would it not be more suitable ?

A.—I think the latter method would be more suitable.

Q.—That power does not exist at present. Do you think it should be given ?

A.—Yes ; it should be given.

Q.—It exists in regard to Public Health and Sanitation. It does not exist as regards Education and other needs. Now my suggestion is that the power should be extended to other activities of the Local Board. Do you agree to that ?

A.— Yes ; I agree that it should be extended.

Q.— Well, I take it that Local Self-Government involves as a basis local self-taxation.

A.— Yes, without self-taxation there will be no Local Self-Government. There cannot be Local Self-Government unless we contribute to administer our affairs.

Q.— Please look at section 7 (e) of the Assam Act.

A.— Yes. In fact it is practically on some of these lines that I have suggested the removal of members. Power for removal of members, ought to be there.

Q.— You think similar powers should be taken ?

A.—I don't say exactly the same ; but with some modification. But I agree that the principle should be the same.

Hon. Rao Bahadur Sathe. Q.—From whom should the suggestion come. Should it come from the Board or from Government. Should the question of disqualification initiate from Local Board or notified by Government.

A.—From the Board. I have suggested that the initiative ought to be taken by the Board; whereas in that section there, it is the Chief Commissioner who has the power. There may be a man who may perhaps have enemies. The Chief Commissioner has the means of ascertaining whether even the recommendation of the Board should be carried out or not. In such cases the last word will remain with the authorities.

Hon. Mr. Patel. Q.—Have cases arisen to justify Government taking such powers?

A.—When they extend the powers vested in us I am afraid such cases may occur.

Q.—Do School Boards do their duties efficiently?

A.—I think they generally do.

Q.—In England in recent legislation the District Council is empowered to take control of small Municipal Schools. Do you think that the District Councils of Boards would be a better manager of these small Municipal Schools?

A.—If there is a central power for the District represented by the people in conjunction with the authorities I think that control would be much better.

Q.—In Central Provinces there is a School Board which has members elected by a District Council and half nominated by the Commissioner.

A.—Let the proportion be the same. With slight modifications I would certainly like that system.

Q.—Do you think there will be no gain in handing over Girls' Schools to the District Local Boards?

A.—I do not think there would be any gain, but neither do I think there is any objection to this being done and to any ladies being on that Board also.

Mr. Seddon. Q.—You would have a lady when she is available?

A.—Yes.

Chairman. Q.—You propose money to be paid out of Excise. You do not propose that an extra anna should be added in the Rupee to the Excise Revenue?

A.—If even that is done I would have no objection. If one anna is surcharged I would even advocate it.

Q.—Do you want it for revenue purposes or for checking drinking?

A.—I cannot answer that question. I do not know whether it reduces or increases drink if we increase taxation.

Q.—There are people residing in Municipalities not being members of District Local Boards. I take it that you think that no man who is not a voter of the District Board should contribute to Local Board taxation.

A.—Yes.

Q.—Supposing an income-tax cess is levied. Do you think it can be levied on Municipal residents?

A.—It will double the taxation of those who live in Municipal areas and for that reason I don't like it. Because they will have to contribute to the Municipality as well as to the Board.

Q.—Do not Municipal residents derive benefit by Local Board roads ?

A.—The Municipal residents do benefit, but they cannot contribute doubly.

Q.—In England there is power for a County Borough to raise money from Municipal limits. Do you think that such power could be given here ?

A.—No.

Q.—About tolls. You know the abolition of tolls recently has been the policy of Government. Do you agree with that ?

A.—Not entirely.

Q.—Have you heard any complaints from remote villages that roads have been made in such and such tract and no improvement has been made in some other area.

A.—There will be such complaints.

Q.—Supposing a tract has no good road and another tract has already got good roads. If tolls are abolished don't you think there will be complaints from where there are bad roads.

A.—I have not met with such a case but there might be complaints. For constructing roads a portion of the Local Board Revenue ought to be utilized but then if tolls are levied for a particular road then the revenue derived from that toll must be utilized for that road only.

THE HON'BLE MR. S. B. UPASANI, B. A., LL. B.

(20th October 1915).

Hon. Rao Bahadur Sathe. Q.—Have you any experience of the working of the District Local Boards ?

A.—Yes, I have been a Member for the last three years.

Q.—Are you on the Managing Committee or simply a Member?

A.—I am only a member.

Mr. Pratt. Q.—Nominated or elected.

A.—I am elected by the Municipality.

Hon. R. B. Sathe. Q.—I believe the greater part of your service has been spent in taluka head-quarters ?

A.—I have served for nearly thirty years in different Districts.

Q.—My question is that the greater part of your service you have spent in the taluka head-quarters ?

A.—Yes.

Q.—Those who have not given any replies, have they not got all our questions ?

A.—Yes.

Q.—As regards Question No. 1, would you be in favour of having two thirds elected Members ?

A.—I would go in for more, if possible, three fourths. And then my idea is this. We have now less than half elected and more than half nominated. At that rate we get very inadequate representation for the Local Board, looking to the population of the rural and urban areas and having regard to the relative representation enjoyed by the urban population in the Municipalities. The representation in the Local Boards for the rural population is very inadequate, you will find that this statement is correct if you only compare the figures of population of the urban area and of the rural area and the number of members, particularly elected, in the Local Boards and the Municipalities in the Presidency. We have also to take note of the fact that in the urban area the representatives are to be elected from within the Municipal limits, while in the case of the Local Boards they are to be elected from a much wider area and they have to represent and work over a still larger area covering the whole Taluka or the District. So to secure personal knowledge and personal interest, I think we ought to give a larger proportion of representation to the rural population on the Local Boards, and at the same time, to secure efficiency, we ought to make some arrangement to get the best people that we require for the efficient discharge of the work.

For my part what I would propose is that two thirds may be elected and out of the remaining one third, one sixth be nominated by those who are elected and the remaining one sixth nominated by Government. Rather than give the whole nomination to Government, we ought to have half nomination to the elected people. In this nomination of one sixth the elected members may get in capable educated men who may not have stood for election and also at their option take a member from any minority which may have failed to get representation in the elections. The remaining one sixth left to Government need not be necessarily reserved for or restricted to the officials, but Government may have a free option in the matter, to nominate an official or non-officials as they like. Under this scheme the minorities will have a double provision made for them, and the Board also will be better constituted, and the members themselves will feel their responsibility to work. That is my view.

Q.—You are in close touch with the district towns of the C. D. and the N. D. ?

A.—Yes, most of the towns in the C. D. In the N. D., Broach and Surat, and in the S. D. Ratnagiri.

Q.—From your experience of the kind of gentlemen that live in head-quarters, taking their intellectual status and their capacity and other qualifications, do you think that we are ripe to have the right of having our own non-official Presidents ?

A.—I think we are. The time is come for it. I would have elected Presidents both for the District Boards and also for the Taluka Boards, except for the backward places where it would not be possible to get the right type of people able and willing to work in that capacity.

Q.—As regards the non-official Presidents, do you not think it absolutely necessary to have revenue officers on the Board ex-officio ? I mean Prant Officers ?

A.—When we give Government one sixth for nomination, they may nominate their own officials, or any non-official they like and we too on our part may nominate non-officials or even Government officers, if we think it necessary in the interests of the Board. I do not object to that.

Q.—You do not consider it absolutely necessary to have them, regard being had to the fact that they have to move in their own division, that they come more in touch with their own people, and that they will be able to give advice as to the wants of the people, and from that point of view, I would like to know whether you consider them absolutely necessary ?

A.—From my point of view, I think all official control should come from outside. We want it from outside, we cannot do without it. It is only by mutual help between the non-official members and the officials that we can get on.

Rao Bahadur Artal. Q.—Why not through the official channel ?

A.—The responsibility must be thrown upon us. We must be made to act for ourselves.

Chairman. Q.—Make them work ? How do you mean ?

A.—If they do not work, then the Collector should draw their attention, so that they will feel a sense of responsibility in their own work.

Chairman. Q.—How would you make them work ?

A.—When you send your remark that we have failed to do certain things or make a suggestion that we ought to do a certain thing necessary in the interests of the Board then we shall be bound to respect it. If we don't do it, you will try once more and then you will withhold the Government grant or take further action as you may think necessary.

Chairman. Q.—I want to know precisely what form of control you advocate ?

A.—The control which is now exercised on the Municipalities.

Chairman. Q.—Suppression ?

A.—That is the last stage. For my part I think that in the Municipalities the control is carried too far if the whole body is suppressed for the faults of one or two individuals. I think they may be disqualified, but the whole body should not be suppressed.

Chairman. Q.—You would remove individual members ?

A.—Yes.

Chairman. Q.—For what faults or defects would you remove individual members ?

A.—For faults which cannot be excused, for fraud or for serving private interest, for gross neglect of obligatory duty and so on.

Chairman. Q.—I want to be quite clear. You would remove individuals, and those powers do not exist at present ?

- A.—Now the power is to suppress the whole body.
- Chairman. Q.—You prefer to give powers to remove individuals ?
A.—Yes, that power must be vested in the Government.
- Hon. Rao Bahadur Sathe. Q.—In cases of removal which you are suggesting, would you leave the Board an initial voice ?
A.—Yes. The Board will have to give the individual member an opportunity to give his own explanation, and after that the Board will give their own explanation and then the Collector may forward the same to Government with his own remarks.
- Q.—Assume that an individual member is found to be working not just within the clauses you mention and he ought to be removed. Should the recommendation start with the Board or should it be taken by Government on their own initiative ?
A.—It should start with the Board, and the attention of the Board must be called by the Collector.
- Hon. Moulvie Rafiuddin. Q.—Should this initiative be from the general Board, by a simple majority or from the members present at a particular meeting ?
A.—From the general Board.
- Rao Bahadur Artal. Q.—Suppose there is a case in which the Collector or the Assistant Collector has found any irregularity, can you not find out what they have written ?
A.—We must allow the Collector to see the Accounts, etc. It is a public business, and the Collector is responsible for the whole administration.
- Q.—I think in that case the Collector or the Assistant Collector should have power to go and examine the records and find out what the irregularities are ?
A.—With the consent of the Board.
- Hon. Rao Bahadur Sathe. Q.—Coming to Question No. 6, have you any experience of the working of the School Committees in Municipalities ?
A.—I am a Member of the Municipality but am not a Member of the School Committee.
- Q.—Can you tell us if the administration by Municipalities of Primary Education is satisfactory or otherwise ?
A.—It has been only recently handed over to us.
- Q.—My question is whether you consider that management satisfactory ?
A.—I think it is satisfactory.
- Q.—From this expression of opinion of yours, I think you are inclined to think that the management of Primary Schools should be given to District Local Boards ?
A.—Yes. I want it to the Boards.
- Q.—Would you carry it down to the Taluka Boards ?
A.—No. I would have it with the District Local Boards. My reasons for the transfer of the management of primary education to the District Boards are these. Different districts stand in different stages of development, and we in each district have a more direct interest in promoting education in our own District. Among the higher classes I think there is a great desire to help people in this direction so far as possible, and the assistance of non-officials will be more readily available at the head-quarters in the promotion of primary education.
- Q.—Do you think that you will get good material, *i. e.*, men having the necessary expert knowledge to devote to educational matters, supervision management and so on ?
A.—For the present we shall keep up the assistance of the Deputy Educational Inspectors, and the control should be ours I mean

the control, which is now exercised by the Educational Inspectors. He has to look to the needs, I think, of 6 or 7 Districts, and he is not expected to know all the detailed needs of the districts. We shall be in a better position to know the actual needs of our own District and we shall have people on the Board who will take an interest in this matter. We may also engage the services of some competent gentleman to assist the Board as Educational Secretary of the Committee. We may have an educational committee with a secretary who has some experience of educational matters.

Q.—In what officer would you leave the controlling power in regard to educational matters ?

A.—With the education department.

Q.—My direct question is, would you give that power under the controlling chapter to the Collector or the Commissioner ?

A.—At present the department is managed by the educational department.

Q.—Suppose the School Committee of a District Local Board goes wrong, and it is intended to make them do certain things. Who should ask the Schools Committee ?

A.—The educational Inspector, and if we don't obey the matter may go to the Director.

Chairman. Q.—There are two ways of exercising control, one is by the Department, and the other by the Collector, the Collector having certain powers under the Act. So you are suggesting that the powers should be exercised by the Department instead of by the Collector ?

A.—I should prefer leaving the matter to the Department. We need not bother the Collector with matters for which the Department is already existing.

Chairman. Q.—The District Local Board would prefer to deal with one Director of the whole Presidency or with its own Collector ?

A.—In matters referring to roads, sanitation, etc., we shall be under the Collector, and the Collector may have general supervision in this matter even if there be anything wrong.

Chairman. Q.—The Collector may have general supervision. Mr. Sathé's question was whether the Collector should have powers of control in regard to education as he has in regard to sanitation, public health, and so on ?

A.—In that matter I think I would prefer to have the control placed under the Educational Department.

Mir Ayub Khan. Q.—Would you not give the Collector some powers, for example in the case of a building the Collector can have it done for you, and would you not give such powers to the Collector on the recommendation of the Education Department ?

A.—Yes. So far as help is concerned, we give him general powers even of supervision.

Q.—Technically therefore there will be the Educational Department, but when a question comes like the improvement of a school building, the only remedy in the hands of the educational department is to withhold your grant, but if the powers are given to the Collector, he can ask you to do it within such and such time. Would you give him such powers on the recommendation of the educational department ?

A.—The Educational Department may ultimately act through him if necessary.

Chairman. Q.—They should ultimately act through him ?

A.—Yes.

Chairman. Q.—What I want to know is whether you propose to give certain powers to the Collector or not, and whether they should be put into the law ?

A.—In regard to education, I prefer to give the control to the Educational Department. What I mean is the general policy should be with the department; but the Collector should have the power of general control.

Hon. Rao Bahadur Sathe. Q.—You are aware that the Local Board pays one-third towards education of the land cess and the department contributes two-thirds. Would you like to have this proportion fixed by statute ?

A.—Yes. What I say is, at present our expenditure on education comes to 32 lakhs, and the land cess also comes to 32 lakhs, almost the same. I think that the provision contained in the statute that we should only devote one-third of this income to education should be done away with, and the whole land cess should go for education.

Q.—At present we spend out of the land cess for education. Government gives two-thirds. Your opinion is that the management of Primary Schools should be transferred to the District Local Boards. Under these conditions would you like to have specific recognition of this proportion of money to be spent by Government and from the Local Fund cess ?

A.—No.

Q.—Under the present Local Boards Act, there is no provision which authorises District Local Boards to tax themselves. Would you be in favour of having an enabling section in the Act which would enable District Local Boards to recommend for the sanction of Government certain items of taxation ?

A.—If necessity arises, power may be given.

Q.—Do you think there is any necessity of having a condition laid down when we give this enabling section that Government should come forward with an equal amount of money when a new tax is imposed ?

A.—I think not only equal but it should be more.

Q.—You think that condition ought to be attached ?

A.—Yes; then Government ought to give us two-thirds. The proportion should be larger, and not merely equal. It should be I think twice as much.

Q.—Do you not consider this as a means of inducing people to tax themselves ?

A.—When they get ten annas they will be willing to tax themselves to pay five annas.

Q.—Would you have any profession tax in the rural areas? The income tax limit is one thousand rupees only. There are many persons living in the rural areas whose income does not come to that limit. Do you think such persons should be taxed ?

A.—Those persons who live in the rural area generally are men who have lands. I think we might go in for a cess on this tax in case of men whose income is above Rs. 500.

Q.—Barring the Local Fund Cess, which other items you would suggest on which a cess should be levied to increase the resources of the Local District Boards ?

A.—First and foremost is excise. We get out of it two crores and 16 lakhs, and we get from Government out of it only one lakh. The next I would place the profession tax.

Chairman. Q.—At what rate ?

A.—If it be a lower income, it might be 3 pies instead of four pies.

Q.—You would levy 3 pies in the rupee of the income ?

A.—It should be a cess on the income tax assessed at that rate.

Hon. Moulvie Rafiuddin. Q.—You say that the protection of minorities might come from the nominations, and you recommend two-thirds by election and one-third by nomination, and you say that out of these one-third, one-half should be reserved for officials, and the other half for nominations by persons already elected. Then am I to understand that if there are all Brahmins elected and there is not a single Mahomedan there, do you mean to say that the nomination of Mahomedans should be left to these Brahmins ?

A.—Yes; I see no objection. We did select Sir Ibrahim in preference to Sir Vithaldas.

Q.—The matter of Sir Ibrahim is different. I am only talking to you about Brahmins.

A.—We are keeping all sectional feeling outside. We see only to the qualifications.

Q.—Do you think it is a safe method ?

A.—All these nominations are meant to represent communities that are altogether left out and we shall get in through them the best people who may not have stood for election.

Q.—I understood you to say that the minorities should get protection and nomination from the elected members. It is a safe method. Do you think seriously that instead of the Collector, the elected members should be given the right of nomination of minorities also ?

A.—Yes; because the minorities may be among Mahomedans or Brahmins, and the elected members will represent all communities.

Q.—Supposing one class is in a predominant majority, and they do not elect any ?

A.—Then Government will nominate out of the one-sixth left to them.

Q.—If these elected members provide for the minorities, then Government out of the one-sixth should nominate, and what about the officials ?

A.—In the one-sixth reserved for nomination by Government the proportion of officials is capable of being reduced. If you look to the statement No. I of the Local Boards Report you will see that in several Districts there are only two officials on the Taluka Boards while in others there are three and four officials on those Boards. The number of officials varies from 2 to 7 also in the case of District Boards.

Q.—In other words you mean to say that all other seats also should be placed at the disposal of the elected members, and out of one-sixth, the minority should be appointed by Government ?

A.—Out of the third left to Government and to elected members.

Q.—You say that two-thirds should be elected by the people, and again one-sixth should be nominated by the representatives of the people; and if the minorities are still to be protected, that should be done by Government from the one-sixth. Is that your proposal ?

A.—Yes.

Q.—Supposing you come to the conclusion that excepting officials all members are to be elected by the people; then who will appoint the minorities ?

A.—I reserve the right of nomination to elected members with a view to protect the minorities by ourselves.

Q.—You would not give any special protection at all ?

A.—We shall keep it for nomination.

Q.—I say that if all the members are to be elected, excepting the officials, who are to be nominated by Government, in such a

state of affairs do you think the minorities should or should not be given any protection? Would you reserve some seats to the minorities?

A.—Yes. In that case I would; but I do not agree with the proposal that the nominations by Government should be simply of officials. I say that we ourselves must help the minorities. If you don't accept that this is my qualification: If we think that some people who ought to be on the Board are left out, we should have the power to adjust it, and therefore we should have the power to elect one-sixth or one-fourth with a view to help communities who may have failed to get representation through election.

Q.—Are you aware of the fact that when the Educational Department think that their recommendations are not carried out by the Municipality, they go to the Collector for taking necessary action; but the Collector has not got the power, and so nothing can be done excepting withholding the grant, are you aware of this?

A.—Yes.

Q.—If the grant is withheld, then the school will be closed?

A.—Yes.

Q.—Don't you think it is necessary that the Collector should have power when the Educational Department appeals to him to correct the evil?

A.—If the necessity arises, then Government will take action either through the department or through the Collector.

Mr. Pratt. Q.—You were a Deputy Collector?

A.—No; I was a Sub-Judge.

Q.—You have not had any experience of Taluka Boards or only you had experience of Municipalities?

A.—I have been a member of the Dhulia Municipality for the last three years and have been elected to the Legislative Council by the Central Division Municipalities.

Q.—Has the Dhulia Municipality got a non-official President?

A.—Yes.

Q.—Can you give me any idea as to the comparative popularity of Municipal service and Government service in the subordinate establishments?

A.—Government service is more popular.

Q.—The non-official President you have controls on all the establishments in the Municipality?

A.—Under the general control of the whole body.

Q.—Do you think it will be easy for the non-official President to run the Municipality if all the clerks and establishments were paid, appointed and promoted by the Collector?

A.—I do not think it will be easy, as that will take away all power from the President. I think that the power of promoting, appointing, etc., should remain with the Municipality.

Q.—What I ask you is, would the President of the Municipality find it easy to run the Municipality if all his establishments were paid, promoted and appointed by the Collector, would it make things difficult for him?

A.—He will find it more difficult to control the establishments.

Q.—You are in favour of non-official Presidents of District Local Boards?

A.—Yes.

Q.—Under those non-official Presidents, you would control the whole Board and all its servants, who should control the servants of the Local Boards?

A.—The Board and its President will also engage an officer, a Chief Officer, a Secretary or Head Clerk.

Q.—If all the establishments are paid for, promoted by the Collector, will the non-official President continue or not continue ?

A.—The non-official President of the District Local Board would work with a staff paid, appointed and promoted by himself, with the sanction of the Board under certain rules which Government may sanction.

Q.—You think that will work well in District Local Boards ?

A.—Even now we have a schedule of appointments and I think when the Collector appoints men to the Local Board staff he appoints them as President of the Local Board, and not as Collector.

Q.—I understand that the arrangement would work well, *i. e.*, with a non-official President of the District Local Board with a subordinate establishment of clerks not appointed by himself, not promoted by himself, but appointed by an outside agency; do you think it will work well ?

A.—No.

Q.—What would be the corollary ? He would have to promote and control them himself, and all that would have to be taken out of the Collector's hands.

A.—If the Collector ceases to be President, it will go out of his hands.

Q.—Are you aware of the fact that that there are a good many District Boards in which these subordinate establishments are at present graded with the revenue establishments of the Collectors ?

A.—Yes; there are. In certain districts there is hardly any separate establishments for the Local Boards.

Q.—They will have to be made into a separate cadre.

A.—Yes; there has been a demand for a separate establishment for the Boards.

Q.—Therefore you suggest that the amalgamation and grading would have to be broken up and the establishments should be made separate ?

A.—Yes.

Q.—Do you say that Municipal service is not as popular as Government service ? Once you separate local service you would probably find a certain amount of difficulty in finding men for the Municipal service, because it would not be so popular as Government service.

A.—We have to make provision for promotion and all that.

Q.—It would not be so easy to get establishments for the Local Boards as it is now.

A.—Until now we are doing it in the Municipality without any provision for promotion to the regular Government service.

Q.—Therefore we shall have to improve their prospects within our service. And without improving their prospects you could not carry on as well as we are carrying on now.

A.—I think our needs do not require the type of officers that you require for higher offices in Government service.

Mir Ayub Khan. Q.—You would not oppose to the present system, *i. e.*, one-half to be nominated by the one-half elected with due regard to the minorities which have not come in by election ?

A.—Yes.

Q.—Take it for granted that your scheme is not carried. What Mr. Patel suggests is that all non-officials should be elected and only officials nominated. If such a state of things exists, then how will you protect the minorities ?

A.—In that case, I think we might fix a minimum of seats for them.

Q.—Are you in favour of the Village Panchayats ?

A.—Yes.

Q.—When they want to tax themselves for any purposes, would you have any objection ?

A.—All these taxes should be for non-recurring purposes and so far as possible to meet the needs of the particular locality, and the Board should have the power not merely of levying but also of stopping the levy of the taxes when their purpose is fulfilled.

Q.—About the minorities in the matter of nominations, would you consult some of the leading Mahomedans of the District as the Collector does, or simply leave it to the sweet will of the elected members ?

A.—What the Collector does, these people will also do. I would not bind them.

Q.—So instead of the Collector you will leave it to the sweet will of the elected members ?

A.—I think you should have as much trust in us as you have in the Collector.

Hon. Mr. Patel. Q.—It is proposed, as I understand it, to transfer the control and administration of certain matters which are in the hands of the Government to the local bodies, for instance, education, public works, etc.

A.—Yes.

Q.—This will entail expenditure, and how to meet that expenditure is the question. Now will you look to section 34 of the Punjab Act ? (A copy of the Punjab Act was handed to the witness.)

The principle laid down in that section is that when the control and administration is transferred.....the Local Government must make some provision for the administration and control of those matters in respect of the finances so as to maintain them in the same state of efficiency as they were when in the hands of the Government. Do you approve of that principle ?

A.—Yes.

Q.—Then according to you we do not need any further funds in connection with the proposed transfer of the control and management of certain matters. It is the Government who must provide and not the local bodies ?

A.—The Government does provide and should provide to a larger extent than it does now to cover necessary additional expenditure if any new matters of expenditure are proposed to be transferred to the Boards.

Q.—So far as the proposed transfer of certain matters from the hands of Government to the hands of local bodies, you are not in favour of new taxation ?

A.—No.

Q.—They must be made by Government, and were used to be made by Government so long.

A.—I think the necessary increase must be provided out of the general revenues by Government itself.

Q.—Before 1863 when the Local Funds were started, all the branches of administration were maintained and paid for from the provincial revenue ?

A.—Yes.

Q.—Including the works of public utility ?

A.—Yes.

Q.—It was for the first time in 1863 that one anna cess on agricultural revenue was imposed for the construction of certain works of local public utility and voice given to the people in the management of these funds.

A.—Yes. The cess meant to be spent on purely local works of very minor nature.

Q.—But since the introduction of that cess it turned out that the funds which should have been used for purely minor purposes were diverted to other major purposes. Many burdens have been imposed on that small fund, which cannot be met out of that fund.

A.—I believe so.

Q.—When the Local Boards Act of 1884 was passed, certain more duties and responsibilities were thrown on Local Boards ; is it not ?

A.—Yes.

Q.—But no consequential provision to meet the expenditure arising out of those further duties were made by legislation as in the Punjaub Act.

A.—That provision is needed.

Q.—You say that it is the duty of Government to provide from the provincial fund the expenditure to be incurred in connection with the transfer of control and management of Primary schools and public works, etc.; why do you say the Local Boards should be given power to levy fresh taxation ?

A.—To meet contingencies which it may not be possible to meet even with the provision which Government ought to make.

Q.—Are you afraid that Government will not make sufficient provision ?

A.—It is not done yet. And I am afraid that Government might or might not make it ; therefore, we must make provision. All the items of revenue show that considering the population and area, served by the Local Boards far more amount ought to be spared by Government to meet the Local Fund demand than is at present done by Government.

Q.—When you say that Local Boards may be empowered to levy certain cesses or taxes, do you give the power to the Local Board to raise the one anna cess to two annas on land revenue ?

A.—I won't recommend it considering the increase that has taken place at the successive revisions of land assessments.

Q.—You are not in favour of empowering the Local Boards even wherever desirable to raise the cess of one anna to two annas of land revenue ?

A.—No.

Q.—The legislature might give powers to Local Boards to impose any other taxation except land revenue taxation ?

A.—Yes.

Q.—Are you in favour of the forest cess ?

A.—Government derives large revenue out of the forest produce and ought to pay part of it for local use by the Boards.

Q.—Instead of 16 annas that Government gets from forest, they might give 17 annas.

A.—I am not quite in favour of that; because those people will charge more for that one anna. It ought to come from Government itself.

Q.—You are in favour of having one anna from Government out of the forest produce?

A.—Yes.

Q.—When you talked about the excise cess, you also meant that you were in favour of having one anna from Government out of the excise revenue not an additional taxation on the people.

A.—On that point for my part I desire that Government should pay one anna out of its revenue. If after that it is necessary to tax, then we may go further and levy an additional cess on excise revenue because our local needs want our resources to be increased very greatly.

Q.—Now one gentleman has told us that the Municipality has no business to return a Member to the District Local Board; what is your opinion?

A.—I think all Municipalities in the Taluka ought to return one member, because it is in the Municipalities that you will get better men trained for administrative work than you can get from outside rural areas.

Q.—The present limit is five thousand population, I think. Would you have it?

A.—I would do away with that limit.

Q.—It is also provided in the present law that a Municipality having a population of 18,000 can return a Member to the District Board. Would you like to make any change in that?

A.—I should reduce that limit to 10,000, and the Municipalities having a population of above 30,000, may be allowed to return two members.

Q.—At present nominations proceed from Collector. Are you in favour of that; or you would like that they should proceed from the Commissioner or Government?

A.—I think the suggestions are made by the Collector, and the orders are made by the Commissioner.

Q.—Yesterday we had a suggestion that there should be either a Local Self-Government Board over all these District Local Boards, or there should be an officer just as we have got the Registrar of Co-operative Credit Societies, to guide the work of Local Self-Government in the Presidency, what is your opinion?

A.—One officer for the whole Presidency will not be able to do that. I should prefer to have a Divisional Board to look into questions of greater importance about policies. I am in favour of a Board and not one person, as the Registrar of Credit Societies with several honorary organizers under him. Of course, I would not object to having an expert officer. Let us have an officer to guide and assist us.

Q.—Nominated or elected?

A.—I cannot say that.

Q.—Are you in favour of making it compulsory that the District Boards should hold a certain number of meetings every year, i. e., are you in favour of a provision being introduced in the legislation to that effect?

A.—I think we ought to provide for more meetings, and especially if we are to go in for non-official Presidents, I think such a

provision is necessary. We ought to provide for a larger number of meetings in the statute.

Q.—Don't you think that under non-official Presidents we will have many more meetings ?

A.—Yes.

Q.—I believe it is your experience that sometimes the Collectors and Mamlatdars too get the business done by circulars.

A.—Yes.

Q.—Is it a good system ?

A.—No. So far as possible the work should be done in meetings, so that we may have the benefit of the exchange of views.

Q.—How do you make it definite, under the rules framed by the District Board ?

A.—Yes, under the rules to be framed by the District Board.

Q.—Just look at Cummings on Local Boards, page 30. It is there stated by the Commissioner, N. D., that where there is a work to be done exclusively.....but the Government pointed out the difficulty that there was no provision in the law, and therefore they could not allow that. Are you in favour of amending the law to meet cases of that kind ?

A.—Yes. I am in favour of amending the law to that effect.

Q.—Are you in favour of giving travelling allowances to members ? If so, to whom ; is it for attending meetings or to members of the Public Works Committee ?

A.—To members who have to come to the District Boards ; also to those who may have to move out to supervise Local Board works. I mean to the non-official Presidents, non-official Vice-Presidents, and to members of Works Committees.

Q.—Not to members of the Taluka Boards ?

A.—There are so many of them, and so near.

Q.—Delegates are appointed by the District Boards and vote for a candidate for a seat in the Council. Should they not be allowed travelling allowances for attending the meeting and for going and voting ?

A.—Yes ; they should be allowed.

Q.—When you were talking about the executive officers to be appointed by the Local Boards with Vice-Presidents, would you not have a separate officer to attend to educational matters and another executive officer for civil works ?

A.—Yes. I would have two officers, one to attend to educational matters only, and the other to other matters generally.

Q.—The other executive officer who is to attend to other matters, would you not leave that duty to your engineer ?

A.—Preferably he should be an engineer. He is meant for all out-door work, and the educational officer should look after matters relating to education.

Q.—I think some witness has sent in a suggestion that District Boards should be given the Abkari contracts, to manage the shops and make profit out of it ; are you in favour of such a proposal ?

A.—Yes ; if you are prepared to give us establishments and the revenue. I do not think it will be possible with the present establishment.

Chairman. Q.—Have you any conscientious objection to taking money from alcohol ?

A.—No. We might do all that is needful if we are given a sufficient staff. We shall be able to control the drinking habits of the people.

Hon. Mr. Patel. Q.—You know the object with which the Stamp and Registration Acts were passed ?

A.—Yes, to protect the people from the execution of false documents.

Q.—It was never intended that Government should make profit out of this business, and you find as a matter of fact that they do make a profit. Don't you think that the Local Boards have some sort of claim over these revenues ?

A.—Yes, we want more money. If there is any money left after meeting all expenses, they ought to give us.

Q.—You know how Budgets are being prepared in Taluka and District Local Boards ?

A.—They are prepared by the official Presidents.

Q.—Non-official Presidents know nothing about them ?

A.—Some of us who are at the head-quarters know it.

Q.—Won't you have a Finance Committee for the preparation of Budget consisting of officials and non-officials only ?

A.—A Finance Committee for the Budget is necessary, and the Budget ought to be circulated before the meetings are held.

Mr. JIWANJI LIMJIBHAL.

(20th October 1915.)

Hon. Mr. Patel. Q.—Are you in favour of a cess on the income-tax ?

A.—Yes.

Q.—Two annas or four annas ?

A.—One anna in the rupee on the income-tax.

Q.—Are you in favour of the Abkari cess also ?

A.—Yes.

Q.—Certainly you are not in favour of raising the cess on land ?

A.—No, I am not in favour of that.

Q.—You would like Government to empower the Local Boards to levy a cess on income-tax on Abkari and Forest Revenue, but you would not like Government to empower Local Boards to raise the one anna cess to any extent ?

A.—No, I am not in favour of that.

Rao Bahadur Sathe. Q.—Have you been on the District Board for many years ?

A.—Yes, from the beginning in District as well as in Taluka Local Boards. I am there for nearly thirty years.

Q.—Do you take a keen interest in District Local Boards ?

A.—Yes, I do both in District and in Taluka Local Boards so far as my ability goes.

Q.—Have you any knowledge of the C. D. and S. D. ?

A.—No.

Rao Bahadur Artal. Q.—Would you like to impose a one anna cess on the salt revenue ?

A.—I am against it.

Mr. Pratt. Q.—Are you a member of any Taluka Local Board ?

A.—I am a member of the Ankleshwar Taluka Board from the beginning upto date.

Q.—You are also a Member of the District Local Board ?

A.—Yes.

Q.—Can you tell me what is the average income of the Ankleshwar Taluka Board ?

A.—After deducting all expenses of the District Local Boards, we pay to the Talukas in proportion to the incomes, they contribute towards District Local Board Funds.

Q.—Is your Taluka Board content with the amount which you get ?

A.—No, we are not content.

Q.—You think you have a real grievance that you do not get enough from the District Local Boards ?

A.—Yes, the fund is not sufficient to give to the Taluka Local Boards, to make up the shortage, Government grants on a more liberal scale are necessary.

Q.—I understand you to mean that the District Local Board makes a reasonable distribution according to its funds ?

A.—Yes.

Q.—But the Taluka under that distribution does not get enough for its requirements ?

A.—It does not get enough.

Q.—What are your needs ?

A.—Roads and wells, etc.

Q.—Are you badly off for roads in Ankleshwar ?

A.—Not altogether badly off.

Q.—Then what is it that you want money for ?

A.—Roads and wells; they are the proper things.

Q.—You like to spend more money in villages ?

A.—It depends upon the wants of the village.

Q.—In your Taluka are there a good many big villages ?

A.—About five or six villages.

Q.—Do you know anything about the Village Panchayat System ? Do you think that will work well in your part of the country ?

A.—Yes, some will work well.

Q.—Groups of Village Committees under the Taluka Boards, do you think they will work well ?

A.—By and by they will work well.

Q.—Are you in favour of one pice in addition to one anna for Railways ?

A.—Yes, I have given my opinion in another place.

Q.—But you would not extend that to improvements of roads. You would not levy one pice for roads. If the Taluka Board wanted to have one pice in the rupee for the improvements of its roads, would you say no ?

A.—Yes, I say no. I am emphatically against levying anything, however small and negligible, over and above one anna, as the burden of land tax is very heavy, and heaviest in Broach District. However I am inclined to extend in favour of Railways, as coming under a special head, and revolutionising the life of the District by bringing with it very extensive facilities to the Ryots. Besides, one all important factor in case of Railways, is that if well managed and properly conducted, they are bound to be productive concerns. From the one anna we get, we give four pies to the educational department and 8 pies we keep for our general wants. I would like to see more money to be given from the Provincial Funds to the Local Boards for local wants.

Q.—You would like an additional taxation on the land revenue for Railways only, but you would not like it for roads ?

A.—If there is any urgent want, as in case of Railways, we will. Please refer my answer to question just preceding.

Chairman. Q.—In your District when you have District Local Board Meetings, are the members very much frightened of the Collector ?

A.—I would answer that the members are willing to please the Government Officials, and particularly the Collector.

Q.—Do they venture to speak out their opinions ?

A.—There are some who express their opinions, and majority go with the Collector.

Q.—Why do you want to keep the Collector on the Board as President ?

A.—The Collector has more courage. The District Board Members have not sufficient moral courage at present. They always like to please Government Officials. Further I venture to think, that, at present, non-official Presidents of the stamp and type required for the responsible and arduous task, are unwilling to come forward for reasons very well known ; though in itself, it may be very desirable in the interest of Local Self-Government. There is another weighty reason, which makes it preferable, that the President should be an Official. At present, so many District as well as Taluka Boards under non-official Chairmen, are suppressed or suspended for one reason or another. With an Official President, we shall be free from such unpleasant and undesirable episodes, which are so many blows against the cause of Local Self-Government. So long as an official Chairman is

at the helm of Boards' affairs, reports against members on various counts will become unpleasant episode of the past.

Q.—You said in your written evidence that you want the Collector to remain as the President ?

A.—Certainly, I say yes. Still I hold that opinion. The President should be a Government Officer on both the District and Taluka Local Boards.

Q.—Does what you say apply to your own district or to other districts also ?

A.—To all the districts.

Q.—Have you any experience of other districts ?

A.—Yes, Surat District.

Q.—You recommend that Primary Schools should be transferred from the District Local Boards, why is it necessary ?

A.—Because Educational Inspectors are the proper men to go on with the work of their department. What can the District Local Boards do ?

Q.—You are not in favour of extending Local Self-Government ?

A.—No, I am not in favour of extending Local Self-Government, if extension means, giving non-official Presidents. I have stated my grounds for that. My remarks are strictly limited to District and Taluka Boards only. However if extension entails further responsibilities and gives free scope to the non-official members, and their non-official chairman with the decrease of official influence, then I think true aim and end of the Local Self-Government may be realized, however slow the progress towards that end may be.

Q.—Is there anything else that you would like to tell us ?

A.—If you like I will send a written statement. I have nothing to say now.

THE HON. RAO SAHEB V. S. NAIK.

(20th October 1915).

Hon. Mr. Patel. Q.—Why have you not answered in your written replies about a cess on agricultural revenue ?

A.—As regards this cess, the question was not referred to me.

Q.—Are you in favour of a cess on the agricultural revenue ?

A.—Yes, I am in favour of a cess on agricultural revenue.

Q.—You know that we want some more funds for Local Boards. Mr. Upasani seems to think that it is the duty of Government to supply all those funds to be spent on works which Government now proposes to transfer to the Local Boards. Do you agree with him ?

A.—What kind of works ?

Q.—I mean public works, control and management of engineering staff, etc., Mr. Upasani seems to think that it is the business of Government to provide the necessary funds, do you agree with him ?

A.—Not all the funds.

Q.—How much do you think Government should pay towards this new expenditure we are going to entail ?

A.—I have no idea what the expenditure would come to.

Q.—Supposing it comes to Rs. 20, what should Government pay ?

A.—Say about two-thirds or three-fourths of the additional expenditure.

Q.—You know that Government at present pays two-thirds as its contribution towards the educational expenditure ?

A.—Now we are paying one-third and Government are paying two-thirds as their share of primary education expenditure. I would go in for not less than half and half, as in the case of Municipalities.

Q.—Do you think Government is paying too much ?

A.—I don't think Government is paying too much.

Q.—Are you in favour of raising the local cess of one anna by law or of authorising the Local Boards to raise the cess. If so, to what limit.

A.—They may be authorised to raise the cess up to two annas.

Q.—Without resorting to other sources of revenue ?

A.—Even with this increased one anna cess and other possible sources of revenue I don't think these Local Boards will be able to meet their wants. Their wants are numerous.

Q.—What do you think should the Local Boards have as their income to meet this expenditure every year ?

A.—That is not possible to say. Whatever money we have, we have got local wants, to spend upon.

Q.—Are you in favour of the excise cess ?

A.—I would go in for one anna excise cess.

Q.—Irrespective of the fact whether Government comes forward with a corresponding contribution to the Local Boards or not ?

A.—Yes. Irrespective of it. That would discourage people from drinking.

Q.—Is that your ground ?

A.—That is one of the grounds.

Q.—That is the principal ground, I suppose ?

A.—I cannot say that.

Chairman. Q.—That would discourage drinking, you think ?

A.—It will discourage, to a certain extent.

Hon. Mr. Patel. Q.—Have you been on any District Board?

A.—Yes, I have been on the District Board of Dharwar for about 12 years.

Q.—It is said here that members of the District Board are generally afraid of the Collector and that they would not speak out their minds in his presence. Is this a fact ?

A.—I do not believe in that. Every member is afraid of the Collector, but to speak freely in Board meetings, I do not think the Collector would come in the way.

Q.—You know the Poona and Nasik Districts also ?

A.—Yes, I know Poona and Nasik Districts but I do not know the members of the District Board here.

Q.—Do you think that there are gentlemen on the District Boards fit to be Presidents.

A.—Yes, I think in many Boards there are such members.

Q.—Would you not give the Taluka Boards more powers?

A.—Of course, more powers are necessary. With regard to finances the Taluka Boards have no voice. Simply some money is allotted to them and they are allowed to utilize as they desire. They get certain estimates for works ready and when money is available they select urgent works, enter them in the Budget, and after they are sanctioned by the District Boards they execute them. On account of want of funds they are hampered.

Q.—What sort of independence do you want to give to Taluka Boards?

A.—With regard to the connection between the Taluka and District Boards and control over the former by the latter body. For the present the District Boards have control over the annual Budget of the Taluka Boards and sometimes some works of the Taluka Boards are cut down by the District Boards. The District Boards do not know anything about the urgency of the works of the Taluka Boards and this is one of the reasons why the Taluka Boards should be quite independent to frame their own Budget.

Mr. Pratt. Q.—You are in favour in theory of non-official Presidents wherever suitable.

A.—Yes.

Q.—Do you think that there would arise any difficulty in the control by non-official President of the establishment in view of the fact that most of the Local Fund work is entirely done in the Collector's Office. The Local Fund Accountant and other Clerks who attend to the Local Fund work are graded with other Clerks of the Collector's establishment. In the same manner most of the Taluka Board work is done in either the Mamlatdar's or the Assistant Collector's Office. Taking into consideration these facts do not you think there would be some difficulty in the non-official President controlling the office establishment ?

A.—I do not think there would be any difficulty. The non-official President can report to the Collector any case in which he finds a clerk not working properly. But I am against the system of Local Board Clerks being given some work in the Mamlatdar's office and also some work under the Vice-President of the Taluka Board. In such cases the clerks plead some excuses and sometimes pretend that they are unable to cope with the work.

Q.—Does not that illustrate my point of the divided control?

A.—What I want is that being on the establishment of the Collector they should be asked to work for the Local Boards solely under the non-official President who should have direct control over them so far as the work is concerned. If the non-official

President finds any such clerk insubordinate or otherwise not working to his satisfaction he can report him to the Collector. I think that would work well.

Q.—Do you think such a system would work in the Municipality?

A.—When the services of the clerks are lent whole time and when they are not called during that time by the Collector or revenue authorities, it would work well.

Q.—Do you think it would be easy for a non-official President to carry on the work of a Municipality if his clerks were appointed by the Collector and if he were to have control over them so far as their promotion and suspension and dismissal are concerned?

A.—Of course, so far as promotion, suspension or dismissal is concerned the Collector would consult the non-official President under whom these people will be working; and so without the good opinion of the President the Collector would not give them promotion, and therefore these people will try to secure the President's good opinion and recommendation.

Rao Bahadur Artal. Q.—You say ignorant people should not be elected; do you mean to say that all these property qualifications should be done away with?

A.—I do not mean that. They should not be elected as members. I mean that the qualification for a membership should be that he ought to have some education, at least as much as to know what is passing in a meeting.

Chairman. Q.—You mean that this qualification should be prescribed by Law?

A.—I think it should be prescribed by law. What is the use of having a man as a member who does not know how to read and write?

Q.—Does that apply to all parts of the Presidency? Cannot you conceive of a man having an income of two lakhs or three lakhs and still not being sufficiently educated?

A.—Such cases are very rare and we might make an exception in such cases.

Mr. Pratt. Q.—You say, you have got separate office for your Taluka Boards.

A.—Yes. It was part of the original revenue offices and now we are using it for our office. In Hubli and Haveri also the Taluka Board offices are separately situated.

Q.—How many people sit in that office?

A.—One or two clerks and one or two Sub-Overseers; and there are also separate Committee and store rooms.

Rao Bahadur Artal. Q.—You have been a member of the District Board for the last 16 years. Can you quote an instance where a Collector as a President has exercised his authority in an arbitrary manner?

A.—I do not think I have had any occasion to witness such a thing.

Q.—The Collector does not interfere with the proposition the members bring forward. He simply calls for a vote. He simply uses his right of the casting vote and that is only done in rare cases.

A.—Yes.

Q.—You know that there are many graduates who do not hold any lands at all; and do you think that such graduates should be given the right of voting?

A.—Yes; and also the right to stand as candidates. They will be teaching an object lesson as to how the voting franchise is to be properly exercised to the ignorant people. We do want educated people on the Board although they do not pay any cess. It is in the interests of the Board to have them.

Mr. Pratt. Q.—Had your Collector ever any opportunity of giving a casting vote ?

A.—I do not remember; there may be one or two.

Hon. Rao Bahadur Sathe. Q.—Is it your idea that any person who is literate should be qualified to vote ? or you would prescribe the educational qualifications of a candidate ?

A.—I would leave it for the Committee to decide. I do not want to restrict the right of voting, but I want to restrict the qualifications of a candidate. In Madras they have got lists of people who are eligible to vote. It is an official list. They keep out undesirable and illiterate persons.

Rao Bahadur Artal. Q.—You object to lepers being elected ?

A.—Yes. There is a leper in the Rannebennur Taluka Board and we have to give him a chair in a corner. Such people ought not to be on the Board, although they hold considerable landed property as in the case of the man at Rannebennur.

Rao Bahadur Sathe. Q.—Who is the President of your Board ? Assistant Collector or a non-official ?

A.—The Assistant Collector or a Deputy Collector.

Q.—What position does the Mamlatdar hold on your Board ?

A.—Mamlatdars are generally Chairmen of the Works Committee.

Q.—When a non-official presides and the Mamlatdar is an ordinary member do not you think some trouble will arise ?

A.—In my experience during the last 15 years no such trouble has arisen. Mamlatdars do not object. On the other hand they would be glad to elect non-official Presidents.

Chairman. Q.—Do you prefer the present system ?

A.—Yes; because if the President were a Mamlatdar good people will be coming forward for Vice-Presidentships.

Q.—Then there will be very little for the Vice-President to do.

A.—It is always the tendency when the President is a Local man, he takes all the work upon himself and so the Vice-President has very little to do.

Mr. Pratt. Q.—Whereas when the Prant Officer is the President, when he is away the Vice-President has to attend to almost all the work of the President.

A.—Yes; that is the case.

Q.—You had no trouble in controlling your establishment.

A.—None.

Q.—Would you like the system of a Mamlatdar being on the working Committee ?

A.—Yes; I do not like change in the system. As the Mamlatdar will be always on the move he can look after the different works.

Rao Bahadur Artal. Q.—How many years have you been President of the Rannebennur Municipality ?

A.—For about 6 or 7 years.

Q.—There are no other qualified persons there except you ?

A.—Why; there are many people.

Chairman. Q.—Do you travel about in your Taluka ?

A.—When the works are reported to have been completed, I go and see them. Each work is allotted to a separate member.

Q.—Does that require much time and expenditure on your part ?

A.—Not much time. There are about a dozen or a dozen and a half works; and it is not necessary to inspect all of them at once and the same time.

Q.—Have you seen every part of your Taluka ?

A.—I have seen a greater part of my Taluka in my capacity of a Local Board Member; and also in my private capacity I have to visit certain villages, and then I visit the Local Board works also, if there be any in those villages.

Q.—What about schools ?

A.—Where there are Local Board Schools I inspect them. I do not go regularly on an inspection tour.

Q.—Do the Mamlatdars take interest in the schools ?

A.—Yes; they do in their capacity as Mamlatdars and also as Local Board Members.

Q.—You are opposed to the transfer of the management or control of any kind of the primary schools to the District Local Boards.

A.—Yes; I am opposed to the transfer of the control and management.

Q.—I ask you whether you are opposed to the transfer of the control of curriculum, appointment and transfer of teachers, etc.

A.—I am not opposed to the transfer of the control of curriculum.

Q.—Which of these powers the District Local Boards in your opinion are capable of exercising ?

A.—Curriculum might be left to the District Local Boards, as we have got literate people on the District Boards.

Q.—That is one thing in which departmental opinion is entirely against you.

A.—Departmental people has invited opinions of the District Boards as regards the change in the curriculum of Primary schools.

Q.—It is one thing to ask opinion and another to get decisions. Do you consider that the final choice as to the fixing of curriculum should be left to the District Boards ?

A.—I do not think different Districts should have different curriculum, but I do think that the District Boards should be given a voice in the change of curriculum.

Q.—Apart from curriculum there is the question of transfer and appointment of teachers. Do you object to that being in the hands of the District Boards ?

A.—I object to it because if it is kept in the hands of the District Boards, it will depend entirely on the recommendation of Local Board Members who are from different Talukas; and taking into consideration the fact there are factions in villages and Talukas also there is every likelihood of the members being influenced by the factious spirit.

Q.—Would not you prefer a School Board of 8 or 10 Members nominated by the Collector as being men of educational qualifications ?

A.—I do not think such a Board will be able to visit the schools regularly. I think we should have a committee of selected members of the Board which should include the Deputy and the Assistant Educational Inspectors, and such a selected committee of the District Board members would be able to manage the schools properly. As to the inspecting staff of the District Board Schools I would like that to be appointed by the Department.

Q.—And once appointed they might serve under the orders of District Boards ?

A.—Of course that staff will be under the orders of the District Board Select Committee to whom the management of the schools is left.

Q.—Supposing additional powers are given to the School Boards of controlling the staff, would you like to see further powers of control reserved to the Collector over the Local Boards with regard to Primary schools ?

A.—I think it is better if it is centered in one officer who may be Collector or the President of the Board.

Q.—When power is given to the School Boards to appoint, promote and to locate new schools, do you think that the Collector ought to have any power of control in case he finds that the School Board is not doing its duty ?

A.—With regard to the closing and opening of schools the local people know better, and so I do not think there will be any hitch with regard to that. As regards punishment and transfer of teachers I think the action of the School Boards should be subject to the confirmation of the Collector or the Educational Inspector.

Q.—Supposing there is a Mahar School and the School Board decide to close it, and supposing the Mahars petition to the Collector against that decision, would you not like the Collector to have a voice in the matter ?

A.—Of course in such cases the Collector ought to have a voice.

Q.—Then you must give him some powers in the Act.

A.—Yes; I agree to that; but I do not think if we select good people to serve on the School Boards such a case will occur.

Chairman: Thank you very much Mr. Naik.