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RELATING TO THE

QUESTION OF HOLDING SIMULTANEOUS
EXAMINATIONS IN INDIA AND ENGLAND

FOR THE

INDIAN CIVIL SERVICE.

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



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BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

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1894.

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**Simultaneous Examinations in England and India for the Civil
Service of India.**

India Office,
London, 22nd June 1893.

Public,
No. 61.

**To His Excellency The Most Honourable The Governor General
of India in Council.**

My Lord Marquis,

I transmit herewith to your Excellency copy of a Resolution passed by the House of Commons as to the holding of simultaneous examinations in England and India, for the Indian Civil Services; and I request that your Government will give a prompt and careful examination to the subject, and that you will inform me in what mode, in your opinion, and under what conditions and limitations this Resolution could be carried into effect.

2. I need scarcely add that in asking to be furnished with the opinion of your Government, it is not my desire to fetter in any way their discretion as to the observations they may think fit to make on the Resolution.

3. I will only point out that it is indispensable that an adequate number of the members of the Civil Service shall always be Europeans, and that no scheme would be admissible which does not fulfil that essential condition.

I have, &c.
(Signed) KIMBERLEY.

ENCLOSURE.

Resolution of the House of Commons, 2nd June 1893.

Resolved.—That all open competitive examinations heretofore held in England alone for appointments to the Civil Services of India shall henceforth be held simultaneously both in India and England, such examinations in both countries being identical in their nature, and all who compete being finally classified in one list according to merit.

EXTRACT FROM LETTER, No. 62 of 1893, from the GOVERNMENT OF INDIA to the SECRETARY OF STATE, dated 1st November 1893. Received 17th November 1893.

We have the honour to reply to your Lordship's Public Despatch, No. 61, dated the 22nd June 1893, on the subject of a Resolution passed by the House of Commons as to the holding of simultaneous examinations in India and in England for the Indian Civil Service. Your Lordship has requested us to inquire carefully into the subject, and to report in what mode and under what conditions and limitations the Resolution could be carried into effect.

We desire to say at the outset that we are in entire agreement with the principle involved in the Resolution, so far as it implies that natives of India should be employed as extensively as possible in our Civil Services consistently with efficient administration and the strength and stability of British rule. We have every sympathy with the reasonable desires and legitimate aspirations of natives for employment in the higher branches of our Public Service; and it is hardly necessary to remind your Lordship that for more than 20 years the Government of India have been anxiously considering, not without substantial results, how the sphere of their employment can be enlarged, and under what conditions and to what extent the more responsible offices of the Administration can be reserved for or opened to them.

Although we had only recently completed our reorganisation of those departments of the Public Service to which the Indian Civil Service belongs, after a careful consideration, in communication with your predecessor and with Local Governments and Administrations, of the Report of the Public Service Commission appointed by Lord Dufferin's Government in 1886-87, we proceeded at once, on receipt of your Despatch, to consider the subject afresh from all its bearings. We consulted Local Governments and Administrations as to the practicability and expediency of giving effect in its entirety to the Resolution of the House of Commons; and we instructed them in the event of their finding that it was altogether impossible to adopt this course, to consider whether effect could be given to the Resolution in a modified form and subject to any conditions and restrictions. While in no way limiting their discretion as to any schemes which they might think fit to suggest, we placed before them certain alternative methods to which we were of opinion that consideration might be given.

We now forward for your information copies of our letter of reference (enclosure No. 1 with enclosure No. 2) and of the replies received from Local Governments and Administrations (enclosures Nos. 3 to 10).

The first of these recapitulates, in a summary form which we hope will be found convenient, the previous history of the measures taken to give effect to the policy embodied in the Statute of 1870 (33 Vict. c. 3, s. 6), of affording additional facilities for the employment of natives of India, of proved merit and ability, in the Civil Service of Her Majesty in this country; it recounts the recommendations of the Public Service Commission of 1886-87, the measures actually carried out on a consideration of the report of the Commission, and the discussions which have taken place on the special subject now referred to us—that of establishing simultaneous examinations in England and India for admission to the Indian Civil Service; and it concludes with such suggestions as seemed useful for the consideration of the Local Governments and Administrations in dealing with the application of the principle of competition to the recruitment of the Public Service in India.

We think that on a perusal of the replies enclosed it will be admitted that the Local Governments and Administrations consulted have responded to the call thus made upon them with a full sense of the momentous importance of the issues involved, and with an earnest desire adequately to discharge the weighty responsibility laid upon them by your Lordship's action upon the Resolution of the House of Commons. To use the words employed in your Despatch, No. 1, dated the 8th January 1885—"there is no question more intimately connected with the good government of India, and indeed with the stability of the Indian Empire, than the question of the best mode of recruiting the Civil Service." The papers thus contributed to the discussion will,

we doubt not, be read with the deepest interest as expressing the deliberate opinion of eminent men possessing great and varied experience of all parts of India, and of almost all spheres of official activity; and will receive at the hands of Her Majesty's Government the consideration to which they are entitled by the ability and position of the writers. We would specially call attention to the replies from the Government of the North-western Provinces and Oudh and that of the Punjab. Sir Charles Crosthwaite, as your Lordship is aware, has spent more than 35 years of his life in the service of Her Majesty in this country. After a long and ripe experience of the North-western Provinces, to which he has now returned as Lieutenant-Governor, he was chosen to be a Commissioner, afterwards Judicial Commissioner, and then (after a year's experience as Officiating Chief Commissioner of British Burma) Chief Commissioner in the Central Provinces. Having ruled those provinces for two years, he was in March 1887 entrusted with the still more arduous and responsible task of organising the Government and conducting the administration of Upper and Lower Burma—a task which for three years he discharged with conspicuous ability and success. Called thence to the Executive Council of the Governor General, he has now attained the highest office open to his Service, and speaks with the accumulated authority of his experience as District Magistrate, as Revenue Officer, as Civil and Criminal Judge of the highest Provincial Court, and as Governor of three Provinces. Sir Dennis Fitzpatrick's experience has been no less varied and extensive. In the course of nearly 35 years he has been District Officer in the Punjab, Secretary to the Government of India in two departments, Judge of the Punjab Chief Court, Chief Commissioner of the Central Provinces, Resident in Mysore, Chief Commissioner of Assam, and Resident at Hyderabad and Chief Commissioner of Berar; and now as Lieutenant-Governor he administers the great and important frontier province in which he began his career.

In view of the high importance of the issues involved in the present correspondence, and of the many misconceptions which we have observed to prevail among those who have taken part in the discussion, we have thought it useful, in order to avoid excessive prolixity in this Despatch, to add to the enclosures a memorandum (enclosure No. 11) in which are explained in detail certain points which it is essential to bear in mind in order to arrive at a correct conclusion on the questions raised. These points are:—(1) the nature and constitution of the Covenanted (or Indian) Civil Service—the posts which it is recruited to fill, the duties it performs, and the place it holds in the Public Service of the Empire; (2) the constitution and duties of the Provincial and Subordinate Civil Services, by which the detailed work of administration is mainly carried on under the guidance of superior authority, which are almost entirely Native Services, and which greatly outnumber the Indian Civil Service; (3) the Parliamentary legislation affecting the Indian Civil Service; (4) the history of the measures taken in recent years for extending the employment of natives of India in covenanted offices; (5) the measures taken to secure the employment of Indians in the Provincial and Subordinate Services; (6) the history of the competitive system as applied to the recruitment in England of the Covenanted Civil Service; and (7) the history of the competitive system as applied to the recruitment in India of the Provincial Civil Service. We beg that the memorandum may be read as part of this Despatch, and referred to whenever detailed information is required on any subject treated in it. So far as it is historical, it has been compiled after careful reference to previous records and correspondence; so far as it contains inferences and opinions, it expresses the unanimous conclusions at which we have arrived on the points discussed.

The Civil Service of India contains in its *cadre*, that is, it is recruited to fill, 898 posts in the Public Service. Of these, 74, as explained in paragraph 2 of the memorandum, are in special or technical departments, not concerned with the general, judicial, and executive administration of the country. In most of these departments—the chief exception being the Political or Foreign Department which deals with Native States and frontier tribes—the number of covenanted Civilians is small. There thus remain 824 posts, called covenanted posts, of which a full detail will be found in paragraphs 3 to 8 of the memorandum. These posts are not, however, all held by covenanted Civilians. Ninety-three have been entered in lists, published in April 1892 and January 1893, for transfer to natives of India belonging to the Provincial Service; and in the Frontier Provinces of the Punjab, Burma, and Assam, a proportion of one-fourth of the posts is reserved for military officers, whose special experience and training are considered necessary for the preservation of the peace in those tracts. Deducting the 93 posts assigned to the Provincial Service, the *cadre* of

posts at present reserved for covenanted and military officers is 731. These are the officers on whose administrative capacity and fitness for rule depends the quiet and orderly government of 217½ millions of people, inhabiting 943,000 square miles of territory. This bare statement of figures should, we think, be sufficient to convince any impartial mind of the supreme importance of obtaining the best material, in the best way, for the arduous duties which these officers have to perform. They represent the British Government in India; in the eyes of the people they are the British Government; it is to their personal influence, their impartiality, justice and efficiency, their physical and moral fitness, that the due administration of the Empire is entrusted; upon them, and not immediately upon military force, our strength rests; any weakening of their influence or deterioration in their efficiency would imply a relaxation of the restraints of government, and a reversion *pro tanto* to the conditions from which the country emerged only when it came into British possession.

With these preliminary remarks, we now pass to the consideration of the bearing of the Resolution of the House of Commons on the constitution of the Indian Civil Service.

We have first to call attention to the practical difficulties which would have to be overcome in introducing any scheme of simultaneous examinations for the Indian Civil Service in England and India. Your Lordship will perceive that this point has been touched on by the Governments of Madras, Bombay, Bengal, and the North-western Provinces and Oudh, and by the Chief Commissioner of Assam. Most of the authorities mentioned dwell upon the importance of the *vivâ voce* portion of the examination as a test of real knowledge, and on the impossibility of applying it uniformly, or at all, if the examination is not held at one central place. The Bombay Government and the Chief Commissioner of Assam question the possibility of maintaining the secrecy of the examination papers if sent out to this country; and it must be admitted that experience in University examinations in India tends to justify this apprehension. These objections, which Sir Anthony MacDonnell characterises as not "in themselves of a permanent or decisive nature," and which are, perhaps, not of first-rate importance, are nevertheless, in our opinion, entitled to considerable weight.

Secondly, in referring the matter for our consideration, your Lordship has pointed out "that it is indispensable that an adequate number of the members of the Civil Service shall always be Europeans, and that no scheme would be admissible which does not fulfil that essential condition." This condition, which is so obviously required by the necessities of our position in India that it is needless for us to discuss it further, is not indeed, so far as we have seen, disputed by those writers and speakers in this country and elsewhere who have advocated the principle of the Resolution of the House of Commons. But it appears to us that this condition, if conceded, is in itself destructive of the Resolution, which requires that "all who compete be finally classified in one list according to merit." Classification in one list obviously implies the admission of the competitors in order of merit, and without

reference to their origin and antecedents. The Statute* under which the examinations are held, moreover, prescribes that "the candidates who may be certified by the said Commissioners * * * to be entitled under such regulations shall be recommended for appointment according to the order of their proficiency as shown by such examinations." The condition that "an adequate number of the members of the Civil Service shall always be Europeans," however, implies that a *minimum* proportion of that class, and a *maximum* proportion of natives of India, shall be fixed for admission to the Service. This point is strongly pressed by the Government of Madras, a majority of whom (Mr. Garstin dissenting) are the only authorities consulted who have expressed an opinion in favour of the principle of the Resolution. Their observations will be found in paragraph 10 of their letter: his Excellency the Governor in Council admits that "though a certain portion has been named as the extent to which natives might without danger be advantageously employed, he is at a loss to suggest how such a system could be worked out." The same view is taken by the Governments of Bombay (paragraph 12), Bengal (paragraph 3), the North-western Provinces and Oudh (page 39), and the Punjab (page 53), and by the Chief Commissioner of Burma (paragraph 1). This objection appears to us unanswerable, if a minimum of Europeans is to be maintained, the competitors being, at the same time, classified in one list. We might find ourselves obliged either to give the preference to a certain number of

* 21 & 22 Vict. c. 106. s. 32.

European candidates, not because they had shown most ability in their examination, but on account of their origin; or to admit Indian competitors in unlimited numbers, and regardless of the determined minimum of Europeans. We see no escape from this dilemma, and are therefore compelled to the conclusion that to give effect to the Resolution in its entirety is wholly incompatible with the "essential condition" on which your Lordship (and every other authority who, with adequate knowledge and responsibility, has discussed the subject) has so strongly insisted.

In the papers enclosed will be found the decisive opinion of the most capable administrators in India that no material weakening of the European element in the Indian Civil Service is at present compatible with the safety of British rule in this country. The Government of the North-western Provinces and Oudh writes (page 41)—

"The proportion of natives to Europeans in the Civil Service of India cannot be increased without risk to the safety of our dominion and the efficiency of the administration."

And again (page 39)—

"It is a great mistake to suppose that British India has arrived at a stage where nothing but smooth progress need be anticipated, or to think that the principles of law and order have penetrated the minds of the people so deeply that the English element in the Civil Government may be safely diminished. We know little of what is below the surface; but we know enough, even without the teaching of recent events here, in Bombay, and in Rangoon, to be sure that this is not a true estimate of the situation. It is instructive to observe that during the late riots in Bombay native papers like the "Hindu Patriot," while demanding in one column a larger share of administrative appointments for their fellow-countrymen, were calling out in another column of the same issue against the Government for not having more European police officers in Bombay. What is desired by them is that the British power should hold the country, while they administer it."

Sir Dennis Fitzpatrick has exhaustively discussed the question in pages 45 to 53 of his note. After insisting on the paramount obligation to maintain British rule, "inasmuch as it is the condition precedent to the performance of all the other duties we owe to India," he goes on to observe—

"British rule brought this country out of a state of chaos, the horrors of which it would be difficult for a stay-at-home resident of Europe in the nineteenth century adequately to realise, and if the grasp of the British power were relaxed even for a brief period over any part of the country, chaos with all its horrors would come again.

"Englishmen, even Englishmen who spend their lives in India, are not given to reflecting much on this; and I doubt whether many natives of the country now-days think of it, though it was a good deal present to the minds of the people of the Punjab when I first came to India.

"The fact is that we have now had 35 years of internal peace unbroken except by petty local disturbances, and we have begun to flatter ourselves into the belief that our position in this country is absolutely unassailable; but, as a matter of fact, it is not so. It is, and always will be, liable to disastrous shocks from which it might take a long time to recover; and though this is not a pleasant subject of reflection to us with our national vanity and our tendency to optimism, the more completely we realise it the better."

He then enumerates the various causes which might result in disturbance, more or less general, of the public peace:—the exacerbation of hostile feeling between rival sects of the same religious denomination; the recent riots—due to historic religious animosity, between Hindus and Muhammadans—in the Benares Division, in certain parts of Behar, in Rangoon, and Bombay, and the dangerous extent to which the resulting excitement has been aggravated by the Press, both Hindu and Musalman, and by other organised means of agitation.

He draws attention to the manner in which these mischievous falsehoods are now "disseminated all over the country by the native newspapers," and asks—"Who can say that in a time of excitement like the present they will not gain credence among

“ the ignorant masses, set the Hindus and Sikhs against us, and involve us in most serious troubles ? ”

He points out (page 46) how there are always to be found in many parts of India predatory classes ready to break out wherever our administration may be temporarily relaxed or our control disorganised.

He then states the ordinary problems with which the Indian administrator has to deal in the every-day government of his district, and explains what high qualities these demand ; and comes to the conclusion that it is impossible to say that for the purpose of such administration Indians are equal to Europeans. After examining the causes to which their inferior efficiency is due, he shows (pages 51, 52) that it is a mistake to suppose that the substitution of the former for the latter would be popular with the mass of the population ; the popularity of the measure would be limited to “ the advanced Indians, who still form, as Lord Dufferin said, but an infinitesimal fraction of the population.”

We beg to call special attention to these weighty opinions with which we entirely agree. It will be seen that the Government of Madras—the only advocate of the principle of the Resolution—admit that—

“ In special emergencies, local disturbances or the like, they [natives entering the Civil Service] might possibly sometimes be found wanting.”

They think, however, that “ in the present circumstances of India the mischief thus arising would rarely be serious, and could be quickly repaired.” From this view we have only to express our emphatic dissent. It may possibly represent the state of things in the tranquil province of Madras, but the conditions of other parts of India are far different.

Next, we desire to offer a few remarks on the opinions which have been stated, in the House of Commons and elsewhere, as to the effect of what are termed the “ pledges ” contained in section 87 of the Statute 3 and 4 Will. IV. c. 85., and in the declaration embodied in Her Majesty’s Proclamation of November 1st, 1858. This matter is discussed in paragraph 16 of the enclosed memorandum ; and some further observations upon it will be found in the opening paragraphs of Sir Dennis Fitzpatrick’s note (enclosure No. 7). The first of these passages merely announced the removal of a disability ; and the contention that it contained any pledge of the extensive admission of natives to the East India Company’s Civil Service is inconsistent with the machinery which the same Statute provided, in the provisions relating to the College at Haileybury, for entrance to that Service ; no native of India ever was, or could have been expected to be, nominated to Haileybury by the Directors of the East India Company. The second was expressly limited by the important words (which state your Lordship’s “ essential condition ” in another form)—“ so far as may be.” In so far as the declaration contains a pledge, effect was given to it by Parliament, with a full knowledge of all the circumstances and after 12 years’ experience of the competitive system established by the Act of 1858, in the Statute of 1870, which was deliberately framed, in view of the disadvantages imposed upon Indians in competing at the London examination, to provide “ additional facilities for the employment of natives of India of “ proved merit and ability in the Civil Service of Her Majesty in India.” This Statute is in fact, as your Lordship pointed out in your Despatch of the 8th January 1885 (see paragraph 24 of the memorandum), “ the remedy provided by Parliament itself for any “ inconvenience or injustice which the natives of India might be shown by experience “ to suffer ” in consequence of the examination being held in London only. A full statement of the measures taken to give effect to the Act of 1870 is contained in Part IV. of our memorandum, from which it will be seen that its policy has been loyally accepted by successive Governments, that the fullest consideration has been bestowed upon the best means of carrying its provisions into operation, and that the condition of things embodied in the Orders of the 21st April 1892 and 7th January 1893 (Appendices III. and IV. of the memorandum), which have received the approval of Her Majesty’s Government, is generally considered by all the Governments and Administrations in India, with the exception of two members of the Government of Madras, as the best mode in which its intentions can be satisfied.

We need not reproduce here the weighty words of the Duke of Argyll in his Despatch, No. 3, dated the 8th April 1869, when he announced the policy of the measure which became the Statute of 1870 ; they are quoted in full in paragraph 3 of our circular of the 5th August last. We have only to say that we subscribe to every word of what he

then wrote, and consider that his anticipations have been most fully verified by the experience of the 23 years which have since elapsed.

Accepting the essential condition stated by your Lordship, the next question to be considered is the *minimum* extent to which the employment of Europeans (including in that term natives who have successfully competed in London) in the Indian Civil Service is indispensable. The orders at present in force fix that proportion at five-sixths of the *cadre* offices. And in the opinions enclosed your Lordship will find that this proportion is approved as suitable to present conditions by the Governments of Bombay (paragraph 11), Bengal (paragraphs 3 and 7), the North-western Provinces and Oudh (page 38), and the Punjab (page 52), and by the Chief Commissioners of the Central Provinces (paragraph 2), Burma (paragraph 2), and Assam (paragraph 3). In the last two provinces, however, the backward condition of the people as regards education prohibits the employment of natives in covenanted posts. In Burma natives of other parts of India, Mr. Fryer states, "are regarded with dislike and, he is afraid "he must add, contempt by Burmans" "It is highly undesirable that "natives of India should under any circumstances be deputed to serve in the higher "executive appointments in Burma, and as yet no Burmans have succeeded in passing "the competitive examination for the Indian Civil Service; and though there may be one "or two exceptions, Burmans have not as a rule as yet acquired the educational "qualifications necessary to enable them to pass these examinations." In Assam the difficulty arises mainly from the large proportion of European settlers and from the proximity of barbarous or semi-barbarous tribes; the natives of the province have not so far acquired the education or developed the strength of character which would enable them successfully to administer districts so situated.

The only dissentient is the Government of Madras, which, as at present constituted, considers that it would be sufficient if two-thirds of the administrative posts in that Presidency were held by Europeans. This opinion is, however, opposed to that which

* *Vide* paragraph 4 of the Madras Government's letter, No. 401, dated the 4th June 1890,—enclosure No. 9 of our Despatch, No. 39 (Public), dated the 7th June 1892.

the same Government expressed* in 1890, when we consulted them as to the number of posts to be assigned to the Provincial Service which was constituted by the Resolution of the 21st April 1892; and we are not at present prepared to accept it even for the Presidency of

Madras. No Native Civilian in Madras has until the last two months (when a temporary appointment was made) been tried in the executive charge of a district; only one has held permanently the post of District and Sessions Judge; and we consider that until further experience has been gained, by the employment of natives of the Presidency in the 15 covenanted posts which have under existing orders been thrown open to them, of their aptitude for such office, it would be unwise to make any change in the present arrangements.

Our answer to this question is, therefore, that it is indispensable that five-sixths of the *cadre* posts of the Indian Civil Service should for the present be held by Europeans or Indians who succeed in passing the competitive examination in London. We are indeed of opinion that the proportion of natives of India who succeed in entering the service by competition at the London examination requires to be closely watched; and we agree with Sir Charles Crosthwaite (page 39) that it may become necessary hereafter to restrict the total proportion of Indians in the service, as Lord Ripon's Government proposed, to 18 per cent. or some similar figure.

We now turn to the question whether it is desirable that the proportion of the covenanted posts—whatever it be—for which natives can be appointed in India, should be thrown open to competition, and if so, subject to what limitations. It will be seen that this question has been very fully discussed in the replies enclosed. The Madras Government alone is favourable to such a competition; and even that Government considers "that it would be sound policy to meet the objections stated, and to obviate "the risk of the successful candidates being all of one race, by ruling that the natives "of each Province should be confined to their own Provinces" (paragraph 6). This condition is also insisted on as necessary by the Governments of Bengal (paragraph 6) and the Punjab (page 53). Sir Dennis Fitzpatrick's observations on the subject sum up all that can be said in regard to it, and have our full concurrence. We hold with him that the natives of one part of the country would, from their dispositions, ways, and habits, not be well fitted to discharge the duties of a Civil Officer in another part, and that we should certainly avoid putting the subordinate officers of one Province under the control of a superior officer drawn from another. In the event of the

adoption of a system of unrestricted competition for the whole of India, there can be no doubt whatever that the successful candidates would, at least for some time to come, be found almost entirely amongst the Bengali competitors; and we share the apprehension which is, we believe, universally felt, as to the results which would follow from the intrusion of a numerous body of officials drawn from this source into the higher appointments of other Provinces. The remaining replies, objecting as they do altogether to selection by competition in India for covenanted posts, do not particularly refer to the matter; but it may be assumed that if any such scheme of competition were adopted, the writers would be in favour of restricting the examination to persons domiciled in the Province.

But any system of purely literary competition would, in our opinion, be open to the most serious objection. The literary test, and particularly that form of examination which is conducted upon paper, ignores and excludes altogether the consideration of many qualities which it is not only desirable, but essential that the men appointed to the Indian Civil Service should possess. The moral, social, and hereditary attributes of a candidate are, at least, of equal importance in the aggregate to the intellectual; and even the intellectual capacity is but partially tested in a paper examination in which memory may count for more than intelligence and reasoning power. This criticism, it may be said, applies equally to such examinations, wherever they may be held, whether in India or in England. The present system, however, under which no Indian candidates are likely to enter the service by competition except after a considerable period of residence and study in England, was obviously designed with the object of limiting this mode of admission to Indian candidates whose exceptional courage and energy had led them to proceed to England and to compete in that country, and who, to some extent at all events, had been brought within the influence of that wider form of education to which English schools and universities owe so large a measure of their success. Your Lordship will observe that, in the opinion of all, except the Government of Madras, the proposal under discussion would have the most unfortunate results. The Government of Bombay write (paragraph 18)—

“Its effect would be to limit the field of recruitment to untried men, at the same time that it would give a distinct advantage to competitors of a class well known in India, who combine the greatest aptitude for study with a marked lack of the qualities most needed in positions of responsibility.”

Sir Anthony MacDonnell considers (paragraph 6) that—

“It would be a public calamity if the improved tone of the Administration were to be destroyed, as it would be if any of the modes for admission into the Service, stated in the 21st paragraph of the letter under acknowledgment, were adopted.”

Sir Charles Crosthwaite, after fully discussing the matter, sums up his conclusions thus:—

“It is possible to fill the posts in the Civil Service of India reserved for natives of India by competitive examinations in India. But that system is inferior to the present method of recruitment, inasmuch as it will injure the present Provincial and Subordinate Services without giving us better men; and it is unjust, administratively bad, and politically dangerous, because it will exclude Muhammadans from the Service.”

Sir Dennis Fitzpatrick examines the question exhaustively in his note, and finally decides, for reasons fully stated at pages 53, 54, against any form of competition. The extract from Sir James Lyall's report of June 1888, which he encloses, gives the opinion in the same sense of a late Lieutenant-Governor “whose intimate knowledge of the Punjab and its people may, Sir Dennis Fitzpatrick thinks, be said to surpass that of any person now living.”

Mr. Woodburn writes (paragraph 6)—

“No native who has any stake in the country beyond a college diploma wants competition for the superior service.”

Mr. Fryer is of a similar opinion (paragraph 4)—

“I am quite sure that if the millions of India who take no part in political agitation could be consulted, they would by a vast majority elect to be ruled by

men who have risen in the Service by merit rather than by men of whom they know nothing and who know nothing of them, and whose only claim to be enlisted among the rulers of the land is that they have succeeded in passing a literary test."

We are entirely in accord with these authorities. The advantages of competition are confined to the selection of raw material for the posts to be supplied; it checkmates nepotism, and provides a general average of acquirement in the candidates so chosen. But until an officer so selected has been tried in practical work, his fitness is not fully ascertained; and in such work we have the means of putting him through a further examination, on the result of which his advancement to high office must, in every sound system of Government, depend. Competition, therefore, is, for the reasons pointed out by Sir Charles Crosthwaite (page 39), and Sir Dennis Fitzpatrick (page 54), only suitable for entering into the lowest grades of the Service. Further promotion, to such posts as the covenanted offices, would rightly fall only to those who had fully proved their fitness for it. In these offices we cannot afford the risk of failures. In recruiting Europeans we are, from the nature of things, compelled to select our officers at an early age and to trust to the practical training which they will receive to fit them for the higher offices of the State; but in regard to natives of the country we are under no such necessity, and it is obvious that there is no danger of nepotism.

We must not leave this part of the subject without pointing out that admission to the Civil Service by open competition in India might not improbably produce injurious results upon the quality of the European as well as the Indian members of that service. It is conceivable that, under a system of simultaneous examinations such as that proposed, cheap educational establishments might spring up in this country capable of producing a considerable number of successful candidates in a literary competition, from among the sons of English parents living in India and unable to afford the expense of educating their children at home. Such a result would, in our opinion, be a serious misfortune for the Civil Service. We have pointed out, in the memorandum enclosed with this Despatch, that the appropriateness of competitive examination, as a test for European candidates, has always been regarded as depending, in a great measure, upon the important fact that education in the United Kingdom at a large school or college embraces not merely a course of literary instruction, but also a training in life and conduct which forms the character. This condition would certainly not be fulfilled in the case of candidates of European descent, brought up and prepared for examination in this country. In this connexion, we may refer to the effect which the proposal would have in discouraging the better class of Europeans from competing in England for a service likely to be very largely composed of Indians. This point has been stated more at length, but with great moderation, by Sir Dennis Fitzpatrick (page 44).

The question what the results would be of a system of unrestricted competition, even if confined to natives of the Province, for appointment to covenanted posts, is one in regard to which there is hardly room for doubt. The matter has already been fully examined in the light of experience in Bengal, where the system prevailed, for entrance to the Provincial Service, for a series of years. Your Lordship will find in paragraph 46 of our memorandum a statement of the data thus afforded. In that Province, one of the most advanced in India from an educational point of view, Sir Stuart Bayley in 1889 held that—

"At the present time, and probably for many years to come, the immediate effect of recruiting the Subordinate Executive Service on an exclusively competitive basis will be to debar Muhammadans, natives of Behar, and natives of Orissa, from any reasonable chance of obtaining appointments. Not only would this be unfair in itself and contrary to established policy, but it would tend to encourage feelings of race jealousy and antagonism, which have already begun to show themselves, and which might at any time give rise to serious difficulties."

The most serious, perhaps, of all the objections to such a method for the recruitment of natives of India for covenanted posts is that it would, if the determined minimum of Europeans is to be maintained, involve the withdrawal from the Provincial Service of the proportion of such posts which was deliberately and publicly made over to that service only 18 months ago. This is the opinion of the Governments

of Bombay (paragraphs 20 and 21), Bengal (paragraph 6), the North-western Provinces and Oudh (page 39), and the Punjab (pages 54, 55), and of the Chief Commissioners of the Central Provinces (paragraphs 6 to 8) and Burma (paragraph 4). In Assam the question does not arise, as no covenanted posts have been thrown open to the Provincial Service. Madras is the only Province from which objections are raised to the existing Provincial Service; and we cannot but think, in view of the remarkable improvement in that service which is ascribed elsewhere to the enlargement of its prospects by the scheme set forth in the Resolution of April 1892, that the scheme and its probable effects there have been somewhat misapprehended by his Excellency the Governor in Council.

We will not lengthen this Despatch by further quotation, but will content ourselves by expressing full agreement with the view stated by the Duke of Argyll in his Despatch of the 8th April 1869, which is also the view held by the Public Service Commission of 1886-87, by the Government of India when considering that Commission's report, and by the Secretary of State when passing orders on it:—

“I have come to the conclusion that our duty towards the natives of India in respect to the giving them a larger share of employment in the administration of their own country is a duty which must be mainly discharged in India on the principle of careful and cautious selection. A more free employment of them in the Uncovenanted [now Provincial] Service, and promotion according to tried ability from that service to the Covenanted [Indian Civil] Service, would seem to be the method of proceeding least beset with difficulties and least open to objection. *This would, indeed, be a competitive examination of the best kind.*”

Finally, we would observe that much misapprehension appears to prevail as to the extent to which natives of India are already employed in responsible executive and judicial office. The facts will be found in Part II. of our memorandum; and from Part V. it will be seen that the Provincial and Subordinate Services are essentially Native Services, with only a sprinkling of Europeans in the former, who have been recruited for special and exceptional reasons (paragraph 39 of memorandum).

Taking the years 1870, 1881, and 1893 as convenient points from which the progress of the scheme for the freer employment of natives can be reviewed—the first because it was the year of the Statute 33 Vict. c. 3, s. 6, and the second because it was the year when the recruitment of the Indian Civil Service was reduced by one-sixth, the following table shows the distribution of the three Services in each of those years:—

| | 1870. | 1881. | 1893. |
|---|-------|-------|-------|
| <i>I. The Covenanted Service, consisting of—</i> | | | |
| (1) Covenanted Civilians | 890 | 900 | 898 |
| (2) Military, Uncovenanted, and Statutory Civilians | 331 | 221 | 216 |
| Total | 1,221 | 1,121 | 1,114 |
| <i>II. The Provincial Service—</i> | | | |
| (1) Executive branch | 576 | 726 | 1,030 |
| (2) Judicial branch | 583 | 679 | 797 |
| Total | 1,159 | 1,405 | 1,827 |
| <i>III. The Subordinate Service</i> | 962 | 1,368 | 1,908 |

It is to be remembered that between 1881 and 1893 the annexation of Upper Burma entailed a considerable demand for covenanted officers, and that the ordinary and inevitable increase in public business which has occurred in 23 years has called for reinforcements in almost every department of the Administration; yet the whole strength of the Covenanted Service (including military and other officers holding covenanted posts) is now seven less than in the former year, and 107 less than in 1870. In the Provincial Service there has been an increase since 1870 of 57·6 per cent., and in the Subordinate Service of 98·3 per cent. The number of Covenanted Civilians would, in spite of the annexation of Upper Burma, have shown a greater decrease but for a process which has been going on since 1870, of substituting, in the interests of greater efficiency, Indian Civilians for Military and Uncovenanted officers in the Non-Regulation Provinces. The European Service is, in our opinion, now at its *minimum* strength, and no further reduction will be practicable for some years to come. In the

event, however, of experience showing that in any Province or at any time the number of high native officers may be safely increased, we are clearly of opinion that the best course is to proceed under the Statute of 1870 and on the lines of the change which has just been accomplished. The principles on which the Provincial Service has been constituted should continue to be maintained; but (as shown in paragraph 35 of our memorandum) there is no finality about the lists of "covenanted offices" which have been thrown open to members of that service. These lists have been prepared with reference to proximate possibilities; but they are capable of alteration and expansion from time to time as circumstances may require or permit.

It may be convenient that we should briefly summarise the reasons for which we find ourselves unable to recommend to your Lordship the adoption of the proposal embodied in the House of Commons' Resolution :—

- (1.) No such concession is necessary for the fulfilment of the so-called pledges upon which the claim has been founded.
- (2.) The practical difficulties of introducing a system of simultaneous examinations would be extremely serious.
- (3.) It is conceded that, in order to ensure the efficient government of the country, a minimum of European officials is indispensable. Such a minimum could not be maintained in the event of simultaneous examination being resorted to in this country.
- (4.) It would be entirely out of the question to reduce the existing minimum of Europeans at the present time.
- (5.) Open competition is not the best way of selecting natives for the higher ranks of the service. It may be necessary in Europe in order to check nepotism, but in this case nepotism is impossible. Probation by actual employment forms a competitive examination of the best kind. Competitive examination in India would certainly have the effect of admitting a large number of competitors deficient in the qualifications necessary for the higher ranks of the service, and whose antecedents and origin would not be such as to command the confidence or the good-will of the classes for whose welfare they would be responsible; on the other hand, it would exclude the most valuable and capable assistance which the British Government could obtain from natives of India, in the Sikhs, Muhammadans, and other races accustomed to rule and possessing exceptional strength of character, but deficient in literary education.
- (6.) The proposed change would, unless the irreducible minimum of Europeans is to be diminished, involve the withdrawal of the appointments recently given, after the fullest consideration, to the Provincial Service, and would thus deprive that Service of the prizes promised to it, disappointing its hopes and lowering its efficiency by a sense of injustice.

From C. J. LYALL, Esq., C.S.I., C.I.E., Secretary to the Government of India, to the CHIEF SECRETARY to the GOVERNMENT of MADRAS, the CHIEF SECRETARY to the GOVERNMENT of BOMBAY, the CHIEF SECRETARY to the GOVERNMENT of BENGAL, the CHIEF SECRETARY to the GOVERNMENT of the NORTH-WESTERN PROVINCES and OUDH, the CHIEF SECRETARY to the GOVERNMENT of the PUNJAB, the CHIEF COMMISSIONER of the CENTRAL PROVINCES, the CHIEF COMMISSIONER of BURMA, the CHIEF COMMISSIONER of ASSAM. No. 27/1081-1088.

Home Department.

Public.

SIR,

Simla,

5th August 1893.

I AM directed to forward, for the favour of an expression of the opinion of His Excellency the Governor in Council His Honour the Lieutenant-Governor (& Chief Commissioner), a copy of a Despatch from the Secretary of State, dated the 22nd June last, on the subject of a Resolution passed by the House of Commons as to the holding of simultaneous examinations in India and England for the Indian Civil Service.

The Resolution mentions the "Civil Services of India," but it is apparent from the discussions in the House of Commons and elsewhere that the "Covenanted Civil Service" or "Civil Service of India" is meant.

2. Before proceeding to state definitely the questions on which the Governor General in Council desires ^{the opinion of} ~~His Excellency the Governor in Council~~ His Honour the Lieutenant-Governor (& Chief Commissioner), I am to review ^{your opinion}

briefly the measures which have been taken in recent years for extending the employment of natives of India in offices ordinarily reserved for the Indian Civil Service. This letter, I am to explain, is not meant to be complete in itself; and it should be read side by side with the Report of the Public Service Commission and regarded as supplementary to the latter. It will not be necessary for the present purpose to go back to a period much before 1870; for the Statute of that year (33 Vict. c. 3. s. 6) was intended by its framers to provide the parliamentary remedy for the disadvantages under which native candidates labour in being compelled to go to England for the examination required for admission to the service.

It has not been overlooked that neither the Statute of 1861 (24 & 25 Vict. c. 54.) nor the Statute of 1870 is strictly applicable—with one or two exceptions—to appointments in the so-called non-Regulation Provinces; but, as the principle of both Statutes has now been extended everywhere, it will be unnecessary in this letter to distinguish between the Regulation and non-Regulation Provinces.

3. In 1868 the Government of Lord Lawrence proposed the establishment of a system of scholarships to assist natives of India to proceed to England for the purpose of completing their education and qualifying for the Civil Service and the professions. This system, in so far as its main object was to facilitate the entrance of natives of India to the Covenanted Service by competition in England, did not approve itself to the Secretary of State (the Duke of Argyll), who remarked that a Bill (subsequently passed as the Statute of 1870) was then before Parliament, which, if passed, would enable the Government of India to appoint natives to covenanted offices in India itself; and that, having regard to political exigencies, and to the circumstances of the various races and peoples inhabiting the country, a system of careful and judicious selection was required in respect of natives of India rather than the competitive system. In his Despatch, No. 3, dated the 8th April 1869, the Duke of Argyll said:—

"The question would then* arise whether education in England and success in a competitive examination is the only, or in all cases the best, test of fitness for office as regards the natives of India.

* i.e., in the event of the Bill passing into law.

"This question involves very different considerations from those which have determined the adoption of the competitive system as applicable to Europeans. At home selection meant patronage, and patronage was distributed among friends and relatives. When patronage was abolished, open competition was the only alternative. Under the competitive system, although success does not in itself ensure aptitude for rule or official ability, yet there is at least a better chance of these qualifications being secured than under family or political patronage. And since Europeans have generally those qualities by which they have won, and still hold, the Indian Empire, the tests of competitive examination are, on the whole, good tests as between different candidates of the English race.

"But this principal cannot safely be relied upon as regards the natives of India. It is notorious that in their case mere intellectual acuteness is no indication of ruling power. In vigour, in courage, and in administrative ability some of the races of India most backward in education are well known to be superior to other races which intellectually are much more advanced. In a competitive examination the chances of a Bengali would probably be superior to the chances of a Pathan or a Sikh. It would, nevertheless, be a dangerous experiment to place a successful student from the colleges at Calcutta in command over any of the martial tribes of Upper India.

"And to these practical disqualifications of race must be added the not less serious difficulties which may arise out of the circumstances of rank and caste. Although the prejudices of caste are, we may hope, gradually giving way, they are still powerful; and although nothing should be done to encourage or to foster them, it would yet be in the highest degree imprudent to disregard their existence and their strength. The influence of rank and of social position is hardly less strong in many parts of India. So much do you recognise this to be the fact that in

your proposed scheme the majority of the scholars are to be selected solely with reference to this qualification. But this is an element altogether alien to the system of competitive examination, and it is not easy to see how it can be dealt with in perfect harmony with that system. In whatever degree the Government of India may be compelled by the social condition of the country to be guided in their appointments by such considerations, their action should be disconnected as much as possible with the tests of mere literary examination.

“On the whole, I have come to the conclusion that our duty towards the natives of India in respect to the giving them a larger share of employment in the administration of their own country is a duty which must be mainly discharged in India on the principal of careful and cautious selection. A more free employment of them in the Uncovenanted Service, and promotion according to tried ability from that service to the Covenanted Service, would seem to be the method of proceeding least beset with difficulties and least open to objection. This would indeed be a competitive examination of the best kind. But the wide diversities of character which prevail between different parts of India make it essential that each Province and race should be treated by itself.

“It should never be forgotten, that there should never be any hesitation in laying down the principle, that it is one of our first duties towards the people of India to guard the safety of our own dominion. For this purpose we must proceed gradually, employing only such natives as we can trust, and these only in such offices and in such places as, in the actual condition of things, the Government of India may determine to be really suited to them.”

The Scholarship scheme was accordingly discontinued, and section 6 of the Statute of 1870 was passed to give effect to the policy (declared in its preamble) that “additional facilities should be given for the employment of natives of India of proved merit and ability in the Civil Service of Her Majesty in India.” The Statute of 1861 (24 & 25 Vict. c. 54.) had reserved the offices described in its schedule exclusively for Members of the Covenanted Civil Service appointed in England by the Secretary of State; the Statute of 1870 for the first time empowered the authorities in India to appoint any natives of India (but no other persons) to such offices, although they might not have been admitted as Members of the Covenanted Civil Service. This power was to be exercised subject to rules to be prescribed by the Governor General in Council and sanctioned by the Secretary of State in Council; and for the purposes of the Statute the words “Natives of India” meant persons “born and domiciled within the dominions of Her Majesty in India of parents habitually resident in India and not established there for temporary purposes only.”

The substance of the correspondence with the Secretary of State on the Scholarship scheme was communicated to Local Governments and Administrations in Home Department Resolution No. 5—25-32, dated 18th January 1870.*

* Omit in letters to Burma and Assam.

4. The Rules framed in 1873 and 1875 under the Statute of 1870 are described in paragraphs 40 and 41 of the Report of the Public Service Commission.* The Rules of 1875 were found to be unworkable. This led Lord Lytton's Government to take up the question afresh, and, after a careful consideration of it in communication with Local Governments and other authorities and persons, they submitted a scheme to the Secretary of State in 1878, the main features of which were: (1) that a separate superior Native Civil Service should be constituted having the same status and position as the Covenanted Service; (2) that about 10 to 20 per cent. of the higher posts in the (then) Subordinate Executive and Judicial Services should be transferred to this new Service; (3) that about 15 per cent. of the covenanted posts in most Provinces should also be declared open to it; and (4) that the competition in England for the ordinary Covenanted Service should no longer be open to natives of India. The Secretary of State (Lord Cranbrook), however, negatived this scheme. The Despatches to and from the Secretary of State relating to it were not communicated to Local Governments, but they were published in a collection of parliamentary papers in 1879.

5. In the next year the Statutory Rules of 1879, dealt with in the 42nd and following paragraphs of the Public Service Commission's Report, were promulgated. They remained in force until they were superseded quite recently by the Provincial Service scheme. They provided, briefly, that a proportion of the recruitment for posts in the

* See Parliamentary Paper, C. 5327 of 1888.

Covenanted Service up to a *maximum* of one-sixth in each year (exclusive of military recruits for frontier non-Regulation Commissions) should be natives of India appointed in this country under the Statute of 1870. As a necessary arrangement for giving effect to these rules, and for making room in the covenanted grades for natives of India to be appointed under the new system, the number of candidates to be recruited each year in England was reduced by one-sixth from 1880. This reduction is still being maintained, the recruitment in England being conducted on a scale sufficient to man only five-sixths of the posts (exclusive of posts reserved for military officers) in the *cadre* of the Indian Civil Service.

I am to explain in this connexion that the figures given in paragraph 45 of the Public Service Commission's Report are merely estimates; the maximum number of Statutory Civilians who might actually have been recruited in each year was not a fixed number of 7·6, but a fluctuating number dependent on the number of recruits who actually came out from England. Until the Statutory system was condemned in 1886-87, the *maximum* number of appointments admissible under the Rules was actually made. This averaged six a year.

6. Another change of importance, which incidentally affects the present question, was made about the same time. The maximum age for the competition in England was reduced in 1878, with reference to the circumstances of European candidates studying in the United Kingdom, from 21 to 19 (paragraph 32 of the Commission's Report).

7. This reduction of the age-limit was considered to have operated unfavourably to natives of India, only one native candidate having passed the open competition in England under the new arrangements up to 1884. At the same time it was found that the working of the Statutory Rules of 1879 had not been attended with that success which had been anticipated. The system had failed because the Statutory Civilians appointed under it were not ordinarily persons who had been properly tried in previous Government service; and it was asserted that most, or, at all events, many, of them would have willingly joined the (then) Subordinate Services. Consequently Lord Ripon's Government reconsidered the whole question and formulated the following proposals, which were submitted to the Secretary of State in a Despatch, dated the 12th September 1884: (1) that additional facilities should be afforded to natives of India to compete in England by raising the age limits from 17-19 to 18-21, and by making certain alterations in the scheme of the examination in a direction favourable to native candidates; (2) that a proportion of the total recruitment of each year for the Covenanted Service, fixed at 18 per cent., should be reserved for natives of India; (3) that competition in England should be regarded as the primary method of recruiting Native Civilians; and (4) that appointment in India under the Statute of 1870 should only be resorted to as a supplementary method in order to make up any difference between the number of natives actually recruited in England and 18 per cent. of the total recruitment of the year. The Secretary of State, in his Despatch of the 8th January 1885, negatived these proposals on the grounds—among other reasons—(1) that it would be inconsistent with the nature of an open competitive examination to limit the number of native candidates who might be successful to 18 per cent. of the total number selected, if more of them should obtain places in order of merit; (2) that the competitive examination was established as a test between European candidates and adjusted to the conditions of English education generally, and that it could not be so manipulated as to give an advantage to natives of India or any other particular class of candidates; and (3) that the principle that the competitive examination should be regarded as the primary method of recruiting natives of India for the Civil Service, and appointment under the Statute of 1870 as a supplementary method, was not the correct principle, inasmuch as Parliament had enacted the Statute of 1870 expressly for the appointment in India of natives of India to such covenanted offices as they might be fitted for by their qualifications. "The Act passed in 1870," his Lordship observed, "is in fact the remedy provided by Parliament itself for any inconvenience or injustice which the natives of India might be shown by experience to suffer owing to the necessary adaptation of the examination in London to the circumstances of home-born rather than of Indian competitors for the Civil Service." He was accordingly of opinion that whatever modifications were required in the Statutory system of 1879 should be made under this Act. This correspondence is referred to in paragraphs 3 and 4 of the Government of India's published Despatch, No. 58, dated 9th October 1888.

8. Various proposals for improving the Statutory Rules were then considered by Lord Dufferin's Government, with the result that the Public Service Commission was appointed in 1886. Meanwhile, the Statutory system of 1879 was continued as a provisional arrangement; the principal change of importance made in the later years of its working was that there was an increased tendency to appoint as Statutory Civilian men of more advanced age who had already proved their merit and ability by good service in the subordinate departments.

9. The recommendations of the Public Service Commission are fully and clearly set forth in their report (especially in paragraph 77). I need only mention the chief principles underlying them. These principles were: (1) that the Statutory Service, established under the Rules of 1879, should be abolished; (2) that a "Provincial Civil Service" should be constituted from the higher ranks of the (then) Subordinate Executive and Judicial Services; and (3) that about one-sixth of the covenanted executive and judicial charges should be excluded from the *cadre* of the Covenanted Civil Service (which they suggested should be called the "Imperial Civil Service," but which is now called the "Civil Service of India" or "Indian Civil Service"), and declared open as a permanent arrangement to members of the Provincial Service. The Commission, in fact, recognised and adopted the tendency referred to in the last paragraph to appoint to covenanted offices persons who had already proved their fitness for such preferment by meritorious service in subordinate posts; and one of the chief objects of their proposals was to raise the status and dignity of the entire Provincial Service by holding out to its most distinguished members the prospect of promotion to the higher covenanted offices as the reward of merit and capacity.

10. The views of the Government of India (Lord Dufferin's Government) on the recommendations of the Commission will be found in their Despatch, No. 58, of the 9th October 1888, and the conclusions of the Secretary of State (Lord Cross) thereon in his Despatch, No. 104, of the 12th September 1889. These Despatches were published for general information in October 1889,* and copies of them were forwarded

to the Madras
Bombay
Government of Bengal
the North-western Provinces and Oudh
the Punjab with Home Department letter.
the Central Provinces
Chief Commissioner of Assam

.....
Omit in letter
to Burma.

No. 300.
301.
302.
303.
304.
305.
306. dated 14th February 1890.*

The Provincial Service scheme recently instituted† closely follows the recommendations of the Commission. There are

† Home Department Resolutions, Nos. 9—1,342-52, dated 21st April 1892, and Nos. 7—47-49, dated 7th January 1893.

Home Department Notification, No. 2,159, dated 2nd November 1892.

practically only three material points on which it differs from the scheme recommended. In the first place, fresh legislation has not been resorted to, as was suggested, but the Statute of 1870,

which gives ample powers in this behalf, has been retained as the basis for the appointment of members of the Provincial Service to the "listed" posts (*i.e.*, covenanted posts declared open to the Provincial Service). Secondly, these "lists" have been drawn up not in any way as a permanent arrangement (as the scheme of the Commission contemplated), but with reference only to proximate reasonable requirements; and they are liable to modification and expansion from time to time according to varying circumstances and necessities. The number of posts listed at present is, therefore, somewhat below the number and proportion recommended by the Commission; but a larger number of posts, and especially of the higher offices, would not, under the necessary conditions of the Provincial Service scheme—or indeed under the scheme proposed by the Commission itself, which was to have been gradually worked up to during "nearly a generation of official life"—have become available for some years to come. Thirdly, as regards (1) Commissionerships of Divisions and (2) Memberships of the Board of Revenue and Financial Commissionerships—where these offices exist—it will be seen from the Despatch of October 1888 that the Government of India were not

prepared to amalgamate them with the Provincial Service. Appointments to these important offices are invariably made by special selection; but it is still open to the Government under section 3 and 4 of the Statute of 1861 (24 & 25 Vict. c. 54.) to appoint a member of the Provincial Service to either office, if he is selected for it. The Government of India considered that—for the present at any rate—it was better to rely on this power of exceptional appointment in the case of these very high offices than to list them as open to the Provincial Service, and thus to create expectations which certainly could not be fulfilled within any reasonable time.

11. As it appeared from a memorial received last year from the Indian Association that there was much misapprehension regarding the Provincial Service scheme, the Government of India caused a full explanation of it to be sent to the memorialists in my letter, No. 1,838, dated 22nd August 1892. A copy of this letter is enclosed for

the information of His Excellency the Governor in Council
His Honour the Lieutenant-Governor (and Chief Commissioner) .
 your information

12. As regards the proportion of covenanted offices reserved for Indian recruits, the Provincial Service scheme makes precisely the same provision as the Statutory Rules of 1879. Under the latter rules about one-sixth of the *total number of recruits* each year (military recruits excepted) were appointed in India; under the new scheme one-sixth of the *posts* annually recruited for become available for transfer to the Provincial Service. The difference between the number of *recruits* appointed annually and the number of *posts* annually recruited for will be readily understood [by the Governor in Council Lieutenant-Governor]. The number of *recruits* is, of course, always larger than the number of *posts*. The Statutory Civilians, for instance, were recruited so as (1) actually to fill the number of posts recruited for; (2) to provide an excess number of officers as a reserve for leave vacancies; (3) to furnish a certain number of officers merely in training and not yet sufficiently experienced to hold sanctioned posts. Under the Provincial Service scheme (2) and (3) are met from the general body of officers in that service holding posts other than those listed for transfer.

On these points, and in further explanation of the second point dealt with in paragraph 10 of this letter, I am to quote the following from paragraph 18 of Lord Cross's Despatch of September 1889:—

“ While these lists will definitely indicate the higher offices which are recognised by the Government as the most suitable field for the employment of competent men of the Provincial Service, and in which nothing but unfitness should prevent them from being employed, the papers before me show that the time and extent of their admission to these offices are also definitely prescribed by certain circumstances which cannot be left out of account. With regard to the time, the Commission has admitted that the claims of the Covenanted Civil Service must defer for some years the full introduction of its scheme. I concur with the Government of Lord Dufferin that this preferential right must be accorded to the Covenanted Civilians and the other officers in the ranks of the several Commissions who entered the service before the reduction of recruitment in 1880. With regard to the extent of admission, the Government of India have rightly indicated in a passage which I have quoted that this question has already been solved by the reduction of recruitment for the Covenanted Civil Service in 1880, which satisfied the requirements of the Commission. In other words, the reduction of the Civil Service recruits by one-sixth, and the substitution for that one-sixth of natives selected under the Act of 1870, defines the maximum extent to which, under present arrangements, room in the higher offices will gradually become available for competent members of the Provincial Service. The reduction of the Covenanted Civil Service is already taking effect in respect of the sixth of the junior reserved offices; and, when it is completed, that service will cease to have any special claim to the same proportion of the reserved offices as a whole. On the basis of these considerations, it is practicable to calculate the number of reserved offices to which members of the Provincial Service may be appointed after existing prior claims have ceased through efflux of time, and the definiteness of the prospect thus offered to the Provincial Service is precisely what would be secured to it by the proposals of the Commission approved by the Government of India.”

[] Omit in
 letter to Central
 Provinces, Burma,
 and Assam.

13. The competitive system for the recruitment of the Covenanted Service is dealt with in Chapter II. of the Commission's Report. The summary given shows that the system was designed as a test for European candidates, and that the scheme of examination was arranged with reference to the circumstances of education in the United Kingdom. The circumstances of natives of India have, however, been kept in view in subsequent modifications of the scheme so far as to ensure that there shall be no unfair obstacles in the way of their competing in England under the prescribed tests. In paragraph 60 of their Report the Commission considered and negatived the proposal for simultaneous competition in India; and in paragraph 64 they decided against the proposal for a separate competition for natives of India. Nor did they recommend the competitive system for making appointments to the covenanted offices to be thrown open to the Provincial Civil Service; their proposals contemplated a strict system of careful selection from among persons of proved merit and ability in Government service or (in the case of the Judicial Branch only) in the practice of the legal profession.

14. It will be noticed from paragraph 62 of the Report that the Commission considered from the point of view of native candidates the question of the age-limits for the open competition in England. They recommended a return to the original maximum of 23 in the interests of such candidates. This recommendation has been adopted, and, having regard also to the circumstances of European candidates, the age-limits for all alike have been fixed at 21-23.

15. I am now to give a brief account of certain cases appearing on the records of this office in which applications for an examination in India for admission to the Covenanted Service have previously been made and considered.

In 1868 the British Indian Association in Bengal submitted a memorial to the Secretary of State, praying that the examination might be held in India, and that a definite share of covenanted appointments might be thrown open to Indian competition. The Government of Lord Lawrence, in forwarding it to the India Office, remarked in their Despatch, dated the 13th June 1868, that they were "most desirous that no opportunity should be lost of admitting to a larger share in the administration of this country natives of tried ability and character," but at the same time they expressed the opinion "that the adoption of the course which has been suggested in this memorial would be highly inexpedient." A similar memorial had been submitted through the Government of Bombay by the Bombay Association. The Secretary of State (Sir Stafford Northcote), in his Despatch of the 14th October 1868, addressed to the Bombay Government (copy of which was enclosed in a Despatch to the Government of India in reply to the Bengal memorial) declined to accede to this request, having regard to the character and objects of the examination and to the fact that a Bill was then before Parliament (subsequently passed as the Statute of 1870) which would give an opening for the appointment in India of natives of ascertained fitness to such covenanted offices as it might be possible to fill otherwise than by competition. [A copy of this Despatch was forwarded to the Bengal Government under Home Department endorsement, No. 4,678, dated the 7th December 1868.] It was as the result of this correspondence that the Scholarship scheme referred to in paragraph 3 of this letter was proposed.

To Bengal only.

16. In 1876 the same Association in Bengal repeated their request on the ground (chiefly) that the contemplated reduction in the age-limit for competition in England from 21 to 19 would injuriously affect native candidates. The Secretary of State (Lord Cranbrook), in his Despatch of the 14th November 1878, expressed himself unable to accede to this request. The request as he remarked, resolved itself into a question of reserving a certain number of appointments annually for competition in India; and the Government of India were at that time in communication with him on the subject of reserving a proportion of covenanted offices for natives of India under the Statute of 1870, a reform which was subsequently effected by the Statutory Rules of 1879. [The Secretary of State's Despatch was forwarded to the Government of Bengal under Home Department endorsement, No. 79, dated 11th January 1879.]

To Bengal only.

17. In 1883 the Indian Association and two other local Associations in Bengal prayed that the limit of age for the competition in England might be raised, and that at least a portion of the appointments might be competed for in India. In reply to their memorials the Secretary of State transmitted a statement showing the substance of an answer given to a deputation which had waited on him with a similar request in England. In this answer it was explained that, in accordance with the Rules of 1879,

To Bengal only.

one-sixth of the annual recruitment was set apart for natives of India, and that "the proportion of one-sixth was certainly as high as the Government felt justified in establishing." [This reply was communicated to the Government of Bengal with Home Department endorsement, No. 1,001, dated 21st June 1884.]

18. In 1884 some further memorials were received chiefly praying for the raising of the age-limit for the competition in England; but in a few of them the question of competition in India was referred to. The Secretary of State, in his Despatch dated the 8th January 1885, observed that, so far as European candidates were concerned, there was no evidence which led him to think that the rules for the examination required alteration; and, as regards Indian candidates, he expressed the hope "that the mode of advancing natives of India to higher employment in the Public Service provided by Parliament in 1870 might be used so as to do full justice to their claims."

*This decision was communicated to the Government of Madras
Bombay
North-western Provinces and Oudh
the Punjab with

Home Department Letter No. 454,
455,
456,
457, dated 23rd March 1885.* As already explained, the consideration of the measures to be taken for improving the Rules under the Statute of 1870 led to the appointment of the Public Service Commission.

19. Having given this brief history of the facts, I am now to state the definite questions on which the Governor General in Council desires to be favoured with an expression of the opinion of His Excellency the Governor in Council
His Honour the Lieutenant-Governor (and Chief Commissioner). The first and

your opinion
main issue to be considered is the proposal embodied in the Resolution of the House of Commons "that all competitive examinations heretofore held in England alone for appointments to the Civil Services of India shall henceforth be held simultaneously both in India and England, such examinations in both countries being identical in their nature, and all who compete being finally classified in one list according to merit."

I am to ask the Governor in Council
the Lieutenant-Governor
you to consider whether the adoption of this proposal would be practicable and expedient, and whether the Resolution, in the form in which it stands, could be carried into effect. Before this issue can be decided, however, some of the points involved in the questions which follow will require consideration.

20. In paragraph 3 of the Despatch of June 1893 the Secretary of State observes that no scheme would be admissible which does not fulfil the essential condition that an adequate number of members of the Civil Service shall always be Europeans. And in his Despatch, dated the 15th July 1886, approving the appointment of the Public Service Commission, his Lordship had remarked:—

"It appears to me that many perplexing questions suggested by these papers might have become more easy of solution, and might be approached with more confidence, if a conclusion could be arrived at as to the approximate number of European public servants who must necessarily for the efficiency of the administration and political security of the Empire be maintained in each branch of the public service in India. If your Excellency in Council is led by the results arrived at by the Commissioners to form any distinct opinion on this point, I request you to communicate it to me for the consideration of Her Majesty's Government."

The second—and most important—question, therefore, on which I am to invite the opinion of His Excellency the Governor in Council
His Honour the Lieutenant-Governor (and C. C.), and on the answer to which the whole

your opinion
decision will depend, is this; What is the *minimum* proportion of Europeans who must, under present conditions, be employed in those offices which are in the *cadre* of the Indian Civil Service (including the *cadre* posts listed as open to the Provincial Services)? In other words, what is the *maximum* proportion of such offices which can be held by natives of India consistently with efficient administration and the strength and permanence of British supremacy in India? That such a proportion should be established has been accepted as a point of departure by most of the authorities who took part in the discussions recapitulated in the earlier paragraphs of this letter. Thus, under the scheme prepared by Lord Lytton's Government in 1878, it was proposed

.....
Omit in letter
to Bengal, Central
Provinces, Burma,
and Assam.

that about 15 per cent. of the covenanted offices in most Provinces should be amalgamated with the new Native Civil Service to be constituted; but this was coupled with a condition that natives of India should thenceforth be debarred from competing in England (paragraph 4 above). By the Statutory Rules of 1879 the *maximum* number of recruits to be appointed in India was one-sixth or 16 $\frac{2}{3}$ per cent. of the total recruitment (excluding military recruits); but admission to the service by competition in England was still left open to natives (paragraph 5). Lord Ripon's Government proposed in 1884 that the proportion of natives of India to be appointed in any year, whether by competition in England or in India under the Statute of 1870, or by both of these methods, should be fixed at 18 per cent. of the annual recruitment (paragraph 7). The Public Service Commission recommended that about one-sixth of the executive and judicial covenanted offices reserved for the Indian Civil Service (excluding the proportion reserved for military officers in frontier Provinces) should be declared open to the Provincial Service (paragraph 9). The Government of Lord Dufferin and the late Secretary of State accepted this proportion (paragraph 12).

I am to invite ^{His Excellency the Governor in Council} the careful attention of ^{his Honour the Lieutenant-Governor (and C. C.)} _{your careful attention} to this question.

21. If the conclusion arrived at by ^{the Governor in Council} _{you} ^{Lieutenant-Governor} is that the proposal for simultaneous examinations on the lines indicated in the Resolution of the House of Commons cannot, in its entirety, be carried into effect, the third question for consideration will arise, namely, whether any conditions or limitations could be devised under which the principle of competition might be adopted in recruiting natives of India in this country

^{His Excellency the Governor in Council} for the Civil Service. To assist ^{his Honour the Lieutenant-Governor (and C. C.)} _{you} in considering this question, I am to say that it seems to the Governor General in Council, as at present advised, to follow from what has been said in the last paragraph that any such scheme of competition which might be introduced would have to be made subject to the under-mentioned conditions and limitations:—(1) that the one-sixth of the covenanted offices listed as open, or available for transfer, to the Provincial Civil Service shall be withdrawn from that Service; (2) that not more than this one-sixth—or whatever other *maximum* proportion may be decided upon having regard to the answer to the second question—shall be offered for competition in India; and (3) that such competition shall be entirely separate from that held in England, and shall be regulated by rules under the Statute of 1870. Subject to these restrictions, which proceed on the assumption that it will still be left open to natives of India to enter the service by competition in England, three different methods of competition in India suggest themselves to the Government of India:—

- (1.) The examination might be a general one, open to all natives of India (as defined by Statute), the results being determined by pure competition, and the candidates who stand highest in order of merit being selected for service in all Provinces; or
- (2.) a separate examination might be held for each Province, open only to natives of India domiciled in that Province, the results being determined by pure competition; or
- (3.) a separate examination might be held for each Province open to natives of India domiciled in the Province, but with the condition that only a proportion of the vacancies (say one-half) should be filled by pure competition, and the balance by selection from among the candidates who had done fairly well in the examination, in such a manner as to give each class, race, creed, and section of the people, as far as possible, a fair share of the appointments.

I am to ask whether any of these methods commend themselves to ^{the Governor in Council} _{you} ^{His Excellency in Council} _{his Honour} ^{you} practicable and expedient; and, if so, which of the alternative methods would be disposed to consider most suitable to the present needs, aptitudes, and circumstances of ^{the Madras Presidency} _{the Bombay Presidency} ^{the Province under} _{his} ^{your} administration and its people. It will of course be understood that if a provincial competition should be decided upon, the number of vacancies would be too small to admit of an examination being held each year in every Province.

I am to add that in suggesting the point stated above for

the consideration of the Government of Madras
Bombay
Bengal
the North-western Provinces and Oudh
the Punjab the Governor General in Council

your consideration the Governor in Council
has no desire to limit in any way the discretion of the Lieutenant-Governor (and Chief Commissioner) as to
your discretion

any proposals which ^{he}/_{you} may have to make with reference to the question dealt with in this paragraph. It has been suggested that it might be made a condition that every successful candidate examined in India shall proceed to England for the prescribed year of subsequent training. It will have to be considered whether such a condition can be accepted as an adequate substitute for an English education, or whether it could be made adequate by any practicable extension of the training after selection.

22. *The competitive system has for some years past been in force in the Lower Provinces of Bengal for recruiting the executive grades (Deputy Collectorships) of the Provincial Civil Service. The Government of India have received no special reports of

1884, Supplement to *Calcutta Gazette*, March 19th, page 478—Resolution dated 17th March 1884.

1885, Supplement to *Calcutta Gazette* February 4th, page 158—Resolution dated 3rd February 1885.

1886, *Calcutta Gazette*, March 17th, page 227—Resolution dated 16th March 1886.

1887, *Calcutta Gazette*, March 2nd, page 137—Notification dated 24th February 1887.

1888, *Calcutta Gazette*, April 11th, page 270—Resolution dated 10th April 1888.

1890, Supplement to *Calcutta Gazette*, March 12th, page 626—Resolution dated 11th March 1890.

1891, Supplement to *Calcutta Gazette*, July 22nd, page 1139—Resolution dated 20th July 1891.

1892, Supplement to *Calcutta Gazette*, June 1st, page 923—Resolution dated 25th May 1892.

1893, Supplement to *Calcutta Gazette*, May 31st, page 1055—Resolution dated 22nd May 1893.

its working, but the results of each year's examination from 1884 to 1893 (except 1889, when no examination was held) are shown at the pages of the *Calcutta Gazette* referred to in the margin. It is understood that up to 1889 the system was one of pure competition. In that year the Lieutenant-Governor, Sir Steuart Bayley, reviewed its working at length in the Resolution of the Bengal Government, dated 24th April 1889 (published in the Supplement to the *Calcutta Gazette*, May 1st, 1889, page 808 to 816). His Honour expressed the opinion that, considering "the diverse character of the population" it was necessary "to guard against a single race or class obtaining a virtual monopoly of the service,"

and that "the immediate effect of recruiting the Subordinate Executive Service on an exclusively competitive basis would be to debar Muhammadans, natives of Behar, and natives of Orissa from any reasonable chance of obtaining appointments." The system was then altered from one of pure competition to one of mixed competition and selection, a proportion of the vacancies being offered to pure competition and the remainder being fill by the Lieutenant-Governor by selection from among candidates who obtain not less than a certain per-centage of the total number of marks in such a way as to distribute the appointments fairly among the different sections of the people.*

22. †The Government of India understand that a system of pure competition on the lines of the first or second of the methods described in the last paragraph was in force in the Lower Provinces from 1884 to 1889 for recruiting the grades of deputy collectors, but

Supplement to the *Calcutta Gazette*, May 1st, 1889, pages 808-816.

that for the reasons given in the Bengal Government's Resolution of the 24th April 1889¹ it was altered in that year to a

system of mixed competition and selection closely resembling the third method.†

23. The fourth question for consideration—which is intimately connected with the third—is whether the introduction, in supersession of the existing arrangements of the competitive principle in any of the above methods, or in any other method which

the Governor in Council
the Lieutenant-Governor (and Chief Commissioner) may prefer to suggest as more suitable to local con-
you

ditions, would, in the opinion of His Excellency in Council
his Honour, be desirable or open to objection. It
your opinion

would (unless the *minimum* reserved for Europeans is considerably reduced) involve the removal of the listed covenanted offices from the Provincial Civil Service, and the door of promotion to the higher offices would consequently be closed to officers of proved merit and ability in that service. That service would, in short, revert to its former

status of a subordinate service. It is for the consideration of the Governor in Council
his Honour's consideration whether the
your consideration

.....
In all letters
except that to
Bengal.

†.....†
to Bengal only

competitive system would have any advantages over the existing arrangements; whether it would secure better men for these covenanted posts than Provincial Service officers of proved merit and ability promoted by selection; and whether it would be likely to attract to the public service a class of men superior to those who are now willing to join the Provincial Civil Service. Although the Provincial Service scheme was only established last year on a statutory basis, the intentions of Government were published in October 1889; it is for consideration whether any reasonable expectations have been formed by members of the service such as would make it necessary or desirable in justice to them to delay or to modify for the present the principle of open competition.

24. I am to say in conclusion that as the Secretary of State has desired the prompt attention of the Government of India to the subject of his Despatch, the Governor General in Council would be glad if your reply to this reference could be submitted so as to reach him at latest within a month from the date of receipt of this letter.

†The Government of ^{Madras} Bombay &c., must have already considered most of the points dealt with in this
Your predecessor

letter in connexion with the inquiries of the Public Service Commission, and ^{the Governor in Council} the Lieutenant-Governor
you

†.....†
Omit in letter
to Burma.

will doubtless find materials ready to hand on which ^{he} you will be able, within this time, to form an opinion, in the light of the remarks made in this letter and of recent experience, on the questions now referred for ^{his} your consideration. †

25. §His Excellency in Council has not overlooked the fact that the Provincial Service scheme has not been ^{extended} fully extended to ^{Burma} Assam, and that therefore much of what is said in this letter is not applicable to the case of that Province; but as the first three questions referred for your opinion (paragraphs 19 to 21 above) affect ^{Burma} Assam as well as other Provinces, he has considered it necessary to invite an expression of your views with regard to them. §

§.....§
To Burma and
Assam only.

I have, &c.

(Signed) C. J. LYALL,
Secretary to the Government of India.

FROM THE CHIEF SECRETARY TO THE GOVERNMENT OF FORT ST. GEORGE TO THE
SECRETARY TO THE GOVERNMENT OF INDIA. No. 733, Public.

Home Department,
7th September 1893.

Sir,

I am directed to acknowledge the receipt of your letter of the 5th ultimo, No. 27-1081, Public, forwarding for an expression of the opinion of his Excellency the Governor in Council a copy of a Despatch from the Secretary of State, dated the 22nd June last, on the subject of a Resolution passed by the House of Commons to the effect that "all open competitive examinations heretofore held in England alone for appointments to the Civil Services of India shall henceforth be held simultaneously both in India and England, such examinations in both countries being identical in their nature and all who compete being finally classified in one list according to merit."

2. You explain that although the Resolution mentions the "Civil Services of India," it is apparent from the discussions in the House of Commons and elsewhere that the "Covenanted Civil Service" or "Civil Service of India" is meant and, after reviewing the measures which have been taken in recent years for extending the employment of natives of India in offices ordinarily reserved for the Indian Civil Service, you ask for the opinion of his Excellency in Council as to whether the adoption of the proposal in the Resolution would be practicable and expedient and whether the Resolution in the form in which it stands could be carried into effect. As a preliminary to the consideration of the subject, this Government is referred to the declaration of the Secretary of State, in paragraph 3 of his Despatch, that it is an essential condition of all schemes that an adequate number of members of the Civil Service shall always be Europeans

and the attention of his Excellency in Council is invited, in this connexion, to the question of the maximum proportion of offices in the *cadre* of the Indian Civil Service (including posts listed as open to the Provincial Service) which can be held by natives of India consistently with efficient administration and the strength and permanence of British supremacy in India. Should this Government consider that the proposal in the Resolution cannot be carried into effect, it is asked to indicate whether in its opinion any conditions or limitations could be devised under which the principle of competition might be adopted in recruiting natives of India in this country for the Civil Service.

His Excellency the Governor in Council has given this subject his most careful consideration and in reply to the questions raised in your letter I am to communicate the following.

3. In regard to the holding of simultaneous examinations in England and in India this Government is of opinion that such a course would be expedient if practicable, but that its practicability on the conditions laid down in the Resolution of the House of Commons—viz., that the examinations should be identical in their nature—can only be attained by the sacrifice, in a considerable degree, of the character of the present examination as a searching test, by the abandonment of the *vivá voce* portion. It would not be possible for the *vivá voce* examinations to be conducted as efficiently or thoroughly in India as in England. There are not in this country examiners of the calibre or experience necessary for carrying them out properly, such as are so easily to be obtained in England, and it would therefore be impossible to subject the candidates out here to that searching and exhaustive testing of their powers which, under the present conditions of the examinations, they have to undergo in England. This Government considers the *vivá voce* examinations to be most important for ascertaining the fitness and capacity of the respective candidates. Consequently, under the present condition of educational resources in this country, it is not apparent how examinations such as are now held and identical in their nature could be held simultaneously in England and in India. Unless therefore some means can be devised for overcoming the difficulty in connexion with *vivá voce* examinations, this Government sees no alternative but to do away with these in both countries. Such a course would, however, in the opinion of his Excellency in Council, be most objectionable and prejudicial to the interests of the Service.

4. As regards the expediency of the measure, it is evident from the tenor of the questions placed before this Government and from the arguments which have been used by the opponents of simultaneous examinations that it is admitted that under present arrangements natives of India are over-weighted, as compared with European candidates, in the competition held in London. This admission is implied in the assumption that, were simultaneous examinations conceded, the proportion of natives who would succeed would be largely increased, and in the contention that the change would be fraught with various dangers connected with such increase. The inequality in the conditions arises, not from the fact that the examination is adapted to test the education which is given to the best of English youth—for that merely means that a high, but not unnecessarily high, standard of instruction is demanded—but from the social conditions of native life and from the high cost, relatively to the general level of native resources, of a prolonged visit to England for the purpose of preparation for the examination with a chance only of ultimate success. It is not the richer classes in India who give high education to their sons, and to many families to send a promising youth to England means simply ruin in case of his failure. These circumstances operate as a disability in the case of native candidates which ought if possible to be removed. They render vain the solemn declaration of equal right of all castes and races to office in India.

5. This Government is by no means convinced, however, that the result of the concession of simultaneous examinations would be, as its opponents suppose, an increase in the proportion of native candidates selected. That proportion appears at present to be about 9 per cent. It is probable that fewer candidates would appear in England and that more native youths looking to the Civil Service would take their chance in India. But the educational facilities in this country are much inferior to those in England and the chances of candidates who might rely upon the former would be less. With the means of instruction here available, only young men of quite extraordinary capacity could hope for success. The number of native candidates would doubtless be enormously increased, but it is not so certain whether the number of successful candidates would be.

6. Assuming that the number of native civilians would be increased, there would not result from the men themselves any danger to British dominion. Their very existence would be bound up in the maintenance of British supremacy. The bulk of them would be employed in the ordinary executive and judicial offices, to the ordinary duties of which, given the high training guaranteed by the conditions of entry into the service, they may be expected to be quite equal. It is not the incumbents of these offices who determine the principles of administration and legislation which give a character of civilization and enlightenment to the Government. This depends upon laws and orders which, in the present day, district officers have not to initiate and create, but but merely to carry out. His Excellency in Council is of opinion that to secure the principles and character which it is essential to impart to the Government a smaller proportion of Europeans than now obtains in the Civil Service would be sufficient. But the execution in the current administration of the laws and orders laid down is no doubt as important to the final result as the initiation of them; and it is from this point of view that the objections to increase of natives in the Civil Service are most weighty. It is said that it would never do to put men, strong and precocious it may be in intellect, but morally and physically weak, in authority over races and tribes who care not for intellect but are to be subdued and kept in order only by men strong in will and energy. This Government considers that it would be sound policy to meet these objections and to obviate the risk of the successful candidates being all of one race by ruling that the natives of each Province should be confined to their own Provinces. Apart from the question of race-jealousies and class-hatreds, local men would possess a greater knowledge of the local vernaculars and customs and would be far more in touch with the people than those from other Provinces. There would not, moreover, be any idea of their being treated differently from their European *confrères*, for the latter are relegated to distinct Provinces and when once posted remain there during the natural term of their service. There is ample room for the employment of as many natives as are likely to succeed in Provinces and places where, even as they are now known, they would do very well: there is no reason to suppose that authority, power, and responsibility would fail, in the case of individuals of these races, to produce their usual effects of developing strength and energy. This Government does not fear that natives entering the Civil Service *under the conditions supposed* would be corrupt. In special emergencies, local disturbances or the like, they might possibly be sometimes found wanting, but in the present circumstances of India the mischief thus arising would rarely be serious, and could be quickly repaired. Against disadvantages of this kind is to be set the increased popularity of the service from the share of natives in it and in the higher administration, and this will be of great value in smoothing away difficulties of Government.

7. Another reason for altering the status and position of natives in the Civil Service is to be found in the fact that the new Provincial Service does not in any way satisfy their aspirations and wishes. It is evident that its introduction on the present lines has been a great disappointment to them, that it has relegated them to a distinct and limited service and, instead of placing them in line with the rest of the Civil Servants, has confined them to what they consider an inferior and subordinate position and that this has been accentuated by the designation which has been applied to them, a designation which they have always associated with a distinctly and well-recognised inferior branch of the service.

8. His Excellency in Council considers therefore that it is expedient to remove, by the institution of simultaneous examinations, the disabilities which now tend to hinder the entry of natives into the Civil Service proper. This step will remove an injustice, or what has almost the same consequences, a feeling of injustice, and it will not endanger the British supremacy or impair the character of the administration as a civilised and enlightened Government. It may possibly, in certain circumstances, weaken executive action; but the disadvantages in this respect are not so certain or so grave as to outweigh the advantages. The increase in the proportion of native candidates selected is moreover not likely to be so great as is supposed and it would be advantageous to remove the dissatisfaction and discontent which undoubtedly exists among the natives by some such measure as is now under discussion.

9. As regards the question of the minimum proportion of Europeans who must, under existing conditions, be employed in those offices which are in the *cadre* of the Indian Civil Service, his Excellency in Council considers that at present this Presidency could be efficiently administered if two-thirds of the Civil Servants

~~attached to it were Europeans. But though he believes that this should be the proportion just now, he is not prepared to say that it should not be open to revision before long.~~ Fifteen years ago 15 or 16 per cent. was considered safe and proper, 15 years hence a considerably higher proportion might appear so. This will entirely depend on the progress of the natives in assimilating English notions and civilisation. They are changing with marvellous rapidity, and it is impossible to predict how far they will go. As their progress develops, it is, in the opinion of this Government, in the highest degree impolitic to deny to them opportunities of taking still further part in the administration of their own country. It is therefore thought that the prospect of the present proportion being considerably increased in the future may be contemplated with equanimity *if only the standard of qualification be not lowered.*

10. I am, nevertheless, to observe that this Government shares the objections pointed out by the Secretary of State in his Despatch of January 1885, summarised in paragraph 7 of your letter, relative to the question of limiting the number of natives who should be admitted to the Civil Service, while retaining the system of open competitive examinations. This is felt to be such a real difficulty that, though a certain proportion has been named as the extent to which natives might without danger be advantageously employed, his Excellency in Council is at a loss to suggest how such a system could be worked out. For, supposing these proposals are accepted and one-third of the recruits of any one year were to be natives, it is easy to conceive that the result of an examination would disclose an exactly equal number of Europeans and natives. In such a case a certain number of the latter who were the lowest on the list would have to be eliminated as being over the proportion, and the complement of Europeans made up by bringing in a number of those who were lower in the list to take the places of those natives who exceeded the proportion laid down. Such a proceeding would, however, not only be exceedingly unpopular but would also lay the Government open to the reproach that it had introduced into the service candidates admittedly inferior to others who had proved their superiority. The converse would also hold good, and natives low on the list might be brought in, while Europeans who had passed considerably higher would be eliminated because the proportion laid down for natives had not been attained.

11. Having indicated the views of this Government on the points referred to it in the two first questions of the Government of India and having pronounced in favour of giving effect to the Resolution of the House of Commons if a practicable and just method of doing so can be discovered, it is unnecessary to discuss the other points raised in paragraph 21 of your letter.

12. The Governor in Council considers, however, that in the event of the system of simultaneous examinations being adopted, the successful candidates should be required to pass two years at some English university. But in order that they should not waste their time there in idleness, presuming on their success in the examination in India, they should, in the opinion of his Excellency in Council, be called upon to pass periodical half-yearly examinations while in England, in addition to a final examination at the termination of their two years' probation, and this rule should be made applicable to successful European candidates also. But as recruits would under this arrangement enter on their career in the Indian Civil Service later in life than they do at present, this Government strongly recommends that the ages at which they should be permitted to come up for examination should be fixed at from 19 to 22. Otherwise this Government would not propose to in any way lower the standard or alter the character of the examination as it now stands. It is contended sometimes that, to suit native candidates, greater weight should be given in the scheme of examination to the Oriental classical languages so as to make them equal to the classical languages of Europe, and this matter is adduced as a source of injustice to native candidates. Even supposing this to be so, the paramount necessity of the case appears to compel a disregard of it. The Eastern classical languages may not be inferior as a means of intellectual training to Greek and Latin, but they are certainly far inferior as a preparation for the assimilation of modern knowledge and of Western ideas, and must therefore be assigned a lower place in any scheme of examination for the Civil Service. Sanskrit, Mathematics, Natural Science, History, Philosophy and Law are branches in which natives are under no disability and which afford them adequate chances of passing. English, which is highly marked, is an essential subject, and the natural disability under which natives labour in respect of it cannot be remedied. This seems, however,

to be only another reason for removing the artificial disability involved in holding the examination in London alone.

13. His Excellency in Council sees no reason for rescinding the provision by which the Government of India is enabled to appoint any native of India to any post on the ground of special merit and ability, but regards the retention of this power as absolutely essential in any scheme, and as one of the most valuable features of that of 1879. There are a number of natives who, in actual work, have given proof of very high capacity for administration, especially in the sphere of justice; no better natives could be obtained under any system of selection, and if there is no provision for their appointment to high office, the period when the natives will attain to an adequate share in the Government will be unduly postponed.

14. If the system of simultaneous examinations be introduced, and it is found possible to fix a certain proportion of natives of India for the Covenanted Civil Service, it appears to this Government that the *raison d'être* of the Provincial Service will cease, as the proportion of appointments thrown open to that service will become absorbed into that which may be agreed upon as the one to be reserved for natives under the new conditions. But whatever measure may be decided upon, due consideration must, it is held, be made for the Statutory Civilians, whether they have elected to join the Provincial Service or not, as well as for those who have recently joined the Provincial Service by competition or selection and to whom the expectation of being eventually appointed to certain specified listed posts has been held out.

15. I am directed to enclose a minute of dissent by the Honourable Mr. Garstin, C.S.I.

I have, &c.
(Signed) C. F. PRICE,
Chief Secretary.

Enclosure in above.

Minute of Dissent by the Honourable Mr. J. H. GARSTIN, C.S.I.,
dated 6th September 1893.

I regret that I cannot agree with some of the main conclusions arrived at by my honourable colleagues on the question of simultaneous examinations in England and India for the Indian Civil Service, and as there is no question (to quote the words of Lord Kimberley in his Despatch of January 8th. 1895) "more intimately connected with the good Government of India, and, indeed, with the stability of the Indian Empire than the question of the best mode of recruiting the Civil Service," I feel I should be failing in my duty if I did not place my views on record.

While I concur in thinking that it is quite impracticable to hold the open competitive examinations for the Indian Civil Service (heretofore held in England alone), both in India and England simultaneously, while maintaining their present character and holding identically the same examinations in both countries (owing to the impossibility of conducting the *viva voce* portion of the examinations by means of the same examiners), I question the expediency of doing so even if it were practicable.

I am not, however, prepared to assert that, if the character of the examination was completely altered, by the omission of all the *viva voce* portion, it might not be possible to hold simultaneous examinations both in India and England by means of printed papers only, but I consider that any such scheme is undesirable and cannot be defended on the ground of necessity or even of political expediency. In the first place, I hold that there should be only one door for entrance into the Indian Civil Service, subject, perhaps, in very exceptional cases, to the exercise of the power vested in the Government of India by the Statute of 1870. That door should be the open competitive examination held in London and all natives of India who present themselves for that examination should have resided for two or three years, at least at an English University. I attach the greatest importance to this condition as a potent element in the formation of the character of such natives.

No doubt the natives of India suffer from some disabilities in competing for the Indian Civil Service examination in England. These are, mainly, the trouble and expense of going to England and residing there, combined with the risk of failure at the examination. But if the venture is crowned with success the outlay has been well invested, and even in the case of failure it is by no means all loss, for the competitor will, on return to India, be far better fitted for employment in the highest posts of the

Subordinate Service than if he had not gone to England, while it should, I consider, be made a rule that any such unsuccessful competitor who had done fairly well at the open competition, should be employed if he wished it, in the Subordinate or Provincial Service. This would greatly lessen the loss resulting from failure.

To the alleged disability based on religious grounds and conscientious scruples to cross the sea, I am not disposed to attach much, if any, weight, because this disability can hardly be said any longer really to exist. This is proved by the fact that numerous Indian Princes and Chiefs of high caste have gone to England and resided there for considerable periods without any loss of dignity or caste; while if further proof were wanting it is to be found in the fact that many of those who are most eager to have the simultaneous examinations carried into effect are perfectly ready, if their sons or other relatives succeed in passing the examination in India, to send them to England to reside for two or three years at an University, to the advantages of which training they are fully alive, thus showing clearly that the objection to crossing the sea on the score of loss of caste, as a reason for holding the examination simultaneously in the two countries, is an empty excuse. Moreover, there is a great revolution in thought, working like a ferment, in native society in southern (and I believe in most other parts of) India, in favour of social reform—one of the leading features in the programme being the wish to shake themselves clear of the ancient trammels on their freedom and progress imposed by sacerdotal prohibitions in the matter of crossing the sea, under the penalty of loss of caste. Matters, however, move

* "Until the repugnance of orthodox Hindus to cross the seas has lost its force, a time apparently still distant, the effect of a compulsory residence in England, either before or after selection, would be to exclude from these appointments the very considerable and important class of Hindus whose scruples still prevent them from adopting foreign habits and ways of life."

rapidly now-a-days, and a great change has come over native Indian public opinion during the last 10 years, so much so that the period looked forward to by Sir A. Lyall in his letter of July 16th, 1884, quoted by Lord Kimberley in paragraph 7 of his Despatch of the 8th January 1885,* may be said to have almost, if not quite, arrived. I hold, therefore, that

no heed should any longer be paid to arguments based on this objection and that by so doing strong aid will be given indirectly to the cause of social reform in India.

Again, I cannot see how the abolition of the *viva voce* portion of the examinations, if simultaneous examinations are to be held in India and England, can be justified. The scheme of the open competitive examinations has from time to time been drawn up and modified to suit the altered ages of the competitors, but in every case by the Civil Service Commissioners, a body of gentlemen of the highest learning and educational experience in all England, and they have invariably included a *viva voce* examination as part of the scheme and as necessary to test thoroughly the knowledge of the competitors, and if this portion of the examination is abolished, not only will the Civil Service Commissioners be stultified but the examination will be spoilt as a test of knowledge, and the English competitors will be compelled to do without it and all simply in order to suit the convenience of a few native competitors in India through a feeling of mistaken sentiment. I say mistaken, because I cannot help thinking that an impression prevails to a considerable extent in England that there are many thousands of highly educated natives in all the Provinces of India who are now competent to pass the Indian Civil Service competitive examination but are debarred from doing so solely by the rule which compels them to go to England to compete for it. In my opinion this is a complete mistake—and I base my opinion on the facts connected with the competitive examinations which have taken place in Madras in 1890 and 1893 in connection with appointments to the Statutory and Provincial Services, the latter of which includes 15 of the appointments recently taken from the Indian Civil Service—and that the competition for these appointments was as keen as it possibly could be under existing circumstances. In 1890 one appointment was competed for, 33 competitors sent in their names, of whom 25 fulfilled the necessary conditions, three failed to appear before the Medical Board, and of the 22 examined 14 were disqualified by the Board as being physically unfit and only eight competed. In 1893 the figures were:—

| | | | | | |
|---|---|---|---|---|----|
| Appointments competed for | - | - | - | - | 2 |
| Applications to compete sent in | - | - | - | - | 22 |
| Did not appear before the Medical Board | - | - | - | - | 3 |
| Disqualified by the Medical Board as physically unfit | - | - | - | - | 11 |
| Number who competed | - | - | - | - | 8 |

These numbers are exceedingly small (considering that the population of the Madras Presidency is 39 millions, including the feudatory States, and that English education

is quite as advanced in Madras as in any other Province in India), and they are more likely to decrease than to increase when the standard of examination is raised to the level of that for the Indian Civil Service in London. Under these circumstances, and assuming that what is the case in Madras is pretty generally the case all over India, the sentiment to which I allude may, if it really exists, be well called mistaken.

My honourable colleagues are of opinion that the disabilities under which the natives of India lie in respect of competing for the open competitive examination render vain "the solemn declaration of the equal rights of all castes and races to office in India." I cannot agree in this view for the reasons already given by me, but I would take the opportunity of pointing out that the above declaration does not apply solely to the natives of India. It applies with equal force to British subjects all over the world, and if simultaneous examinations for the Indian Civil Service are held in India there may arise a demand for similar examinations in Canada, Australia, and New Zealand, the inhabitants of which might consider themselves hardly treated if the same concession was not granted to them, seeing that they labour under the same disability as the natives of India in having to undertake a long sea voyage to get to England in order to compete.

This difficulty is by no means a fanciful one—for gentlemen in Australia and other colonies are fully aware of the advantages attaching to a career in the Indian Civil Service and sometimes compete successively for the appointments, as is proved by the fact that one gentleman from Australia and one from Nova Scotia are now holding high offices in the Indian Civil Service in Madras.

In deciding the question whether any change should be made in the existing system in order to remove the disabilities under which the natives of India labour in competing at the open competitive examination in England, the main point for consideration, in my opinion, is whether it is to the advantage of the State and of the Indian Civil Service that the undoubted advantages resulting from two or three years' residence at an English University, prior to going up for the examination, should be sacrificed in order to remove those disabilities, and my opinion is that they should not. If the standard of examination is equally high in both countries and kept up to what it now is, the native competitor will get a much better education for the examination in England than he will in India, and will thus have a much better chance of passing it, while, if the scheme I have suggested of employing the unsuccessful candidates, who did well at the examination, on their return to India, is adopted, there will be very few who will be losers by going to England and trying to pass the examination. I would not, however, extend the same privilege to those who failed to pass the examination in India. I even think it would be good policy to give scholarships to young natives of India who wish to go up for the Indian Civil Service examination in England, conditionally on their going to an University for two or three years before going up for the examination.

As to the minimum proportion of Europeans who must, under present conditions, be employed in those offices which are in the *cadre* of the Indian Civil Service, including the *cadre* posts listed as open to the Provincial Service, I consider the minimum should be fixed at two thirds. I am further strongly of opinion that the *cadre* of appointments open to the Civil Service should be increased by the addition of a number of Sub-Judgeships or Assistant Judgeships to afford schools for training civilians in judicial work. Then, if one-third of the whole number (but not necessarily of each class of appointments) were held by natives of India who had successfully passed the Indian Civil Service examination in London, I think they would have an adequate share in the administration of British India. To carry out this plan it would be necessary to arrange that one-third of all the appointments to be annually competed for should be allotted, as considered necessary, among the various Provinces of India, and should be competed for only by natives of those Provinces. This plan is open to some of the possible objections raised against such a scheme in paragraph 10 of our letter to the Government of India—but if the Act of Parliament regulating the examinations was altered, these objections could probably be faced or got over. In any case, the same objections might be urged against the results of simultaneous examinations in India and England if a proportion of the appointments were given for competition in each country. The Provincial Service should at the same time be abolished. It has not given much real satisfaction.

(Signed) J. H. GABSTIN.

From G. W. VIDAL, Esquire, I.C.S., Acting Chief Secretary to the Government of Bombay, to the SECRETARY TO THE GOVERNMENT OF INDIA, Home Department, Simla. No. 6454.

Bombay Castle,
7th September 1893.

Sir,

I am directed to acknowledge the receipt of your letter, No. ²⁷/₁₀₈₂ Public, of the 5th August 1893, forwarding for the opinion of his Excellency the Governor in Council a copy of a Despatch, dated 22nd June last, from the Secretary of State on the subject of the Resolution passed by the House of Commons as to the holding of simultaneous examinations in India and England for the Indian Civil Service, and to reply as follows:—

2. The proposal embodied in the Resolution of the Commons House of Parliament is, I am directed to observe, a new departure involving, if effect be given to it, an abandonment of the principles accepted by successive Secretaries of State,—as summarised in paragraphs 2 to 18 of the letter above quoted,—and only recently affirmed on the report of the Public Service Commission in a form designed to be a deliberate and final settlement of the question.

3. Under these circumstances it appears to his Excellency the Governor in Council that the proposal cannot be adopted without inconsistency, except as a means shown to be well adapted in itself to the attainment of some definite and desirable object, and free from obvious risk of producing collateral results which may prove to be not merely undesirable, but dangerous.

4. Apart from a vague feeling of sympathy with the very natural aspirations of natives of India—a feeling which is shared to the full by the official classes in this country, but which can hardly be regarded as a satisfactory basis for serious political action,—the object underlying the resolution must apparently be either to remedy some supposed departure in the existing arrangements for the admission of natives into the Civil Service of India from the cardinal principle of equality of treatment of all classes of Her Majesty's subjects without reference to caste, colour, creed, or birthplace, or else to give more complete effect to the converse principle that natives of India have, as such, an equitable claim to something more than equality of treatment in regard to the share to be allotted to them in the administration of their own country.

5. As regards the first of these alternatives the proposal would, in the opinion of the Governor in Council, have the effect of impairing rather than of perfecting such equality of the conditions of recruitment by competition as is possible in the nature of things. Indian candidates are, it is true, at a disadvantage as compared with candidates resident and educated at home, in as much as they have to be examined in a foreign tongue and to travel to and reside in a country distant from their own under conditions which are frequently repugnant to their religious and caste prejudices. But these disadvantages differ only in degree from those which any candidate comparatively poor or brought up under conditions which cut him off from the facilities and temptations of life in the great centres of population and education might plead as telling against him in competition with candidates trained at the Universities or at preparatory establishments in London. If competition is to be absolutely free and open, it obviously cannot take cognizance of any disabilities or disadvantages, such as those indicated, which are personal whether to particular competitors, or to particular classes of competitors. All that can be done is to lay down such preliminary qualifications in regard to age, character, physique, and so on as are essential, apart from race, creed, or colour, and to see that all candidates possessing those qualifications who present themselves at the examination room are examined under conditions as nearly as possible identical.

6. It has been urged, and urged with much reason, that a training after European methods should be regarded as a necessary qualification for admission to a service the *raison d'être* of which is to ensure that our Indian Empire shall be administered in consonance with Western ideas and principles. But even apart from this, Indian candidates have no more right, so far as equality of treatment is concerned, than candidates from Canada, the West Indies, Australia, or the Cape, or even, in a less degree, than candidates from Scotland or Ireland to complain because the examination for admission to an Imperial service is held at the capital of the Empire.

7. The identity of the conditions of examination above insisted upon can only be secured, even approximately, by having a single centre, and by employing the same examiners to examine all candidates in the same subjects orally as well as in writing. Examinations in which candidates are merely required to pass a certain standard may be and are held simultaneously at more than one centre. But that is a plan which, so far as this Government is aware, has never been regarded hitherto as compatible with the principle of open competition for places in order of merit—even in England, and the objection to it as involving a departure from the conditions of equality above laid down would be magnified to an extent which it is hardly possible to estimate in the case of an examination conducted simultaneously at two centres so widely separated as England and India. Apart from the impossibility of securing identity of standard in the oral examination, there is the further difficulty of ensuring that the contents of the papers shall not leak out during the long time which must elapse between their preparation and their submission to the candidates. Judging by actual experience both of our examining bodies and of the manner in which the contents of important official communications become known to the public before they reach India, there is reason to fear it would be a practical impossibility ever to be sure that the secret of the questions had been kept both in England and in India, and that the results of the examinations were in any way reliable.

8. Assuming that these difficulties were overcome, the effect of a simultaneous examination held in India, regarded from the standpoint of equality of treatment, would simply be to give to the natives of India an advantage in the conditions of the competition to which they have no legitimate claim.

9. As regards the second alternative, I am to point out that it is already the avowed policy of Government to give to natives of India as large a share in the administration as is consistent with the maintenance of its essentially European character and of our own practical supremacy. The question how best to carry out that policy is, no doubt, one of considerable difficulty, and the proposal, regarded as a possible solution of that question is entitled to the fullest consideration.

10. In paragraphs 19 and 20 of your letter, two definite questions have been raised, *viz.*, what is the minimum proportion of Europeans who must under present conditions be employed in appointments of the kind hitherto reserved for or commonly held by members of the Covenanted Civil Service of India; and whether the proposal embodied in the Resolution of the House is compatible as it stands with the conditions laid down in paragraph 3 of the Secretary of State's Despatch, and admitted on all hands, even by the natives themselves, to be essential, that an adequate number of the members of the service, that is not less than the proportion which may be laid down as the minimum, shall always be Europeans.

11. With respect to the first of these questions, I am to state that the Governor in Council sees no reason to differ from the conclusion arrived at by the Public Service Commission, and adopted as the basis of the arrangements now being worked out for the formation of the Provincial Services, that at least five-sixths of the officers in the *cadre* of the Indian Civil Service (including the *cadre* posts listed as open to the Provincial Services) must be reserved either for Europeans or for natives Europeanised by training for competition in England. So long as the entrance to the Civil Service, or to a limited number of posts in that service, is by an open competitive examination, it is not possible to fix absolutely the proportion to be held by Europeans as distinguished from natives. But it must be assumed that in the conclusion above referred to allowance has been made for the share of the appointments filled by competition in England which natives of India have hitherto succeeded in gaining. In the opinion of this Government, therefore, the reply to the question is that the minimum proportion of appointments to be reserved absolutely for Europeans should be five-sixths, *minus* such a deduction as may correspond to the share of the appointments filled by open competition in England, since recruitment was reduced on the introduction of the statutory service scheme in 1880, which have fallen to natives of India. So far as this Presidency is concerned that share has been 3 appointments out of 69.

12. As regards the second question, the adoption of the Resolution of the House in its entirety appears to this Government to be obviously and absolutely incompatible with the condition that either five-sixths or any other proportion of the members of the service that may be fixed upon as adequate shall always be Europeans.

13. It is not necessary to assume that English competitors of the class who obtain admission to the service under existing arrangements are inferior on the average in intelligence or attainments to the candidates who would be pitted against them in an Indian examination room. But it is not impossible, having regard to the admitted capacity of large classes of the natives of India for the acquisition of book knowledge of the kind that tells in examinations, as well as to the growing number of educated natives to whom admission to the service would be an object of the keenest ambition, that European competitors might find themselves at a serious disadvantage in a competition conducted under conditions which would certainly lead to their being largely outnumbered by Indian competitors of the highest class the educational resources of this country can turn out. It is, besides, impossible to foresee what effect such a change in the conditions of competition would have on the class of English candidates. There seems good reason to fear that the best men would speedily cease to compete, and that the ultimate result would be to hand over the service practically to natives educated in India with perhaps a sprinkling of Europeans of good abilities, but of inferior social status.

14. The modification which, while guarding against the possibility of such a result, would involve the least divergence from the central principle of the Resolution, would be to hold simultaneous examinations and arrange all candidates in one common list in order of merit, but subject to the condition that natives in excess of one-sixth of the total number of vacancies offered for competition would be passed over in favour of the Europeans next below them in the list, and conversely that Europeans in excess of five-sixths would be passed over in favour of natives, natives who may compete in England being for the purpose of this arrangement counted as Europeans.

15. The question then arises what advantage this or any other modification of the proposal would possess, in the eyes of the natives or otherwise, over the Provincial Service scheme as described in the letter from the Government of India to the Government of Bengal, No. 1,838, of 1892, which accompanies the present reference.

16. It would certainly, in the opinion of the Governor in Council, have this advantage, at any rate in the eyes of native aspirants, that those who succeeded would become members of an Imperial service, entitled presumably to a scale of pay designed to counterbalance the drawbacks of an Indian career in the eyes of the highest class of English candidates for official employment, instead of remaining members of a Provincial Service remunerated at the lower rates appropriate to the case of natives of India serving in their own country. Whether this would be an advantage in the eyes of the economist, or of the native taxpayer, is of course a different question.

17. Another result which would probably be of some value in the estimation of native candidates is that under the scheme proposed in the Resolution, those of them who were successful would take rank in order of merit along with European candidates, with choice of their Presidency or Province as long as a choice remained, instead of in a class apart from and below the European candidates selected in the same year, as is presumably intended in the schemes suggested by the Government of India. But here again it is the general interest of the community and of the administration that must be considered rather than the views of the comparatively very limited class who aspire to appointments. Those views are important only in so far as they may possibly affect the quality of the recruits; and it is by the degree to which it is adapted to secure recruits of the stamp most likely to maintain and improve the tone and efficiency of the service that any scheme of recruitment must ultimately stand or fall.

18. Regarded from this point of view, the simultaneous examination scheme is open to the grave objections to which attention is called in the Duke of Argyll's Despatch quoted in paragraph 3 of the Government of India's letter. Its effect would be to limit the field of recruitment to untried men, at the same time that it would give a distinct advantage to competitors of a class well known in India, who combine the greatest aptitude for study with a marked lack of the qualities most needed in positions of responsibility.

19. This is an objection which may be taken to the whole principle of selection by competition. But it is tenfold stronger in India than in England. It is very imperfectly met, so far as Indian candidates are concerned, by the necessity now imposed on them for undergoing an English training as a preliminary to the chance of selection. It would not be met at all by any scheme for compulsory residence or study in England *after* selection. The Governor in Council does not deny that such residence would be

of use in widening the ideas of candidates selected in India, and giving them an insight into English ways of life and thought. But he does not think that it would afford the same guarantee for the possession of something more than the common degree of enterprise and resolution as a journey and residence voluntarily undertaken and carried through on the chance of success; and the field of study after selection being of necessity narrowed to the subjects needed by way of preparation for an Indian official career would be no effective substitute for the general course of English education which now has to precede it.

20. There seems to be little reason to hope that simultaneous competition in India would secure a better class of recruits for the highest appointments open to natives than the system of combined competition, selection and promotion embodied in the Provincial Service scheme. On the other hand it would greatly restrict the power the Provincial Service scheme is designed to preserve and enlarge, of rewarding proved merit and efficiency, and it would react on the tone of lower grades of the service, which would by its adoption be more than ever cut off from the prizes of good work and legitimate ambition.

21. I am to state, in conclusion, that the Governor in Council, having carefully considered the schemes suggested in paragraph 21 of the letter under reply, has formed the opinion that none of them would be an improvement on the present arrangements, and is consequently unable to recommend any one of them for adoption. The Provincial Service scheme, as it stands, is, in the opinion of this Government, better adapted to give such effect as is possible to what must be assumed to be the objects underlying the Resolution than any modification of the Resolution itself. It seems very unlikely that the supporters of the Resolution would accept any of the schemes in question as a better substitute for their own proposal than the Provincial Service scheme; and the difficulty suggested in the concluding sentence of paragraph 23 of the letter from the Government of India, that the publication of that scheme has given ground for reasonable expectations which it would be unfair and impolitic to disappoint, is, I am to suggest, real enough to afford a strong ground not merely for delaying or modifying the introduction of the principle of open competition, but for adhering permanently to the scheme, as one to which the Government stands committed, and which really affords the best practical solution of the problem.

I have, &c.

(Signed) G. W. VIDAL,
Acting Chief Secretary to Government.

From H. J. S. COTTON, Esq., C.S.I., Chief Secretary to the Government of Bengal,
to the SECRETARY TO THE GOVERNMENT OF INDIA, Home Department. No. 3979A.

Sir,

Calcutta,
24th August 1893.

I am directed to acknowledge the receipt of your letter, No. ^{27 Pub.} 1083, dated 5th August 1893, forwarding, for an expression of the opinion of his Honour the Lieutenant-Governor, a copy of a Despatch from the Secretary of State, dated 22nd June 1893, on the subject of a Resolution passed by the House of Commons on the holding of simultaneous examinations in India and England for the Indian Civil Service.

2. In reply, I am to say that the Officiating Lieutenant-Governor approaches the consideration of this important question with a sincere disposition to accord to the natives of India as large a sphere of suitable employment as possible in the administration of the country. He is aware that, partly in consequence of religious feeling and partly of the apprehension of danger to faith and morals which young men unavoidably left much to themselves must incur in such a city as London, there exists in the higher and more influential circles of native society a strong prejudice against sending young men to England to compete for the Civil Service. And if this religious prejudice is not so strong among the professional and middle classes, there yet remains the natural disinclination of parents to send their sons to a distant country and incur the expense incidental to the journey thither and sojourn there, on the speculation of a

successful examination. These reasons, which predispose Indian gentlemen against sending their sons to England, are, indeed, not prohibitive, for young men do continue to go in increasing numbers. Still it must be admitted that those who go are not always of the upper classes of Indian society, while in the present condition of Indian life the native Hindu Civilian who returns from England is, in the interior of the country at all events, more or less outside the pale. He is indeed, so far as Sir Antony MacDonnell has observed, usually a much abler officer than his fellow-countryman who has not been educated in England; but if he preserves English habits, he cannot associate, eat with, or intermarry with, his own people. It may be that with the extension of Western knowledge and liberal ideas, the partial estrangement which now exists between the native officer educated in England and the great mass of his co-religionists, may diminish and gradually disappear; signs are not wanting that this may come to pass in course of time; but at the present time the estrangement does more or less exist, and the Officiating Lieutenant-Governor wishes to recognise it as a factor in the problem under notice. For if one of the objects of the British Government in allowing natives of India to enter the Civil Service of India be to employ agents who are fully in touch with the feelings of the people of the country, it may be urged that this object is not always satisfactorily secured by employing in that service those gentlemen only who are by the fact of their having resided in England more or less estranged from their own people. It will be apparent from these observations that Sir Antony MacDonnell wishes to ignore no argument or plea against compelling candidates to proceed to England for their examinations, and that he proceeds to consider the Resolution of the House of Commons with no preconceived ideas hostile to the admission of natives of India into the Civil Service. On the contrary, he considers the demand for simultaneous examinations now made to be for some reasons a not unnatural demand on the part of the classes who make it, although he none the less thinks it to be a demand which in the interests of all classes could not and ought not to be granted.

3. The Secretary of State, in transmitting the Resolution of the House of Commons to the Governor General in Council for opinion, has pointed out that "it is indispensable that an adequate number of the members of the Civil Service shall always be Europeans, and that no scheme would be admissible which does not fulfil that essential condition;" and it is subject to these terms that the Government of India has invited the opinion of the Offg. Lieutenant-Governor on the question of what should be the minimum proportion of Europeans who must under present conditions be employed in those offices which are in the *cadre* of the Indian Civil Service. The Offg. Lieutenant-Governor believes that no person, European or native, who is competent to express a well informed opinion without prejudice, will contest the practical and present necessity of the condition imposed by the Secretary of State. But the effect of the condition must be to render compliance with the Resolution of the House of Commons, if not impracticable, at all events a source of numberless embarrassments to the Government. The matter is not now brought under discussion for the first time. It was thoroughly considered by the Public Service Commission and Lord Dufferin's Government. One effectual suggestion made for securing that "an adequate number of the members of the Civil Service shall always be Europeans" was to fix the strength of the European element once for all. If this were done it would be easy to recruit for it in England, allowing the remaining native element to be recruited for in India. The Officiating Lieutenant-Governor is strongly opposed to this solution alike in the interests of England and of India. It would not be possible to determine what shall be the strength of the European element for all time, or even for a generation of official life. We cannot foresee what the future may bring forth; and we could only fix the European element with reference to the circumstances as they exist, as is actually now done in regulating the number of *cadre* posts to be recruited for in London, and the number to be placed on the Provincial list. But the strength commensurate with the requirements of to-day may, and probably will, be unsuitable for circumstances prevailing 20 years hence. If any inference can be drawn from the past, it is this, that the number of natives of this country employed in scheduled posts will increase, while the number of Europeans will diminish. How far the increase will grow, or the decrease prevail, it is impossible to say: it must depend on the capacity of the natives of India for administrative work, and on their loyalty to the Crown and their adherence to the British connexion. The greater and stronger these grow, the more largely will the British Government employ natives of India in high appointments. It would, in Sir Antony MacDonnell's opinion, be alike

injurious to the legitimate aspirations of the natives of the country and to the development of a liberal policy towards the educated and loyal classes of the people; to enforce any rigid limitation to their hopes, or to impose a hard-and-fast restriction on the concessions which shall be granted. Even if such a restriction were now imposed, it is obvious that it could not withstand the course of events, and that our successors in the Government would not hesitate to remove it if circumstances dictated the necessity for doing so.

4. If, then, it is impossible to fix a rigid limitation on the number of the natives of India to be employed in the Civil Service, while it is "indispensable that an adequate number of the members of the Civil Service shall always be Europeans," it follows that the proposal to introduce simultaneous examinations must be condemned. The effect of such a system of appointment would be the continuous increase in the number of native members to the exclusion of Europeans, and the removal of the practical guarantee, afforded by recruitment exclusively in England, that the European recruits shall not fall below an adequate proportion. Having regard, therefore, to the limitation imposed on the discussion by the Secretary of State, the Lieutenant-Governor considers that for the present the prudent course to pursue will be to maintain the recruitment in England as the main source of supply of Civil Servants; but to retain an ancillary and supplementary source of supply by recruitment in India. This is the principle introduced by the Statute of 1870 (33 Vict. c. 3). The more Sir Antony MacDonnell thinks over the question (and he had to deal with it as Home Secretary very fully when the report of the Public Service Commission was received by the Government of India), the more is he satisfied of the wisdom, justice, and effectiveness of that Act if properly administered.

5. But there is another aspect of the question to which the Officiating Lieutenant-Governor desires to invite special attention. The effect of simultaneous examinations for the Civil Service of India would be to create, by recruitment in India, a privileged service, that is to say, a service which would have privileges larger than or different from those attached to the Provincial Service, although the latter service would be recruited from precisely the same classes of native society, and would have to perform precisely the same sort of official work. To the creation of such a privileged service recruited in India the Officiating Lieutenant-Governor has the very strongest objection. The only possible justification in the present and prospective conditions of Indian society for the establishment of such a privileged service so recruited would be the recruitment into its ranks of the aristocracy of birth and property as contra-distinguished from the aristocracy of education and intellect. The experiment of the Statutory Service as it was at first worked showed, however, that it was not possible to attract into the service capable scions of old and influential families, and the process of selection originally tried gave way to a system of competitive examination, in which the scions of old families for obvious reasons did not compete, and by which we have secured exactly the same class of men as without the Statutory system we had obtained for the Uncovenanted Service. The Lieutenant-Governor can have no doubt, judging from the experience already gained, that if an annual competition is held in India for admission into the Civil Service of India generally, as the advocates of a simultaneous examination desire, we shall get no better men, socially or intellectually, than we are getting and shall get for the Provincial Service, under the stricter rules for admission to that service which we are enforcing and shall, as time goes on, enforce still more rigorously.

6. But it is suggested that if a simultaneous competition be undesirable, a certain number of appointments now reserved for the Civil Service of India might be allotted for competition in India instead of in London, and that in this way some effect might be given to the Resolution of the House of Commons. To carry this proposal into effect in the way the Lieutenant-Governor supposes it to be intended, we should have to undo everything that has been done on the report of the Public Service Commission. We should have to dismember the newly created Provincial Service, and we should presumably have to throw overboard that salutary recommendation of the Public Service Commission, which restricts employment of officers recruited in India to their province of domicile. The immediate result would be the creation of a feeling of discontentment among existing Provincial officers. This feeling has existed among the ranks of what was called the Uncovenanted Civil Service ever since the Statutory system was established, and is one with which his Honour has had much sympathy,

for if the Covenanted Civil Service be the brain of the administration, the Uncovenanted Service is its right hand. The sagacity of the Public Service Commission applied the remedy by giving to the members of the Uncovenanted, or (as it is in its enlarged sphere called) the Provincial Service, the legitimate hope of attaining by merit to some of the higher posts till then reserved for the Indian Civil Service, and by this means has raised new aspirations and inspired new energy into the great body of Indian native officials who are, it must always be remembered, drawn from the same social strata as the successful candidates at simultaneous examinations for the Civil Service of India would be. There has now been infused throughout the Provincial Service, from the lowest grade to the highest, an improved tone and a higher sense of dignity and responsibility which will continue to increase as the number of listed posts, which members of the service are declared eligible to hold, increases. This is an administrative achievement for which our gratitude is due to the Public Service Commission, and the Officiating Lieutenant-Governor would deeply regret if any injudicious action were to mar its development. In the opinion of Sir Antony MacDonnell, it would be a public calamity if the improved tone in the administration were to be destroyed, as it would be, if any of the modes for admission into the service, stated in the 21st paragraph of your letter under acknowledgment, were adopted.

7. Moreover it is the fact that, under the system of recruitment for the Provincial Service now established, a certain number of scheduled appointments, hitherto restricted to members of the Indian Civil Service, are recruited for in India, and that there is in substance simultaneous examination, although the successful candidates are not classified in the same list with the candidates who are successful in the examination in London. The strength of the Bengal Imperial Service *cadre* is 179; and out of this number 20 appointments or 11.17 per cent., have been "listed" and made over to the Provincial Service. Recruitment for vacancies in these 20 appointments takes place annually, and it is literally true to say that examination of natives of India for a certain number of scheduled posts does take place annually in India. It seems to Sir Antony MacDonnell, having regard to the extreme undesirability of establishing a specially privileged service by recruitment in India, and the great loss which would be inflicted on the Government and the people by any injury to the position, prospects, or prestige of the Provincial Service, that this is the direction in which the advocates of simultaneous examinations should press their claims. Let them in due time press for a further increase in the scheduled posts to be "listed" or transferred to the Provincial Service; let them on a suitable opportunity urge that in Bengal the 20 posts now transferred shall be increased. If the number of scheduled posts which the Public Service Commission proposed to transfer to the Provincial Service had not on the recommendation of Lord Dufferin's Government been reduced, it is more than probable that we should have heard nothing of this demand for simultaneous examinations, natural though it may be from the standpoint of those who make it. Sir Antony MacDonnell would not be understood to say that the modifications effected in the recommendations of the Public Service Commission by Lord Dufferin's Government were unsuitable. Far from it; he thought them suitable in the circumstances of the time, but circumstances change, and 20 years, or twice 20 years, is but a brief span in the lifetime of a people. If circumstances do change, and a larger transfer of scheduled appointments can in the public interests be safely made from the Imperial to the Provincial Service, then the Officiating Lieutenant-Governor has no doubt that it will in due time be effected. Only let the policy of the Statute of 1870 be enforced and we shall, by means which will grow in effectiveness, attain the end contemplated by the Resolution of the House of Commons, namely, the adequate employment of competent natives of India in a due proportion of the posts reserved for the Civil Service of India. The posts for which the Civil Service of India is recruited may be divided into two classes, viz., Imperial posts to be recruited for from England, and "listed" or Provincial posts to be recruited for in India; and all that is necessary now to do is to recognise and provide by rule that this division or the apportionment of posts to each class shall be from time to time revised, so that the claims of natives of India to higher employment may be considered at regular intervals in a formal and effective way, with reference to the circumstances of the time, to the number of natives of India who gain admission to the service through competition in England, and to the maintenance of "an adequate number of European members."

8. The advocates of simultaneous examinations do not fully define the objects they have in view. But they possibly may mean that the candidates who would succeed at

the examination held in India, should enter the Civil Service on the same conditions as to pay, leave, pensions, &c. as those recruited by examination in England. If this be their meaning, then the acceptance of simultaneous examinations, besides being open to objections indicated above, would be altogether unfair to the general taxpayer. The conditions of the Civil Service of India have been defined with reference to recruitment from England, and are intended to compensate Englishmen for service in a foreign country. It is unnecessary, and would be unfair to the people of India to extend these conditions to officers recruited in India itself, or to pay for such officers at almost double the price at which they can now be obtained in practically unlimited numbers for the Provincial Services. There is no reason why higher emoluments should be given to gentlemen recruited in their own country under the simultaneous system of examinations now pressed on us, than are found to be sufficient to attract gentlemen of the same class and qualifications who are now members of the Provincial Service holding "listed" posts.

9. His Honour has one word more to say in conclusion. All the most prominent advocates of simultaneous examinations insist on the necessity of candidates selected in India proceeding afterwards to England, there to complete their training in the social and intellectual atmosphere of English life. With this section of the Indian public religious prejudice against foreign travel obviously does not prevail, and to it the existing system is presumably obnoxious, only because it takes Indian youths to England at an early age, and this for a more or less speculative adventure. To the latter objection Sir Antony MacDonnell attaches no great importance. The Civil Service of India is so attractive that there is, even in existing circumstances, no dearth of Indian candidates, while those who are unsuccessful find in the legal and medical professions sufficient reward for the trouble and expense of going to England. To the other objection it may be effectively replied that, unless the native of India does go to England while he is still young, and his mind plastic and susceptible of lasting impressions, he will never become so imbued with the English spirit, as we desire members of the Civil Service of India to be. The Indian youth, who at the age of 16 or 17 goes to England for his education and returns a member of the Civil Service at the age of 23 or 24, is likely to be, from the English point of view, a far more accomplished and better officer than the young gentleman who, probably a married man and with formed habits, visits England for the first time at the age of 22 or 23, and returns a year or two later with a meer veneer of English manners. If, therefore simultaneous examinations with subsequent training in England were to be held at all, we should have to revert to the early age limits for candidates, that is to say, we should have in this matter also to cancel our acceptance of one of the strongest recommendations of the Public Service Commission, and revert to a method of selecting English candidates for the Civil Service of India, which experience has clearly proved to be defective. We should in effect be adjusting to the conditions of native recruitment that examination which was instituted for the purpose of recruiting British officers alone. This is in the nature of a reduction to an absurdity.

10. In the preceding paragraphs no reference has been made to the practical difficulties attaching to the holding of examinations simultaneously in India and in England, or to the inconveniences which would arise from the indiscriminate application of such a system to provinces of varying stages of educational development and with various racial characteristics. It was the Lieutenant-Governor's wish to discuss the question in its wider non-technical and impersonal aspects; but he does not deny to these difficulties a considerable measure of importance, though they do not seem to him to be in themselves of a permanent or decisive nature.

I have, &c.

(Signed) H. J. S. COTTON,
Chief Secretary to the Government of Bengal.

EXTRACT from Letter No. 2607 of 1893 from the CHIEF SECRETARY TO GOVERNMENT, N.-W. Provinces and Oudh, to the SECRETARY TO THE GOVERNMENT OF INDIA, Home Department, dated Naini Tal, 5th September 1893.

I am directed to acknowledge the receipt of your letter, No. $\frac{27 \text{ Public}}{1084}$, dated 5th August 1893, asking for an expression of the opinion of this Government on the question

of holding simultaneous examinations in India and England for the Indian Civil Service.

If the Lieutenant-Governor were to deal with the question of simultaneous examinations in the abstract, he would reply that they were possible. It is quite possible to hold a paper examination at several different centres and to arrive with some degree of accuracy at a judgment of the respective merits of the candidates. Such an examination would not be altogether fair or satisfactory. It would be impossible to have a *viva voce* examination, because the examiners could not be the same and because it would be difficult to get competent examiners in India; and this part of the examination is very often essential for discriminating between the claims of nearly equal candidates and also for purposes of distinguishing true knowledge from mere cram. Sir Charles Crosthwaite's answer to this question then is that with very careful arrangements it is possible to have simultaneous competitive examinations in England and India, but with much less accurate and satisfactory results than can be obtained by one examination.

It is of course known to the Government of India that the party in this country which is agitating for simultaneous examinations hopes to obtain thereby for natives of India a much larger share in the Civil Service of India. The real question therefore is how far we can go with safety in this direction. The Civil Service of India is a controlling and governing body: it controls a vast army of native subordinates in whose hands is the executive, magisterial, and judicial work of the country to a far greater extent than people not conversant with affairs in India imagine. Taking a district as the administrative unit, the controlling staff consists on an average of a District Magistrate with one English Assistant who in the larger districts is an officer of some experience, and in the smaller is usually learning his work. There is an English Superintendent of Police, and perhaps one English Assistant Superintendent, if the district is a large one. The native superior staff ordinarily consists of three or four Magistrates of the Provincial Service who do much of the criminal work, and five or six officers of the Subordinate Civil Service, who, each in his division of the district, have magisterial powers and judicial powers in revenue cases. Under these superior officers are all the minor officials in the Police and Revenue Department. In the judicial department the conditions are similar: the main bulk of the civil judicial work is done by Subordinate Judges and Munsifs, who are all natives. In large districts there is an English judge who has appellate and controlling powers: smaller districts have only a share in an English Judge.

It was stated by the Duke of Argyll in his Despatch of 1869, quoted in the Government of India's letter, that "it should never be forgotten, and there should never be any hesitation in laying down the principle, that it is one of our first duties towards the people of India to guard the safety of our own dominion. For this purpose we must proceed gradually, employing only such natives as we can trust and then only in such offices and in such places as in the actual condition of things the Government of India may determine to be really suited to them." It will also be admitted that we are not only bound to guard the safety of our own dominion, but to maintain to the best of our ability British order, justice, and administrative purity so long as that dominion lasts. If we want to have a pure and good administration we must have strong English control. All experience, not only in matters connected with the Government, but in all great commercial undertakings and railways, teaches us that without English supervision it is almost impossible to have thorough efficiency and honesty.

The question then is whether the English element in the service is stronger than is necessary. This is a question which cannot be answered on theoretical grounds.

Sir Charles Crosthwaite's own experience is that in the three Provinces* which he has administered the English controlling staff is either insufficient or barely sufficient. It is insufficient at the time of year when most officers are on leave and at other times it is barely sufficient. In case of famine or civil commo-

tion it would be altogether inadequate. It may be said that the native officers whom we should get by the means of simultaneous examinations would be equal to Englishmen, and would from their knowledge of their countrymen succeed better in controlling their subordinates. So long as the examination is in England the natives who succeed are to a certain extent men picked not only by literary competition but by natural selection. They have had the enterprise necessary to throw off their prejudices, and for a long period to reside and study in a foreign country. The expenditure involved is security to a certain extent that they belong to families that are respectable and

*Burma.

Central Provinces,
North-western Pro-
vinces and Oudh.

well-to-do. By a lengthened period of residence in England, often in English families, they become to a certain extent Europeanised in their ideas and habits of thought. The Government of India has had some experience of men of this class. Many of them no doubt make good average officers: but no one would venture to assert that a larger admixture of them would not seriously weaken the administration. Under the simultaneous examination system the process of natural selection which has been referred to would be excluded. The men we should get might be good scholars and intellectually capable; but, so far as the Lieutenant-Governor's experience of the students of our colleges and of the classes from which they come can be trusted, the majority would be wanted in the strength of mind and force of character necessary in the *personnel* of a controlling and governing body. It is true that it is proposed to complete the education of the successful competitors by sending them to England for a period. This period could only be short, and it is very doubtful whether a short visit to England would make them better servants of the Government, while it would certainly put them out of touch with a large class of their countrymen. A short sojourn in England at the public expense and after a place in the service had been secured would not test the characters or improve the minds of the successful competitors in the same manner or to the same degree as the prolonged residence required from candidates under the present system. It is a great mistake to suppose that British India has arrived at the stage where nothing but smooth progress need be anticipated, or to think that the principles of law and order have penetrated the minds of the people so deeply that the English element in the civil Government may be safely diminished. We know little of what is below the surface, but we know enough, even without the teaching of recent events here, in Bombay and in Rangoon, to be sure that this is not a true estimate of the situation. It is instructive to observe that during the late riots in Bombay native papers like the *Hindu Patriot*, while demanding in one column a larger share of administrative appointments for their fellow-countrymen, were calling out in another column of the same issue against the Government for not having more European police officers in Bombay. What is desired by them is that the British power should hold the country while they administer it. It has not been found possible, and so far as Sir Charles Crosthwaite knows not even the party which is demanding simultaneous examinations has advocated it, to have native Superintendents of Police. The conclusion then is that the present proportion of natives in the Civil Service of India cannot be exceeded safely. Under the present rules 16 $\frac{2}{3}$ per cent. of the appointments in that service have been given to the Provincial Civil Service. It is open to natives at the same time to enter the service through competitive examination in England. This in Sir Charles's opinion is as far as we can go. In fact it may be advisable now, and may become necessary hereafter, to restrict the total number of natives admissible to the service to a proportion of 18 per cent. as recommended by Lord Ripon's Government.

If it is admitted that a limit must be placed on the number of natives in the Civil Service of India the scheme of simultaneous competitive examinations contemplated by the Resolution of Parliament becomes impracticable. It will be impossible to have a competitive examination, and to reject a number of successful candidates on account of their race. The question then arises whether any system of recruiting natives of India for the Civil Service by competition in India can be devised. There is no practical difficulty from an examiner's point of view in setting apart a certain number of appointments every year for competition in India, and the competitors so selected can, if it is thought desirable, be sent to England for training and for the completion of their education. If this method is adopted, the posts which have lately been assigned to the Provincial Service will have to be withdrawn, and that service reduced again to a subordinate position. There are in the Lieutenant-Governor's opinion great objections to this plan. In the first place it would restrict the appointments in the service to one class, a small and partially denationalised class of natives of India. The Lieutenant-Governor recognises the advantage of a lengthened residence and education in Europe for men who are to take their places beside Englishmen in the administration of India. But he does not believe that in most cases any benefit is derived by a native educated in this country from a short residence in England apart from his own family and away from the restraints which the public opinion of his fellows places on his conduct. It is not possible moreover to ignore the fact that Hindus who have crossed the sea are looked upon as foreigners by the vast majority of their countrymen, and are unable to keep Government in touch with true native feeling. In the second place for the good of the administration it is most important to improve the prospects of the Subordinate Executive Service. The measures lately

taken on the report of the Public Service Commission have opened up prospects to men in the subordinate ranks which they never had before. The important part of the Subordinate Executive Service consists of the Tahsildárs. The best Tahsildárs rise to be deputy collectors. The deputy collectors are now members of the Provincial Service, and as such are eligible for the higher posts that have been reserved for that service. It is believed that this measure will have an excellent effect, not only on the two grades above-mentioned, but on the whole of the subordinate ranks from which Tahsildárs are as a rule selected, and that the standard of the whole service will be raised. Under the present system the higher posts reserved for the Provincial Service will be filled by mature men of tried ability and experience. The system, to use the Duke of Argyll's words, is "a competitive examination of the best kind." By recruiting for the higher posts by competitive examination we shall impair the efficiency of the lower grades without getting better men for the higher. If it is desired to introduce competition in some form it should begin much lower down in the service. In order to get men of good education and respectable family, it is by no means necessary to offer them, at the commencement of their service, places in the higher ranks of the administration. The Government could fill the ranks of the Tahsildárs (who receive salaries of Rs. 150 to Rs. 250 per mensem) with educated men of a good class, and Deputy Collectorships, with salaries varying from Rs. 250 to Rs. 800 per mensem, are sought for still more eagerly. It must be remembered that the necessary expenditure of a native gentleman in his own country is very much less than that of an European gentleman in India. It is unnecessary to prove this by entering into details. If it is desired to introduce competition, it should begin with the lower ranks either of the Provincial Service as at present constituted; or, as Sir Charles Crosthwaite would prefer, at a still lower stage of the official ladder. There is, however, one great, and so far as his Honour can see for the present insuperable, objection to the introduction of a purely competitive system in these Provinces. A large proportion of the population, and perhaps a still larger proportion of the upper and influential classes, belongs to the Muhammadan creed. The Muhammadans are for many reasons behind the Hindus in education. The distance between the two classes is lessening but very slowly, and it will be many years before it disappears. Although inferior in literary education, especially in English, the Muhammadan as a rule is a stronger and more reliable man for administrative purposes than the Hindu. To exclude him from the service of Government—and it is certain that a system of recruitment by pure competition will exclude him—would be a great loss to the strength of the administration. It would, moreover, be a great injustice and a huge political mistake. The Muhammadans are well aware of the effect which a system of competitive examinations for entry into the public service would have on their prospects. They are already sore enough on account of the practical exclusion of their influence from Municipal and District Boards and from seats in the Legislative Councils, which is the result of the elective and *quasi*-elective systems lately introduced. To pass a measure which would almost totally exclude them from the higher ranks of the Government service would fill them with dismay and discontent. Sir Charles Crosthwaite is therefore strongly of opinion that no competitive system, pure and simple, can be introduced into these Provinces at present without causing great injury to a very large, influential, and loyal class of Her Majesty's subjects. At whatever stage recruitment by competition is introduced, it will be necessary to reserve a certain number of places for Muhammadans until they approach the Hindus in the standard of their education. If this is done the Lieutenant-Governor has no objection to recruit the Subordinate Executive Service by competition beginning at a grade below that of Tahsildár. The Provincial Service, which commences with the grade of Deputy Collector, is at present recruited two-thirds by promotion from the lower ranks, and one-third by selection from graduates who are nominated by the Principals of the various colleges in the Provinces. When the number of Muhammadan graduates increases the appointments filled by the latter process may be thrown open to competition. It will be always expedient to retain some places in the hands of Government for the sons of men who have done us honourable and faithful service, much as the Government reserves a certain number of cadetships in the army for the sons of Indian officers.

To sum up, the Lieutenant-Governor's conclusions are these:—

- (1.) That it is possible to hold simultaneous examinations in England and in India, but that the result of such examinations will not be so satisfactory as under the present system. Because a *vivá voce* examination will be impossible, and because the test of strength of mind and enlightenment involved in the journey to England and prolonged residence there will be wanting.

- (2.) The proportion of natives to Europeans in the Civil Service of India cannot be increased without risk to the safety of our dominion and the efficiency of the administration.
- (3.) Recruitment for the Civil Service of India by means of simultaneous competitive examinations is therefore inexpedient.
- (4.) It is possible to fill the posts in the Civil Service of India reserved for natives of India by competitive examinations in India. But that system is inferior to the present method of recruitment, inasmuch as it will injure the present Provincial and Subordinate Service without giving us better men; and it is unjust, administratively bad, and politically dangerous, because it will exclude Muhammadans from the service.
- (5.) That if some posts are kept at the disposal of the Government the Subordinate Executive Service may be recruited by competition at the bottom, officers so recruited having a prospect of rising to a very high level of superior and responsible duties.
- (6.) After a time, as the standard of education rises, some direct appointments to the Provincial Service may be filled by competition among graduates.

From H. C. FANSHAWE, Esquire, Officiating Chief Secretary to Government, Punjab and its Dependencies, to the SECRETARY TO THE GOVERNMENT OF INDIA, Home Department. No. 930 S.

Simla,

28th September 1893.

Sir,

I am directed to acknowledge the receipt of your letter, No. 27—1085, of 5th August last, and in reply to forward a note recorded by the Honourable the Lieutenant-Governor of the Punjab upon the proposal to hold simultaneous examinations in India and England for the Indian Civil Service.

2. Sir Dennis Fitzpatrick desires me to add that in looking over his note it strikes him that owing to his having had in view while he wrote it not only the Punjab, but also the various other parts of India in which he has served, he has not dwelt so much as he might have done on the peculiar circumstances of this Province. His Honour therefore thinks it well, with a view to supplying this defect, to forward herewith a copy of paragraphs 17 and 18 of the letter of this Government to the Government of India, No. 146, of 25th June 1888, which was written in the time of his predecessor, Sir James Lyall, whose intimate knowledge of the Province and its people may, Sir Dennis Fitzpatrick thinks, be said to surpass that of any other person now living.

I have, &c.

(Signed) H. C. FANSHAWE,
Officiating Chief Secretary to Government, Punjab.

EXTRACT from Note dated 23rd September 1893 by Sir DENNIS FITZPATRICK, Lieutenant-Governor of the Punjab, on the proposal for an examination in India for admission to the Civil Service.

In order to understand our present position with regard to this question it is necessary at starting to look back to its past history.

That history, so far as records are available here, begins with section 87 of the 3 & 4 Wm. IV. c. 85., which runs as follows:—

“And be it enacted that no native of the said territories nor any natural born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour, or any of them be disabled from holding any place, office, or employment under the said company.”

The importance of this section arises chiefly from its being the first intimation we have of the policy of Parliament regarding the claims of natives of India, and of what used to be called European “adventurers” or “interlopers,” to employment in the public service, but, as a matter of fact, it did no more than remove any legal disabilities that might formerly have stood in the way of the appointment of such persons; nor was it intended by those who framed it to do more. When Lord Ellenborough in the

debate of the 5th of July 1833 charged the Government with proposing "to place the political and military powers in India in the hands of the natives," the Marquess of Lansdowne, who had the conduct of the matter in the House of Lords, replied "What I said was that all offices in India should be *by law open* to the natives of that country," and as a matter of fact Parliament at that time was so far from contemplating the admission of Indians to any considerable number of the higher offices in India that it, by other provisions of the same Act, placed admission to the Covenanted Civil Service on such a footing that, though that service was, as Lord Lansdowne put it, "by law open" to Indians, it was practically certain that, except under some most extraordinary circumstances, not one of them could have the smallest chance of entering it.

The Queen's proclamation issued after the mutiny, to which I shall next refer, though I am not sure that in so doing I am not slightly inverting the order of time, went considerably further than the section of the Act of William IV. to which I have just referred. The Act of William IV., as observed by Mr. J. M. Ludlow,* an enthusiastic advocate of the claims of the Indian people, "was only negative, a mere removal of disqualification," whereas Her Majesty's proclamation is "positive pledging admission to office." The clause of the proclamation to which I refer ran as follows:—

"And it is our further will that *so far as may be* our subjects of whatever race or creed be freely and impartially admitted to offices in our service the duties of which they may be qualified by their education, ability, and integrity duly to discharge."

I have italicised the words "so far as may be" because the qualification involved in them should not be lost sight of. The writer whom I have already quoted and whose eloquent work is a running commentary on the proclamation, observes regarding these words as follows:—

"Not, indeed, that the qualification must be forgotten, '*so far as may be.*'"

"No doubt these words may be so interpreted by prejudice and ill-will as to nullify the whole promise.

"No doubt that the tendency to play the Jesuit with them, radiating from many a narrow heart and brain in the Indian Council at home, will for many a long year paralyze the hands of officials in India when the native knocks at the door of office.

"But by nothing can this tendency be more confirmed, more sharpened into bitter hostility to native claims, than if the qualification and its necessity were overlooked, and the native population were to fancy that the very walls of office are to fall before them at the sound of the proclamation, like those of Jericho at the sound of Israel's trumpets. The qualification is a *necessary* one at present.

"On the morrow of a rebellion fomented by Brahmins and Mussalmans, which has convulsed all India, England cannot, for India's own sake, treat Brahmins and Mussalmans without caution at least, if not without suspicion."

Now, if these were all the texts we had to expound and follow, though of course there would have been always much room for discussion as to whether we were giving the people of India a due share of the higher offices, the very sharply defined and, I may say plainly at once, the very perplexing issue, which we have now before us, would not have been raised.

What has raised that issue is the parliamentary enactment (21 & 22 Vict. c. 106. s. 32) requiring that all posts in the Civil Service shall be disposed of in accordance with the result of a competitive examination in certain "branches of knowledge" open to all persons "being natural born subjects of Her Majesty." This method of disposing of the patronage was adopted because it was considered that it was likely to give us men better qualified to discharge the duties of an Indian Civil Servant than we could hope to get in any other way, but the natural consequence of adopting such a method is that the appointments have come to be regarded by the small fractions of the population in England and in India, that have a chance of successfully competing for them, chiefly in the light of prizes offered as rewards for merit of a certain sort, and in the competition for which all persons having merit of that sort are entitled to be placed on an equal footing down to the smallest details.

Now, it is of course impossible in such a case to put all "natural born subjects of Her Majesty" on a precisely equal footing. The competitive examination is held in London, as it was intended by the authors of the Act and, as may be gathered from the way the Civil Service Commissioners are introduced into the arrangement, the Act itself contemplated it should be, and this necessarily gives residents of the United

* Ludlow's Thoughts on the Policy of the Crown towards India, 1859.

Kingdom an advantage over residents of Her Majesty's dominions abroad. It is the same in the case of the army examinations, and it would obviously be impossible to establish "simultaneous examinations" in either case all over the world. All we can reasonably be expected to do is to set up our testing apparatus in a central position. We cannot go carrying it about to the door of every person who desires to compete. This no doubt would be the answer we would give to an application for a "simultaneous examination" coming, *e.g.*, from one of the Australian Colonies. At the same time it must be admitted that the claim of Indian candidates to a "simultaneous examination" stands in certain respects on a peculiar footing, first because the prizes to be competed for have a value for them beyond all comparison greater than they have for any other class of Her Majesty's subjects, secondly because they would, if it were made equally easy for them, compete for those prizes in much larger numbers than any other class of Her Majesty's subjects, and thirdly because many of them, owing to the peculiarities of their religious observances, have much greater difficulties about coming to London than any other class of Her Majesty's subjects.

For these reasons it has been felt for many years past that the class of Indians who would have a chance of succeeding at the competitive examination are deserving of special consideration in regard to this matter; but it was decided by Parliament, after very full deliberation, that it would be best to afford them relief, not by holding a simultaneous competitive examination in India, but by taking away from the Civil Service a certain proportion of the posts set apart for that service and conferring those posts on "natives of India of proved merit and ability" under such regulations as might from time to time be framed by the Government (33 Vict. c. 3. s. 6). Unfortunately that system had not a fair trial. In the Punjab it was not worked altogether as it ought to have been worked, but I am well satisfied with the officers it has given us. Elsewhere it was not worked so well, and I believe fell into discredit. Moreover, the educated Indians of humbler position and whose families had no special claims on the gratitude of the British Government on the ground of service or otherwise, and who had thus less chance of getting their sons in under it protested against it.

Then came the Public Service Commission of 1886-87. That was a very strong Commission consisting of six European, two Eurasian, and six eminently representative Indian members with, as President, Sir Charles Aitchison, who perhaps commanded the respect and confidence of advanced Indians to a greater extent than any other European official of our time. One of the main proposals submitted to that Commission for consideration was the very one now under discussion, *viz.*, that for a simultaneous competitive examination in India for the Civil Service, and after the fullest deliberation, they unanimously rejected it, recommending instead, as the best method of satisfying the aspirations of Indians who might have claims to posts of the higher class, that the Uncovenanted Service should be re-cast and erected into a separate service to be called the Provincial Service, and that to that service a certain proportion of the higher posts previously reserved for the Covenanted Service should be assigned. Their recommendation was accepted with some not very important modifications by the Government, and has now to a considerable extent been given effect to.

But now, when the ink is scarcely dry on the subsidiary orders issued to give effect to it, we learn that some of the educated Indians are not satisfied with it, and that a resolution has been passed by the House of Commons re-opening the whole question.

The objections, as I gather, to the settlement effected by the Public Service Commission are—

1st. That it will not give to Indians as large a proportion of the higher posts as they might hope, at least after a time, to get if the simultaneous examination were established.

2ndly. That the Provincial Service is a service standing on a lower footing than the Covenanted Service, and that attaining one of the higher posts in it will be a different thing from attaining a similar post in the latter service, and

3rdly. That admission to the Provincial Service would not be obtainable in all cases by competition pure and simple; that in regard to some portion of the appointments to it good birth, the loyalty and services of the applicant's family and other such considerations would be taken into account; and that then, after a young man had got in, his prospect of attaining the higher posts transferred from the Covenanted Service would depend on a further competition not in certain "branches of knowledge," but in practical work.

Now, looking upon the whole question of appointment to the higher posts, referred to simply as one of the distribution of a given quantity of loaves and fishes, and seeing that the distribution is in the case of English candidates made dependent entirely on the result of a competitive examination, I think we must admit that the objections just mentioned are very fair objections for a class of persons, the members of which are most likely to succeed in a competitive examination, to put forward.

But, on the other hand, there are very serious difficulties in the way of our acceding to the demand for a "simultaneous examination."

In the first place, if this demand was to be entertained at all, it ought to have been taken up by the House of Commons before we gave effect to the recommendations of the Public Service Commission. In accordance with those recommendations we have now pledged ourselves to give one-sixth of the higher appointments formerly open to competition to the Provincial Service, which will in future consist almost entirely of Indians. We have done this in order to compensate Indians for the very disadvantage now complained of, and it could hardly be contended that if we were to remove that disadvantage they would be entitled to retain the compensation given them by way of relief against it. It can hardly be contended that we should keep two doors fully open for them and only one for the Europeans. Hence if we were to establish the simultaneous examination in India, we should have to take back from the Provincial Services the advantages we have already pledged ourselves to give them. This is a difficulty of which I shall have to speak at greater length presently, but for the moment I will assume that it can be got over.

Now we come to the main difficulty. The young men of this country, or at least certain classes of them, display an aptitude, which is as creditable to them as it is remarkable, for acquiring knowledge from books and reproducing it at examinations, and it is beyond a doubt that if the simultaneous examination were established in this country and the English and Indian candidates were placed in one list, as proposed, the great majority of the places would before long fall to the Indians. Further, once the number had increased to any considerable extent, it would begin to increase at an over-accelerating rate, for we must take men as we find them, and we may be quite sure that, wisely or foolishly, the better class of English candidates would hold back from competing for a service which would consist very largely of Indians.

This, it will no doubt be said, would be all as it should be. If you give Englishmen and Indians an equal chance, and the Indians get the best of it, why shouldn't they? and if Englishmen from prejudice or otherwise do not care to belong to a service composed mainly of Indians, let them keep out of it.

Now, there is no doubt that looking at the question still in the way I have up to this been doing, namely, as a question simply of the fair distribution of a given quantity of loaves and fishes, this argument is perfectly sound and unanswerable. But I need hardly say that it is impossible to treat the question simply as one of the distribution of loaves and fishes. Looked at from that point of view, its importance is, comparatively speaking, extremely trifling. There are perhaps at any given moment in England a couple of hundred fathers* of promising sons who have some hope of getting those sons into the Civil Service under the present system, and there are the couple of hundred promising sons who have some hope of getting in. On the other hand, there are perhaps a couple of hundred Indian fathers who would have some hope of getting their sons in if things were as they would be some years after the simultaneous examination was established, and there are their couple of hundred sons looking in the same direction. These fathers and sons, English and Indian both alike, form classes worthy of respect and deserving of all possible consideration, but who would dare for a moment to suggest that the claims of these infinitesimally small fractions of the population should be allowed the weight of a feather if they should be found to come in conflict with the best interests of the hundreds of millions of people for whose government we have made ourselves responsible in this country?

Looking towards the remote future, it is possible to conceive a time when the mass of conflicting elements which at present constitute the population of India would be somewhat fused together and when the education of the people would have progressed so

* I may mention here that the opposition of English officials in this country to the influx of large numbers of Indians into the Civil Service is sometimes ascribed to a selfish desire to keep the appointments for their own class, but as a matter of fact the son of an Anglo-Indian official has, owing to his being deprived of parental supervision, less chance of becoming fitted for a severe competitive examination than the son of any other Englishman of a similar rank of life, and very few of our sons ever get in. In fact we are in this respect somewhat in the same predicament with our Indian fellow subjects.

far that Indians would be found to have all the qualifications of Englishmen for governing the country, and other important qualifications in addition. If such a time were to come, it would be natural to propose that admission to the Civil Service should be restricted altogether or nearly altogether to Indians, and if such a proposal were made on the ground that it was best for the country at large, what, I would ask, would be thought of any one who opposed it on the ground that it would exclude an insignificant handful of people in England from a share of the loaves and fishes?

And if the converse is the case at this moment, if it is clear that the good of the mass of the people of India at this moment can be secured only by having the great bulk of the higher appointments filled by Englishmen, who, I would ask, would dare to suggest that to secure to an infinitesimally small fraction of the population an adequate share of the loaves and fishes we should adopt a system which would give the bulk of the higher appointments to Indians?

This brings me to the main point of my argument, which is that it will for a long time to come be impossible, having regard to the interests of the masses of the people of this country, to fill any large share of the higher appointments by Indians. That some proportion of these appointments must for a long time to come be filled by Europeans has never, as far as I know, been doubted by any authority that has considered the question, and I observe that in the Despatch of the Secretary of State now under consideration it is laid down that "it is indispensable that an adequate number of the members of the Civil Service shall always be Europeans, and that no scheme would be admissible which does not fulfil that essential condition."

I may add that in the leading organ of the advanced Indians published in this Province that condition is accepted as a matter of course.

This question is thus reduced to one of degree—of more or less; but even when reduced to this, it is a difficult one to deal with, and one which it is impossible to discuss without, on the one hand, making some admissions which are unpalatable to British pride, and, on the other hand, saying some things which may offend the susceptibilities of Indians. This is much to be regretted, but the occasion is one for plain speaking.

In his Despatch, No. 3, of the 8th April 1869 the Secretary of State, speaking of the possibility of employing Indians in the higher offices, wrote: "It should never be forgotten and there should never be any hesitation in laying down the principle that it is one of our first duties towards the people of India to guard the safety of our own dominion." That is, I need not say, true, but it seems to me to be a somewhat inadequate statement of the position. There are, of course, certain moral obligations which are so obvious and so stringent that no question can ever arise regarding them and which in everything we do in this world must have the first place, but next after them comes the obligation to maintain British rule, inasmuch as it is the condition precedent to the performance of all the other duties we owe to India. It is no doubt possible by an effort of the imagination to conceive a time when India would be able to stand alone, and when it would be our duty to withdraw and allow it to do so; but about such matters it is unnecessary to speculate at this moment. It is enough to say that as things now stand, and as they will stand for any time worth taking into consideration, our first and paramount duty is to maintain British rule in India with a strong hand.

British rule brought this country out of a state of chaos the horrors of which it would be difficult for a stay-at-home resident of Europe in the 19th century adequately to realise, and if the grasp of the British power were relaxed even for a brief period over any part of the country, chaos with all its horrors would come again.

Englishmen, even Englishmen who spend their lives in India, are not given to reflecting much on this; and I doubt whether many natives of the country nowadays think of it, though it was a good deal present to the minds of the people of the Punjab when I first came to India.

The fact is that we have now had 35 years of internal peace unbroken except by petty local disturbances, and we have begun to flatter ourselves into the belief that our position in this country is absolutely unassailable; but as a matter of fact it is not so. It is, and always will be, liable to disastrous shocks from which it might take a long time to recover; and though this is not a pleasant subject of reflection to us with our national vanity and our tendency to optimism, the more completely we realise it the better.

It must not be supposed when I say this that I am writing merely under the influence of an alarm raised by the events of the last few weeks.

I am not saying it for the first time.

In a note which I recorded more than six years ago I find I wrote as follows :—

“ It may be thought that with the advance of civilisation there would be an improvement in this respect, and, after some generations that will doubtless prove to be the case; but there is no sign of it yet: indeed there has been something like an exacerbation of hostile feeling between certain rival sects of late years which I find many intelligent natives attribute to the development of the press, the post, and the telegraph. A quarrel between Hindus and Mussalmans at Salem or Delhi, which formerly would have been a purely local affair, is now within a few hours the subject of discussion all over the country, and thus the evil multiplies itself.”

The disturbances which have just occurred in the Benares Division, in certain parts of Behar, in Rangoon and Bombay, and the excitement which has followed throughout the whole country, illustrate to some extent the danger to which I referred on that occasion, but when I spoke of that danger being aggravated by the press, I confess I was far from anticipating the extent to which it might become aggravated by the operations of the new fashioned agitating classes, both Hindu and Mussalman, not only through their newspapers, but also by their organised associations and public meetings.

There is another point to be borne in mind in considering our power of maintaining a hold on the country, and that is that there are all over India certain predatory or turbulent classes which, though they bear our Government no ill-will, would be always ready to break out and loot their neighbours in any part where our administration might be temporarily disorganised or our control relaxed. This occurred in many parts of the country during the Mutiny of 1857, and it would be sure to occur again. The classes to which I refer embrace not merely castes which are robbers or thieves by profession, but also large bodies of zemindars, some of them men of position and influence, now quietly cultivating their lands, and only occasionally figuring in our criminal returns, but who at heart retain their old turbulent and predatory instincts, and would at once begin to indulge them in a wholesale manner if an opportunity for doing so presented itself. Bands of four or five would soon swell to bands of 20 or 30, bands of 20 or 30 would soon swell to bands of several hundreds, towns would be looted, old quarrels would be fought out on a large scale, and a reign of terror would prevail.

No doubt we should ultimately succeed in re-establishing our authority, but one shrinks from the contemplation of the terrible aggregate of human misery which would be entailed by the outbreak itself and by its repression.

Passing on now to consider our position in ordinary times and putting all such dangers as those to which I have been referring out of the question, we find that the administration of an Indian district is beset with many difficulties of which people in England have but little idea.

There are, to begin with, the endless divisions and disputes between different classes of the people. I have already referred at length to the great quarrel between Hindus and Mussalmans, but apart from that there are other minor quarrels constantly recurring between them about processions, temples, mosques, and the use of wells, or arising from acrimonious controversial publications and speeches and so forth. Then there are the disputes of the Mussalmans among themselves—disputes between Sunnis and Shias and between old-fashioned Mussalmans, Wahabis, and “Naturies”; and the disputes of the Hindus among themselves—disputes between members of the Arya Samaj and the Sanatan Dharm party, disputes between Anglicised Hindus and old-fashioned Hindus, disputes between Vaishnavas and Saraogis, and so on.

Some of these are apt to give rise to riots—ordinary riots which can be dealt with by the police, but which require an officer of coolness, impartiality, and determination to deal with them. Others do not proceed so far as that, but nevertheless require delicate handling. People in England in the present day can form no idea of the bitterness of these disputes.

From what has been said above it will have been seen that the immediate effect of the general progress of the country is, contrary to what might have been expected, not to diminish the bitterness of these disputes but to increase it. I have explained to a certain extent how this comes about, but there is one other feature in the progress of Indian society to which I ought to refer as to some extent accounting for it. I mean the sense of liberty, equality, and individual right which a regular administration of justice and the development of political ideas has introduced. A few days ago I asked a Sikh gentleman holding a high position in an important native State what was the cause of the present disturbances, and he answered that it was the “azádi,” the liberty, or perhaps, as he used the word in a dyslogistic sense, I should translate it “license,” which we allow to our people. Long ago “dastúr” or “riwáj” (custom) and the views of the more steady and sensible members of a class generally prevailed. There were

of course many exceptions, but I speak of the general tendency. If the members of a sect had been in the habit of doing a certain thing in a particular place the general feeling among other sects was that they should be allowed to continue doing it there; on the other hand, if the members of a sect had not been in the habit of doing a certain thing in a particular place, they would probably not think of doing it there; and in either case individuals would not usually venture to set themselves up against the opinion of the mass. This was the way of the people, and it seemed to the Government so good a way that when I first came to the Punjab there was actually a clause in the short Penal Code, compiled for our use by, I think, Sir Robert Montgomery and Sir Richard Temple, providing a punishment for what was somewhat quaintly termed "wrongful innovation," which was understood to mean doing something that had not been done before and which would be likely to lead to a quarrel. Now we have changed all that. People are perpetually asking themselves why should not we do this and why should our neighbours be allowed to do that, and they always find the pettyfogging legal practitioner and professional agitator ready at their elbow to help them to think out the question, and some party newspaper available for discussing it.

I have had one single Mussalman after me for months, who quotes constitutional principles to me, and wants to know why I will not upset an order of the District Magistrate refusing him leave to kill cows in a place where no one else wants them to be killed; and we have recently been in danger of having a renewal of the riots at Rohtak owing to the handful of butchers there striking out a line of their own, declining to accept a settlement effected by the Deputy Commissioner between the other Mussalmans and the Hindus, and refusing to do their part in the Id-ul-zuha sacrifices, with the result that last year there were no sacrifices at all, and the decent Mussalmans suffered for their loyalty and desire to avoid a breach of the peace.*

I ought to add, before passing from this subject of sectarian quarrels, that within the last two or three weeks several of the native newspapers have begun to counsel reconciliation between the Hindus and Mussalmans. Whether the more advanced Hindus will succeed, as some of them profess to be able to do, in acting as mediators between their more backward co-religionists and the Mussalmans is another question. Anyone can succeed in stimulating a quarrel of this sort, but to allay it is a different thing, and a thing that if it is to be done at all could scarcely be done by gentlemen of that class. It would have to be done by the natural leaders of the people. If, however, it should be proved by some years' experience that the more educated classes are really willing and able to control the masses and reconcile their differences, that would undoubtedly necessitate a modification of some of the opinions I have expressed or am about to express in this note.

So much for sectarian quarrels.

Besides these quarrels we have standing quarrels of many other sorts to deal with—quarrels between large jagirdars and the landholders of their jagirs; quarrels on a large scale between landlords and tenants; quarrels of the Montague and Capulet order between leading men and their respective retainers, a very prominent feature in Bengal and Assam; quarrels about irrigation, and of late years, where local self-government has become anything of a reality, quarrels about it.†

Then there is the constant oppression of the weak man by the strong man, who needs some stronger man to bring him to his bearings, and the *chantage* and intimidation practised upon timid persons and among others on some of our native officials by the scurrilous native papers, the professional informers, and the writers of the anonymous petitions which reach us daily only to be destroyed, but which are still sent us in the hope that some spark of suspicion may be kindled in our minds.

No doubt there are rough and ready methods of meeting these difficulties—methods which are employed in native States, which used to be employed by some of

* This year, the butchers have given in, the Deputy Commissioner's settlement has had full effect given to it, and all has gone well.

† It may seem to persons unacquainted with India that some of the quarrels here referred to, as, e.g., quarrels between landlords and tenants and quarrels about irrigation, are simply matters to be dealt with by the courts of justice in the ordinary routine way, but when such quarrels affect considerable tracts of country or large numbers of people, we often consider that to prevent disturbances or interminable and costly litigation, it is the duty of our officers to interfere in their administrative capacity, and endeavour to effect a settlement, and this is what the people themselves expect us to do. I have this very day had before me a case of this sort between the large Ghakkar landlords of the Hazara District and their tenants which came up when I was in camp in that country some months ago, and which I now hope the Deputy Commissioner will be able to settle by the weight of his personal influence.

our older officers in British India, and which some of our Indian subordinates would still employ here if they were not closely looked after; but we nowadays are bound to employ only English methods, and methods minutely prescribed by our law, and to deal with such a state of things by those methods is very far indeed from being an easy task.

So much for the country we have to administer, and the difficulties connected with its administration.

As regards the agency available for its administration, the great bulk of the work is done by the vast body of subordinate officers, almost altogether Indian, receiving salaries which range in some cases as high as Rs. 1,000 per month. These officers have greatly improved of late years, and many of them are men of ability and eminently worthy of confidence, but the bulk of them require a vigilant eye to supervise them, and a strong hand to control them and keep them up to their work.

For supervision and control as well as for the performance of the more important portions of the actual work we have to look chiefly to the Covenanted Civil Service. To the members of that service, and in particular to such of them as hold the office of Magistrate and Collector, or Deputy Commissioner, which is the backbone of our local administration, we are compelled by the exigencies of the position to entrust powers far exceeding in extent and variety any powers that would be concentrated in the hands of a single official under any Government in Europe. I may be permitted in this connection to quote the remarks made by Lord Macaulay in the debate in the House of Commons of the 24th of June 1853, on the position of the members of the Civil Service generally, and of the District Officer or Collector in particular. Of the Civil Service generally, he said:—

“There is not a single one of these men upon whose capacity the happiness of a very large number of human beings may not in any situation depend. It is utterly impossible that one-tenth part or one-twentieth part of that service can consist of incapable men without causing great suffering to thousands of individuals.”

Of the Collector or District Officer, he spoke as follows:—

“Some gentlemen seem to imagine, putting the Indian Collector at the very highest, that he is something like a Commissioner of Taxes or Stamps in this country; while the truth is that the Collector of Revenue in many parts of India is the sole consul of a great Province, the district assigned to him being about the size of one of the four provinces of Ireland, of Leinster, or of Munster, and the population therein probably about 1,000,000 of human beings. In all that district there is not a single village—there is not a single hut—in which the difference between a good and a bad Collector may not make the difference between happiness and misery. The difference between a good and a bad Collector to the people in such a district is infinitely greater than the difference between the very best and the very worst Government that we have ever seen or are likely ever to see in England can be to the people here.”

Further on he said:—

“Such a power as that which collectors in India have over the people in India is not found in any other part of the world possessed by any class of functionaries; and I can conceive that if we made the very best arrangements possible with respect to the Home Government, we should be rendering far smaller service to those millions for whom we are bound in the first place to take thought than if we raised the capacity for the Civil Service.”

From all this, it will be seen how very high a stamp of man we require for the Covenanted Service. We require a strong man; a man of high courage, both physical and moral; a man of resource, capable of quickly grasping a complicated position and taking the responsibility of acting on his own view of it; a man thoroughly imbued with the spirit of our system and incapable of resorting to un-English methods; and last, not least, a man of perfect impartiality, absolutely unconnected with any sect or faction, and above even a suspicion of a leaning towards either side of a pending controversy.

Now, the question is whether this aggregate of qualities is to be found in Indians to the same extent as it is to be found in Europeans. I am not without hope that it may some day be found possible to answer that question in the affirmative, but truth compels me to say that it is impossible to do so at present. I am anxious to say the best I can for people among whom I have spent the best part of my life, with whom I have always lived on the most friendly terms, and to whom in many

ways I owe much; but it is impossible for me to say that for the purpose now in question, Indians are equal to Europeans. There are of course a few individual exceptions here and there, but these do not affect the question, which is one between classes taken in the aggregate. Further, there are very wide differences indeed between the various races that make up the immense population of India, much wider differences than are to be found between the nations of Europe, but all those races are essentially Oriental, and Orientals differ from the people of the West, almost as much as the inhabitants of one sphere would differ from those of another.

Observe, I do not say that Europeans, taking them all in all, are superior to Indians, taking them all in all. In some things we are superior to them; in others they are superior to us: and it would be a vain and profitless task to set about determining which is on the whole superior to the other. All I mean to say is that we are of widely different types.

This is a thing which a European coming to India takes a long time to understand properly. On first arrival, if he is a man of generous disposition he feels indignant at the manner in which he finds the people of the country spoken of by some Europeans of longer standing in the country than himself. After a little, when he himself comes in close contact with the people, he is so shocked by much of what he sees that he undergoes a revulsion of feeling, and if you meet him at that stage you will probably find that he displays the very prejudices that so shocked him on his arrival. Meet him again a few years later on and you will find that he has come at last to understand the actual position, to see that he is dealing with people of a wholly different type from himself, who are better than him in some ways, worse than him in other ways, and who cannot be judged by the same standards.

When I speak of Indians or of Orientals generally being of a different moral type from ourselves, I must not be understood as suggesting that they commonly differ from us diametrically on questions of morality; that happens only in the rare cases where some element of religion or superstition comes into play. The difference between them and us to which I refer is commonly one only of degree, that is to say, that social opinion among them insists on certain virtues and condemns the corresponding vices less strongly than social opinion among us, and that similarly social opinion among us insists on certain virtues and condemns the corresponding vices less strongly than social opinion among them; and to apply this to the particular matter before us, what I mean to say is, that social opinion among the people of this country, and even among the better class of them, insists very much less strongly than social opinion among us on those particular qualities that are needed in a man occupying the positions assigned to the Covenanted Civil Service in India.

It may be urged that education would alter that in the individual; and so it would undoubtedly to some small extent. The training of a man's intellect does to a certain extent modify his moral nature, and the acquisition of certain sorts of knowledge does the same, though to a less extent; but to suppose that merely by educating an individual in one of our schools or colleges you would produce any deep change in his moral nature seems to me a vain delusion. A man's moral nature is the resultant of the various influences of the society to which he belongs, and while he belongs to that society he can no more emancipate himself from those influences than he could emancipate himself from the force of gravity, or the pressure of the atmosphere, or the other physical conditions of life in this world. No doubt, if an Indian could be sent to Europe as a mere boy and live there for many years, his whole nature would be profoundly changed, but I cannot think that anything short of that would have such an effect.

I desire to repeat before passing from this point that I do not in saying all this mean to assert that Indians are, taking them all in all, worse than Englishmen, but merely that they are still widely different from Englishmen and much less fitted to govern the country as we are bound to govern it. I desire further to repeat that I am not without hope that the day will come when the Indians will be found equal to Englishmen in this particular respect.

It must be remembered that it is not so very long since men holding important offices and standing high in public estimation in England were often lamentably deficient in some of those qualities which we nowadays consider of the first importance in a public servant. The progress of society has altered that in England, and there is no reason why it should not do the same in India; but such changes are slow especially in Eastern countries.

I now pass to another point which it seems to me has a very important bearing on the question before us, and that is, that supposing all other differences between

Englishmen and Indians out of the question, there is this important difference between their positions in this country, that an Englishman stands absolutely clear of all the sects and factions and quarrels to which I have referred as forming so prominent a feature of Indian life and presenting such formidable difficulties to our administration, while an Indian, unless he has become altogether denationalized, has the greatest difficulty in shaking himself clear of them. The position of isolation occupied by the Englishman, whatever its disadvantages may be in other respects, gives him an important advantage in this respect, and until the ridiculous charge to which I have already referred was made the other day by a certain class of writers in the press, I never heard it suggested that the attitude of Englishmen towards the different sects and factions was other than one of the most complete impartiality.

On the other hand, a considerable proportion of the immense mass of petitions which is constantly reaching the Government, and its higher officers is full of charges or insinuations of partiality against native officers. There are, it is urged, too many Hindu officials in this district, too many Muhammadan officials in that; the Hindus are being ruined by the oppression of a certain Mussalman official, or the Mussalmans are being ruined by the oppressions of a certain Hindu official; so and so is an ardent Arya Samaj man and no one who does not join the Arya Samaj has a chance with him; so and so being a Mussalman has interfered with a certain Hindu sacred place; so and so is filling all subordinate offices with members of his own clique; and so on. Now, it is only just to say that I believe that the more serious of these charges when made against our higher native officials are very much oftener false than true, but at the same time I believe that the strength of prejudice among the people is such that many of these imputations, even when absolutely false, are made with a thorough belief in their truth, and this in itself is a serious matter from an administrative point of view. Further, I believe that many excellent Hindu and Mussalman officials, though they would not consciously favour members of their own sect, or would not take an active part with that sect in its disputes with a hostile sect, would shrink from taking an active part against their own sect in cases where their duty might require them to do so.

I need hardly add that in the case of a religious dispute a Hindu or Mussalman officer, however anxious he may be to do what is right, is at a most serious disadvantage compared with a European. A Mussalman officer set forth the other day to settle a cow dispute in a certain tract of country in the Delhi Division. He endeavoured to settle it by getting his co-religionists to yield on the subject of cows in consideration of the Hindus making certain concessions on the subject of pigs. I see no reason for thinking that he acted otherwise than with the best intentions; but just as he thought he had settled everything the Hindus began to suspect him, and the end of it was that not only did he not settle the cow dispute, but he raised a pig dispute on the top of it with the result that the village menials* throughout the tract struck work, leaving the Hindu women to do all the dirty work of their houses, and the last state of the case became worse than the first.

Another point to be remembered is that an official who is a native of the country is naturally apt to become involved in friendships and enmities among the residents of his district, and this is very likely to interfere with the proper discharge of the duties of a district officer. An Englishman is a stronger man and is less apt to be influenced by anything of this sort, but even Englishmen in those few parts of the country where European planters abound, are not altogether safe against it. With native officers who are weaker this is sometimes apt to be a serious drawback.

The only advantage so far as I can see that a native official has over a European lies in his better knowledge of the people. We are, I think, sometimes apt to over-estimate this knowledge. We are apt to think of ourselves as living at one side of a thick purdah with all the people of the country, including our native officials, at the other, and to imagine that there is a sort of freemasonry among them all, and that they all understand each other thoroughly. Now, as a matter of fact, owing to differences of religion and caste, the native population is so much split up into sections, divided as it were into water-tight compartments, that this is very far from being the case, and very often when we are inclined to suspect that a native subordinate must have been well acquainted with something that has been going on and has been purposely keeping it to himself, we find that after all he has been as completely ignorant of it as ourselves.

* The pigs are owned by the village menials who are men of low caste. The Hindu zamindars use them only in performing certain propitiatory rites in the great temple of Sæta (the goddess of small-pox) at Gurgaon.

At the same time it must be admitted that a Hindu or Muhammadan official has a very great advantage over us in this respect. Unless he has become thoroughly Anglicized and denationalized he probably lives in the middle of the native town, and has numerous friends, at least of his own sect, dropping in morning and evening to smoke and chat with him and tell him all that is going on. He may also have about him relations or dependents either holding inferior positions in the offices or living on his bounty, who are thoroughly attached to him and who are of much use to him in procuring information.

European officers have not these advantages. They are with extremely few exceptions very "accessible," as we call it, to the people. Any one who has a grievance can lay it before them, and if for some reason he does not like to do so in open court, he can hang about the officer's gate or waylay him in the course of his ride. I myself rarely go outside my house or outside the enclosure of my camp without finding one or more men waiting for me with their petitions. Again, native gentlemen are very frequent visitors at our houses and talk with a considerable amount of freedom about many things that are going on. In camp there are opportunities of seeing more of the humbler people, as the headmen of the neighbouring villages are always about the officer's tent and eager to have a word with him. But all this passes in an official atmosphere and is very different from the sort of intercourse that a Hindu or Muhammadan official has with men of his own set. It makes all the difference in the world, as I found at Hyderabad, being able to sit down and eat or smoke with a man who meets you to some extent at least on a purely social footing. It is true that, owing to the way native society is split up, a native official cannot be exactly on these terms with men outside his own set, but if you manage to get into even one set in an Indian town you learn a good deal of other sets too. For these reasons I do not deny that the native officer has in the particular to which I am now referring an important advantage over the European officer. At the same time it must be borne in mind that there is this countervailing disadvantage, that the more he is given to forming friendships with the people of his district the greater is the danger to which I have already referred of his getting involved in cliques and factions.

I have now finished what I have to say as to the comparative fitness of European and Indian officials for the higher duties of administration in this country.

But it may be asked, granting that Indians are less efficient, would it not be a wise policy for us as a foreign Government to employ them more largely, even at some sacrifice of efficiency, with a view to further popularising our administration.

To this I would answer most certainly, yes if it would really have the effect of further popularising our administration, that is to say, of making our administration more acceptable to the great mass of the people. But that I am perfectly sure it would not.

It is quite true that our Government is a foreign Government, and it is further true that some Englishmen have a domineering way about them which to certain people is far from pleasant. But to the great mass of the people this is of very little importance.

In almost all parts of British India (and it is the same in most of the larger native States) they have for very many generations been under a foreign rule of one sort or another, and the idea of being in any other position, the idea of taking any share in the government of the country, or obtaining any sort of political privileges never enters their heads. So long as we keep our taxes low, maintain order, prevent the strong oppressing the weak, administer justice impartially and, subject to this, leave people as much as possible alone, they will, unless they are stirred up, be quite contented under our rule; and as for the Englishman's domineering manner, it is enough to say that the people of this country are accustomed to be ruled with a strong hand, and that whatever exception may be taken by more sensitive people to the Englishman's manner, the manner of a Hindu or Muhammadan official to the common people is apt to be a very great deal more unpleasant.

We have, I am happy to say, many Hindu and Muhammadan officials who are, as they deserve to be, highly esteemed by the people and very popular wherever they go; but in all cases so far as my experience goes, when the people express any preference on the ground of race it is in favour of the English officer. They sometimes ask that an English officer should be appointed to a particular place, and they are constantly asking to have their cases transferred to an English officer, but I do not remember any requests to have an Indian appointed instead of an Englishman, or to have a case transferred from an Englishman to an Indian.

The truth is that the substitution of Indian for English officers in the higher posts would be popular only with the advanced Indians who still form, as Lord Dufferin said, but an infinitesimal fraction of the population. It would be popular with them for two reasons. In the first place, they differ from the mass of the people in this that many of them feel keenly being under a foreign yoke. I completely accept their assurance that they entertain no design to subvert British rule: but it is impossible to read their acrimonious attacks upon everything good, bad and indifferent in our administration without seeing that the feeling of many of them is a much deeper one than that of dissatisfaction with particular men or particular measures or even with particular institutions. In this I see nothing to be surprised at; our own feeling in their position would be the same; but what we should remember is that to men entertaining such a feeling the circumstance that the great majority of the higher posts are filled by Englishmen presents itself in the light of a bitter aggravation of the position. Add to this that these advanced Indians are, unlike the mass of the people, over-sensitive to an extreme degree, and that the Englishman, though his intentions may be the best in the world, is, as I have said, sometimes rather a domineering sort of person, and it will be easily understood why the advanced Indians, unlike the mass of the people, would prefer to see fewer Englishmen in the service.

The second reason for their wishing to see Indians substituted for Englishmen in the service is one so very natural that it calls for no elaborate explanation. It is that they expect that the appointments would fall to men of their own class.

Now, I am anxious to show to men of this class all possible consideration. We have ourselves made them what they are, and we are bound to do what we can for them. I may add that personally I have throughout my service been on the most friendly terms with them, and that, notwithstanding the tendency of some of them to bitterness against English officials, I have never had an unkind word from one of them. But there is obviously a limit to what we should be justified in doing for so very small a class as this when the interests of the great mass of the population are at stake. No doubt if a time should arrive when these advanced Indians would attain the position, to which they aspire, of being leaders and representatives of the great mass of the population, the question would assume a very different aspect; but there is at present so little prospect of their attaining that position in any part of the country, with which I am acquainted, that it is unnecessary to consider on this occasion what we should do in such an event.

Now I trust it will not be supposed from what I have written that I go so far as to think that Indians should be excluded altogether from the higher offices in this country. That is by no means my view, and as a matter of fact in the scheme which I as Chief Commissioner of the Central Provinces drew up in the year 1887 for submission to the Public Service Commission* I proposed that a larger proportion of the higher appointments in those Provinces should be opened to Indians than that Commission subsequently thought fit to assign to their Provincial Service. My view is merely that, as insisted on by the Secretary of State, some limitation should be put to the number of places to be held by Indians, and that, having regard to the considerations which I have stated, the proportion of places to be held by them should be a low one. As to what exactly it should be—that is a question on which, as on all questions of degree, there must be room for a certain amount of difference of opinion even among those who accept the same principles for its decision, and it is, moreover, a question which, having regard to the great variety of conditions prevailing in different parts of India, must be answered differently for different Provinces. As I have said, I was prepared to admit a larger proportion of Indians in the Central Provinces than the Public Service Commission were. In the Punjab, on the other hand, having regard to the more turbulent character of the people, to the circumstance that six of our districts march with the Afghan frontier, and that even in ordinary times, to say nothing of times of regular war, there is a great deal of *quasi*-military work to be done by our civil staff, I should certainly not be prepared to go so far in this direction as I was prepared to do in the Central Provinces, nor would I be prepared to go beyond the proportion fixed by the Government of India and the Secretary of State in accordance with, or as nearly as possible in accordance with, the recommendations of the Public Service Commission.

* I ought to mention that the scheme in question was never submitted to the Commission, because on the very day the letter submitting it ought to have been despatched, I received an order adding me to the Commission and I thought it best under the circumstances to reserve my opinion. After serving on the Commission only a few days I was transferred to another appointment.

But whatever my individual opinion or anybody else's individual opinion might be on this question if it was now being started for the first time, it seems to me that to re-open a difficult question of this sort, and a question of degree—of more or less—which was settled only five years ago by a strong Commission of experts fully representing all conflicting interests, and to re-open it just as all the arrangements for giving effect to the decision of that Commission have been made, would be an unheard-of course, and one calculated to produce an impression that nothing could be taken as settled even for a reasonable time, and to make the work of governing a country like this well nigh impossible.

This brings me to the only point remaining for consideration, and that is in what manner the proportion of the higher appointments, whatever it may be, which we from time to time determine to give to Indians in addition to those they may win in England, should be distributed among them. This is a point which it is in one way easier for us to discuss than the previous one, inasmuch as it is one not between Englishmen and Indians, but one between different classes of Indians among themselves.

The first observation I would make upon it is that, assuming, as I am now doing, that there is to be some limitation to the number of Indians to be admitted in this country, it would be obviously inexpedient to have one and the same examination here and in England and to arrange the candidates in one and the same list. There is no difficulty about laying it down as a general rule that no more than a certain proportion of appointments should be allowed to go to Indians, but if this rule were to be given effect to by directing that *A*, an Indian candidate, who had beaten *B*, an English candidate, in an examination should give way to *B* because the fixed proportion of Indian places had already been assigned to Indians who had passed higher than both, *A* would feel that he had suffered a cruel injustice. I quite see that he ought not to feel this—that he ought to see that the result so far as he was concerned was merely the same that would follow if there were separate examinations for Englishmen and Indians, but he would beyond the shadow of a doubt feel it.

For this reason I think it is clear that if the places to be specially assigned to Indians were to be given to them by the method of competition in India, the examination for them would have to be separate from the examination in England.

The next question to be considered is, assuming that the examination in India would be separate from that in England, should there be one examination for all Indian candidates or a separate examination in each Presidency or Province confined to the natives of that Province. My opinion on this is that if the places are to be given by competition at all, there should most certainly be a separate examination for each Province to which only the natives of that Province would be admitted. There are several reasons for this. One is that, as I have already observed (page 50), the one advantage which an Indian has over an Englishman in the Civil Service is that he is more at home in the country he is governing, and the differences between the country and the people from one part of India to another are so immense that this advantage would be almost entirely lost if natives of one part were to be appointed to the Civil Service in another part. Another reason is that, apart from any question of knowledge of the country, the natives of one part would in some cases from their dispositions and ways and habits not be well fitted to discharge the duties of a civil officer in another part. The position in which a native of Bengal, *e.g.*, would find himself if he was appointed to be a Deputy Commissioner in the Punjab has been so often referred to in the course of these discussions that I need not dwell on it; but I may observe that conversely a Pathan if appointed to a similar office in Bengal would, I fear, not be found altogether suitable. Of course we would not be likely to have any large influx of Pathans by the gate of competition. I mention the point merely to show that the objection of the unfitness of natives of a particular Province to serve in another Province is not confined to the native of Bengal. A third reason for having a separate examination for each Province confined to the natives of the Province is the jealousy felt by the "naukari peshas" class as we call them—the class of persons seeking Government service—in one Province to the intrusion of men from another. This feeling of jealousy has been a source of trouble, and has formed the subject of correspondence in every part of India in which I have served. There was the question of Hindustanis in the Punjab before the Punjab was sufficiently advanced to supply its own men, the question of Bombay Brahmins in the Central Provinces, the question of Bengalis in Assam, the question of Madrasis in Mysore, and the question of Hindustanis in Hyderabad, all giving rise to much bad blood, and I do not think it would be desirable, if we can avoid doing so, to put the subordinate officers of one Province under the control of a superior officer drawn from another.

Another point on which I have to insist and that most strongly, is that if we were to have open competition for the higher appointments in the Punjab, it would be absolutely essential to divide the chances between the Hindus and Mussalmans by offering appointments alternately for competition among the members of each sect. Otherwise, as things stand at present, a Mussalman would rarely succeed and this, from a political point of view would have a most mischievous effect. Even as it is the Mussalmans are always complaining that they are ousted from office by the Hindus, and that thus the Hindus are set above them. Their newspapers are constantly harping on this, and they never lose an opportunity of bringing it to notice. Within the last week I have had four Mussalman visitors who were very strong on it, and I see that there has been a meeting of Mussalmans in Madras objecting to open competition, on the ground that it would place them in a worse position in this respect. No doubt it may be argued from the high *a priori* point of view that the remedy lies in the hands of the Mussalmans themselves; that if they will only study and fit themselves for competition with the Hindus, they can secure their proper share of the places. But we must treat a practical question of this sort as practical men. Open competition is not a thing for us to bow down before and worship. It is merely a means to an end, namely, the end of getting our service officered in the manner best adapted to our very peculiar position in this country, and if absolutely open competition would result in setting one of two great hostile parties above the other, we must have some sort of limited competition or give up competition altogether.

I have thought it necessary to discuss the conditions to be laid down in the event of the higher appointments in question being opened to competition because we have been ordered to do so; but the view I have held since this question was started many years ago is that they should not be given by competition at all, but should, as recently arranged in accordance with the recommendations of the Public Service Commission, be reserved for the best members of the Uncovenanted or Provincial Service.

I am of this opinion, first, because the Native Uncovenanted Service has immensely improved of late. It now embraces many officers of good education, great intelligence, and honesty, and large experience. Moreover, men of a better class are being brought into it day by day, and we may safely reckon on its steadily improving further and producing men fairly competent to fill the limited number of higher appointments in question. That being so, it seems to me that it is only a bare act of justice to improve the prospects of the Uncovenanted or Provincial Service as far as we possibly can, and I think the whole of the higher appointments which it is proposed to reserve for Indians are little enough for this purpose.

Secondly, I am of this opinion because the improvement of the prospects of the Uncovenanted Service that would be effected in this way would attract better men into it—a result which is in the highest degree desirable considering the immense amount of really important work which falls to the share of the Uncovenanted officers.

Thirdly, I am of this opinion because I am convinced that the best way of getting good men for the higher appointments to be reserved is by promotion from the Uncovenanted Service.

With reference to this third ground, I may observe that the case of Indians stands in this respect on a totally different footing from that of Europeans.

Our general administrative staff, including Covenanted and Uncovenanted, consists of a gradation of officers ascending continuously from the Tahsildar through the various grades of Extra Assistant Commissioners up to the higher offices of the service.

All these officers are employed on duties of the same kind, though varying in the degrees of their difficulty and importance—judicial work, revenue work, and executive work. That being so, the natural course, and the course that would be adopted under any circumstances except the very peculiar circumstances under which we rule in this country, would be that every one entering the service should be appointed first as a Tahsildar, or perhaps in some cases as an Extra Assistant Commissioner of the lowest grade, and then, after being subjected for some years to what the Duke of Argyll called “a competitive examination of the best kind,” that is to say, to the test of practical work, should rise regularly through the various grades to the position for which he might ultimately be thought fit. It is of course impossible to adopt this system in the case of our European officers, because we could not get men of the stamp required to come out here for the post of Tahsildar or Extra Assistant Commissioner, but there is no difficulty about adopting it in the case of Indians; for, we can, as things now stand in India, command the services of the very best young Indians for the post of Extra Assistant Commissioner, if not indeed for that of Tahsildar, and it is clearly the best course to adopt in their case. There is no test of fitness like that

of practical work. We can apply that test for choosing Indians for the higher posts to be reserved for them, and it is therefore the test that we should apply.

These were the views which I formed, as I say, when the question was first started, and while we were absolutely free to take any course we pleased regarding it. I have to add that one of the grounds on which they rest, namely, that of the claims of the Uncovenanted and Provincial Service, has since then become strengthened so as to become absolutely irresistible by our having committed ourselves to giving the share of the higher appointments reserved under the recommendations of the Public Service Commission for Indians to that service. I do not see how we could possibly take those appointments away from that service now and give them to others without the appearance of committing a downright breach of faith. No doubt we might if, notwithstanding all I have said, such a course was thought proper, declare that to save all vested rights the arrangement recently made should hold good during the incumbency of the existing members of the Provincial service, but that, when they are all out of the way, it should come to an end and a system of competition should be established; but this would be to provide now for something to be done at a point of time about 30 years hence, which would be absurd.

There is a further objection to competition for these higher appointments which has particular force in the Punjab, and to which I must accordingly refer. It is that the influential classes on whose assistance we must here rely to a great extent for aid, especially in times of trouble, and many of whom have stood by us in such times, strongly object to competition for any appointments, and would object to it particularly strongly for these higher appointments. They would understand to a certain extent the idea of a man who had served for many years in the Uncovenanted Service and had gained a high reputation in it being promoted to one of these higher appointments, though if he happened to be a man of low birth they would not like it; but what they could not understand is that when we propose to give a high appointment straight off to a young man beginning life we should give it to any young man that comes out best in a certain examination, though his father may be a man of low position and a man who has never done anything to help us, or may even be known to be an enemy to our rule, and though there may be men of influential position and having claims on our gratitude with sons fitted by ability and education to hold the appointment.

It may be objected that if the higher posts are given by way of promotion from the Uncovenanted or Provincial Service there will be room for favouritism, but to this there are two answers. The first is that owing to the barrier created by caste there is unfortunately but too little in the way of intimate personal friendship between the officers who are natives of the country and their European official superiors, and in particular between them and the higher European officers at head-quarters—the Lieutenant-Governor, Financial Commissioner, and the Judges of the High Court—with whom the selection for promotion would rest. The second answer is that when it comes to making a selection between men who have been long in the public service their relative claims are usually so clearly fixed that the high officials with whom the selection rests could hardly venture, even if they were inclined to do so, to favour one at the expense of the other. I may add that when we can be trusted to select (and it is a matter of pure selection) a man for a Commissionership from among the Deputy Commissioners, many of whom are our intimate personal friends, we may well be trusted so select a member of the Provincial Service for promotion to the appointments here in question.

The conclusion at which I arrive is that whatever there may be to be said about Provinces like Bengal and Madras, with which I am not acquainted, we should in the Punjab and the other parts of India with which I am acquainted, leave the whole matter for the present, and for a reasonable number of years to come on the footing on which it has been recently placed by the Government of India and the Secretary of State in accordance with the recommendations of the Public Service Commissioners.

For one reason I am sorry to have to come to this conclusion; for, far removed as we all are here from the English political arena, we are of course well aware that when a resolution of the House of Commons has been passed it is desirable if possible to do something in the direction indicated by it; but the point here at issue is of such immense importance to the proper administration of this great country that it would be downright criminal for any of us to deal with it otherwise than on its real merits.

Enclosure 2 in above.

Paragraphs 17 and 18 of letter, No. 146, dated 25th June 1888, from the PUNJAB GOVERNMENT, to the GOVERNMENT of INDIA, Home Department.

Para. 17. The Government of India is acquainted with the circumstances of the Punjab, and it is not necessary to repeat at length facts which are well known. Some of those circumstances have been well described in the memorandum on the special features of the Punjab bearing upon its administration printed at pages 34—38 of the Punjab volume of the proceedings of the Commission; and others have been alluded to in the further examination of Mr. Mackworth Young reported at pages 209—211 of the same volume. It may, however, be convenient to mention here some matters which ought never to be left out of view in dealing with such questions as the present. In comparison with most other Provinces, the Punjab has not been long annexed. It has changed with great rapidity, if regard be had to the usual rate of social changes, from a non-regulation to what is practically a regulation Province; but the population has not changed with the same rapidity as the form of administration; and, though education has affected some classes to a certain extent, and prosperity has affected many, and the advantages of peace have been usually enjoyed by all in the interior districts, the mass of the people remains much what it was before Sikh dominion gave place to British rule. Under native administrations in territories where classes of different creeds are closely intermingled, as they are in most parts of the Punjab, and particularly in the larger towns, either Hindus have dominated Muhammadans, or Muhammadans have subjugated and often oppressed Hindus. The creed in the ascendant has, speaking generally, left the other no chance of successful rivalry, and no alternative except enforced acceptance of a subordinate position. Where, however, British rule has been established, neither Hindu nor Muhammadan can see a reason for giving any kind of precedence to the other, and religious antagonism may seize opportunities of activity and even outbreak. Hence one cause of riots like those of Mooltan, Lahore, and Delhi, or at smaller places, such as Hoshiarpur and Karnal, and of the agitation against the slaughter of kine which is chronic in the Punjab. To face such affairs as these, a strong and impartial magistracy is required, possessed of physical and moral courage, and able to command respect and obedience. The population, however, is in most parts sturdy; and even where it is mild in type, is imbued with traditions that assign the lead to men belonging to particular tribes or castes, and to old families of more or less distinction within the circle of the caste or tribe. In the hill country the Rajputs, in the Central Punjab, the Jat Sikhs and other large landholding dominant tribes or clans, on the western frontier the Pathans and Biluchis—in fact, as in tradition—wield most strength and influence; but these, it need hardly be said, are not the men who would succeed in competitive examinations. Besides these, there are men of hereditary service, the sons and grandsons of the administrators and officials of Sikh times, whom it would be unwise and unfair to disappoint of the loaves and fishes of public employment, though this class could doubtless better hold their own in educational contests. On the immediate frontier peasants and officials alike must be on the watch against attack from without; and in the interior of the northern frontier districts the magistracy has to contend with all the troubles which arise amongst a turbulent population full of violence. Mr. Mackworth Young shows in his evidence that on the frontier generally there have been 44 sets of military operations or expeditions since 1849, and that the important operations since 1877 are eight in number. Nor must it be supposed that these facts have a significance merely of an historical kind. The frontier, it needs not be said, is still liable to raids; and the prevalence of violent crime, particularly in the Peshawar Division, has led to the enactment, only last year, of the Punjab Frontier Crimes Regulation. Moreover, in the Cis-Indus Districts crime of various kinds is unfortunately only too rife; and there is reason to fear that it is making head against the courts, the subordinate magistracy being under strong temptations to acquit when they find their decisions upset on technical, or what they suppose to be insufficient, grounds, and their proceedings drawn out and embarrassed by the arguments of educated or half-educated pleaders. Politically, the Punjab is the base from which authority was re-established in Northern India after the outbreak of the Mutiny. In recent years it has been the base of operations against Afghanistan and it may again become the base of trans-frontier warfare. Large demands were made upon the civil staff, not only in frontier districts, but all over the Punjab, for either transport or supplies, or both, during the Abyssinian Expedition in 1868, in the

Afghanistan campaign in 1878 to 1880, and during recent military preparations in 1885. To meet such demands, not only is a strong executive required, but it must be one which can secure the prompt co-operation of the people. Add to all this that the Punjab lies on the rear of the communications of any force operating from India against an enemy in Afghanistan or the countries beyond; and that for this vital reason the contentment of the Punjab is of the first consequence to the Empire; while that contentment is hardly likely to be assured unless the governing body continues to command the real obedience and respect of the population. For all these reasons, it would be, Sir James Lyall believes, a danger to the Empire if our hold on the Punjab were not strong; and it must be kept strong notwithstanding the special difficulties which are presented by its mixed and high-spirited people. Assuredly, we shall incur a grave culpability if we allow any measures which are of an optional kind to weaken our political position in the Punjab. To maintain the strength of that position we should so frame the measures here in view that we shall not fail in future to enlist in the public service the natural leaders of the people; men who will be able by their influence to uphold the cause of good government in ordinary times, and in times of trouble to carry the people with them in the loyal services then indispensable.

18. But if the door of competition be opened wider than it is, the inevitable result will be the recruitment of the great bulk of the service, not from amongst the classes who would naturally take the lead, but from amongst the men who obtain degrees in the Universities. The B.A.'s and M.A.'s, as our present experience shows, would be sure to win in the end, even with the restrictions of a selected list. With the view of testing to what classes the B.A.'s and M.A.'s belong, Sir James Lyall has closely examined the list of students who have passed the B.A. and M.A. examinations of the Punjab University from the year 1882 to 1888; a list for the years 1882—1886 is given in the evidence of Colonel Holroyd, Director of Public Instruction, at pages 106 to 107 of the Punjab volume of the Report. In these lists Sir James Lyall does not find a single Rajput, Pathan, Ghakkar, Sial, Moghal, Awan, Beloch, Jat, or in fact any member of the great landholding tribes in which the political power and fighting strength of the country has always resided, and still resides. The few men who call themselves Sikhs are all Khatri or Arora Sikhs—that is, men belonging to the classes who live by commerce or by service, and probably not at the present day real Sikhs at all. The Muhammadans proper are hardly represented, most of the few Muhammadan names which occur being those of men who belong to families converted from Hinduism, and which, as Hindus, belonged to the commercial or artisan classes. There are a few, but very few, men of good position amongst them—viz., one or two Kashmiri Pandits, one or two Khattris, a Shekh of Lahore, and a Saiyad of Delhi, all belonging to families whose hereditary profession is Government service, and who would probably have sought and obtained service under any régime; the rest are men of one type, Khattris and Banias and Aroras, and one or two Shekhs, the sons of shopkeepers or subordinate officials. The educational attainments of such men as these would, no doubt, enable some of them to fill a respectable place in a civilised and complicated system of administration. But in constituting the administrative staff we must, for the most part, look to men of a different stamp to help us to govern such a country as the Punjab with success at any time; and still more to help us to hold it if at any period our political position is less secure. Almost all of these graduates are also dwellers in towns as opposed to dwellers in the country; and in a Province where the rural population vastly exceeds the urban, and where there is so much distinction between the bodily vigour of the countryman and the townsman, it seems specially dangerous to give a practical monopoly of the upper part of the service to the townspeople.

From L. K. LAURIE, Esq., I.C.S., Officiating Secretary to the Chief Commissioner, Central Provinces, to the SECRETARY TO THE GOVERNMENT OF INDIA, Home Department. No. 6817.

Nagpur.
15th September 1893.
27 Public

I am directed to acknowledge the receipt of your letter, No. 1086, dated the 5th ultimo, forwarding, for an expression of the Officiating Chief Commissioner's opinion, a copy of a Despatch from the Secretary of State, dated 22nd June last, on

the subject of a Resolution passed by the House of Commons as to the holding of simultaneous examinations in India and England for the Indian Civil Service.

2. In reply I am to forward the accompanying printed copy of a minute containing Mr. Woodburn's opinion on the matter referred to him.

Enclosure in above.

SIMULTANEOUS EXAMINATIONS IN INDIA AND ENGLAND FOR THE INDIAN CIVIL SERVICE.

I have been asked to give my opinion on the subject of the Resolution of the House of Commons as to the holding of simultaneous examinations in India and England for the Indian Civil Service.

2. The Despatch by which Her Majesty's Secretary of State for India has forwarded that Resolution for the consideration of the Government of India points out that it is indispensable that an adequate number of the members of the Civil Service shall always be Europeans, and that no scheme would be admissible which does not fulfil that essential condition. To decide what proportion of the appointments held by the Indian Civil Service can be safely given at the present time to natives of India, I do not think we can go behind the mature conclusion formulated and presented by the Indian Public Service Commission in 1888. They recommended that about 108 appointments should be removed from the list of 605 appointments in the judicial and executive service at that time reserved to the Imperial Civil Service under the Statute of 1870, a number in excess of the proportion of one-sixth of the same appointments thrown open under the Statutory rules then existing. In the immediately subordinate service of Uncovenanted Judges and Magistrates, I understand from the latest returns that out of a total number of 2,588, 2,553 are natives of India. I am aware of nothing that has happened during the last five years to discredit or disturb the very careful and deliberate opinion of the great Commission, to whom the examination of this and other questions connected with the public service of India was so lately entrusted.

3. Starting on that basis, then, and putting aside for the moment the issue whether the recruitment for these 108 appointments can best be made by competition, I proceed to consider what arrangements could most suitably and successfully be made for opening them to competition in India. The number of appointments to be so competed for would average six per annum. If these were offered to public competition in India at a single examination conducted simultaneously with the examination in London, they would fall necessarily to the graduates of the most advanced colleges in Calcutta and Bombay. I have no means of comparing the relative excellence of these great schools, but it is the general opinion that the majority of the successful candidates would be graduates of Calcutta. How far it would be politically expedient and safe to offer to Bengali graduates a service which has to govern martial and turbulent races, is best illustrated by the remark of one of the shrewdest and most able of the Upper Provinces. He told me he had been in Calcutta and attended a dinner-party without society there when the subject of discussion was the larger employment of natives in the higher ranks of the public service. When the debate closed, he yielded with reluctance to the demand that he should state his own opinion. He speaks a broken nervous English. He said he now knew what his Bengali countrymen wished: they wanted all to be Judges, Collectors, and Commissioners, with an English army to protect them in those positions. "Well, gentlemen," he ended, "British empire perhaps not but Bengali empire never." The anecdote is only an illustration of what is familiar to everyone who knows Upper India. The experiment of government by Bengali graduates is impracticable. It is foredoomed, not to failure, but to disaster.

4. The plan in another form seems more feasible. Let it be recognised that India is in truth a congeries of nations in which the conditions of education and intellectual development are very diverse, in which traditions are strong and international jealousies are keen. To prevent one race obtaining dominion over others, absolutely alien in language and character, let there be not one simultaneous examination for India but half a dozen: let each of the great Provinces have annually allotted to it one of the six appointments to be reserved to India, and if the less advanced Provinces get under this device men of less education and intellectual calibre, they will at least have men for their administrative service who are native to the soil. This method is so much more attractive and hopeful that it is with regret that one finds that it has already been tried

and found wanting. In the papers which have been sent by the Government of India it appears that the Government of Bengal opened to public competition the Deputy Collectorships, which were the highest office in the Provincial Service. But the orders were re-called because it was found that they entirely excluded from representation in the service of the State the Mahomedans, who constitute one-third of the population of Bengal. In the Punjab a plan of this sort would make masters over the stalwart Sikhs of the clerky classes, who have been their servants. In these Provinces I am glad to say there are at this moment two native officers in charge of districts—one a Brahman, the other a Mahomedan. Neither has yet been put to the proof of resolution and resource by emergency, but both have conducted their duties to the entire satisfaction of Sir Antony MacDonnell and myself. Both belong to the classes which are the recognised leaders of native society, and they are respected and obeyed; but neither would ever have been a Deputy Commissioner under a system of even provincial competition. One entered the service of Government in the Subordinate Civil Service, the other in the Statutory Service, and both have made their way by the proved merit and ability which was their only claim to superior advancement. Of the 72 B.A.'s who have passed from these Provinces in the last five years, 51 were Mahrattas, a class whose employment in the service of the Administration I find my distinguished predecessor, Sir Alexander Mackenzie, in his minute for the Public Service Commission, was, for reasons given, particularly desirous to limit. But according to the educational statistics they are the class which would monopolise all appointments in these Provinces under a plan of open competition.

5. There is under the competition plan one more alternative,—to recruit partly by competition and partly by selection. This, I think, is a compromise which will satisfy neither party to the discussion. It may answer for the recruitment of a large service like the Provincial Service of Bengal, but within the narrow limits of the Imperial Service of administration and control it either furnishes an inadequate reply to the aspirations of the colleges, or it checks the Government in the application of the system which experience may possibly show is yielding the best men. It would dislocate without actually subverting the system which has lately been introduced, on the advice of the Public Service Commission, and under which, as a matter of fact, three graduates are entertained in a service which gives them opportunity of rising to the highest rank, for one who would enter the Imperial Service by open competition. It is true that two of the three will probably be disappointed of attainment to the Imperial Service, but so they would be in any case, and they are at least provided with posts suited to their actual capacities.

6. The Commission of 1887–88 had among its members representative natives of each of the great Provinces of India. It was the unanimous and carefully formed conclusion of that Commission, after a laborious record of evidence in every part of the sub-roy, that the system best suited to the present circumstances of India and to the doubt, ey of good government was not one of simultaneous competition, but of promotion proved merit and ability to the high appointments which they excluded from the mosedule of the European Civil Service. It was not without mature consideration the Purthe arguments that can be urged for a competition system that they came to this periodous decision. Their reasons are given in their Report, and I venture to say dwelle they commend themselves to every one who knows the classes who in India com- rural, and who regards with attention the classes who have to be ruled and the functions betw duties of the rulers. I have read with care the whole of the evidence which was gercorded before the Commission in these Provinces, and I have had opportunity in recent tour to hear and mark the views of all classes of intelligent natives on this ravelly important issue. The outcome in both paths of inquiry is the same. No ative who has any stake in the country beyond a college diploma wants competition or the superior service. In the words of the Director of Public Instruction to the Commission, an officer of 31 years of experience in education in India:—“The younger F. class of educated Hindus would have all appointments thrown open to public compe- “tition. The older and more experienced think that merit and ability should have “been proved in the Government service or in the exercise of a profession.” And the Secretary to this Administration, than whom the natives of these Provinces have no more kindly and intimate friend, said:—“Our bankers and landowners view our educated “men (until tried and found trustworthy) with grave and avowed suspicion.”

7. The judgment of the Commission was the sober judgment of Parliament in 1870. The statute of that year opened the door of preferment to the native upon this principle

but left the extent of the practical application of the principle undefined. The Commission of 1888 definitely stated the appointments which were hereafter to be reserved for natives. So far as my own knowledge of the natives of India can carry me—and I think I may say that few officials have seen more of them—it is in accord with all the best and soundest native opinion that the first experiments in advancement to these posts shall be after trial, and not upon the mere results of an educational test.

8. The former plan is the only one by which at present we can recruit young men from the classes of hereditary influence whom it is of the first political importance to secure to the service of the Crown and on the side of the State. It is also in accord with that method of circumspect and cautious progress which has made solid the foundations of the British Empire throughout its history. The suggestion that we shall substitute competition for tried merit is the suggestion of sentiment, the most fascinating and the most dangerous of guides, and one is irresistibly reminded of the final verdict of Baron Hubner, the astutest of all the recent critics of the British Government of India, who saw the chivalrous side of the English character:—"The British dominion is firmly seated in India: England has but one enemy to fear: it is herself."

(Signed) J. WOODBURN,
Offg. Chief Commissioner, Central Provinces.

7th September 1893.

From E. S. SYMES, Esq., C.I.E., Chief Secretary to the Chief Commissioner of Burma, to the SECRETARY TO THE GOVERNMENT OF INDIA, Home Department. No. 780-1C.—6.

Sir,

Rangoon,
25th August 1893.

In reply to your letter, No. 27 P.-1087, dated the 5th August, I am directed to submit a note by the Officiating Chief Commissioner on the subject of the Resolution passed by the House of Commons as to the holding of simultaneous examinations in India and England for the Indian Civil Service.

I have, &c.
(Signed) E. S. SYMES,
Chief Secretary.

Enclosure in above.

Note on a DESPATCH from the SECRETARY OF STATE FOR INDIA to the GOVERNMENT OF INDIA, dated the 22nd June 1893, on the subject of the holding of simultaneous examinations for the Civil Service of India in England and India.

The first question on which my opinion is invited in the Secretary to the Government of India, Home Department's letter, No. 27-1087, Public, dated the 5th of August 1890, is—

"Whether the adoption of the proposal embodied in the Resolution of the House of Commons, that all competitive examinations heretofore held in England alone for appointment to the Civil Services of India shall henceforth be held simultaneously both in India and England, such examinations in both countries being identical in their nature, and all who compete being finally classified in one list according to merit, would be practicable and expedient, and whether the Resolution, in the form in which it stands, could be carried into effect?"

That the Resolution in its entirety cannot be carried into effect consistently with the maintenance of the essential condition that an adequate number of the members of the Civil Service shall always be Europeans is sufficiently obvious and is practically admitted by the Secretary of State in paragraph 3 of his Despatch.

2. The next question on which my opinion is asked, is—

“What is the minimum proportion of Europeans, who must, under present conditions, be employed in those offices which are in the *cadre* of the Indian Civil Service (including the *cadre* posts listed as open to the Provincial Service) ?”

In my opinion the lowest proportion which it is at present safe to accept is five-sixths as recommended by the Public Service Commission and accepted by the Government of Lord Dufferin and the late Secretary of State. This proportion erred, if at all, in throwing open too large a proportion of high appointments to the Provincial Service, and any lower proportion than five-sixths would, under present circumstances, fail to satisfy the essential condition prescribed by the Secretary of State. In Burma I consider that natives of India should not be appointed at all to any executive offices reserved for members of the Burma Commission. Natives of India are regarded with dislike, and I am afraid I must add, contempt by Burmans, and I think it would be exceedingly unwise to employ natives of India in any executive offices now reserved for members of the Burma Commission. Any natives so employed should be natives of Burma, and not natives of India. I may state here that I consider that even natives of India who have entered the Civil Service by open competition in London should not be sent to Burma. Up to 1892 no native civilians were sent to Burma. In 1892, one Mahomedan, native of Bengal, and one Hindu, native of Bombay, were sent. Although I consider both these gentlemen unfitted for service in Burma, and although they themselves are never likely to be happy or contented in Burma, I have not hitherto thought it my duty to submit any protest on the subject. I deemed it better to wait and see how they accommodated themselves to the conditions of life in Burma, and I am aware that it is not expedient that natives, who enter the Civil Service by open competition in London, should be treated differently from their European associates. I hope, mainly for the sake of the Province, but partly also for the sake of the native civilians themselves, who consider service in Burma as service in exile, that no more Indians will be sent to Burma, and that Burma may be left out of consideration in any scheme for holding simultaneous examinations for the Indian Civil Service until such time as education in Burma is sufficiently advanced to render it possible for Burmans to compete for these appointments with some chance of success. Whilst I hold that five-sixths is the lowest proportion of Civil Service appointments which it is safe to retain for Europeans, I wish to remark that as far as possible, the one-sixth of natives admissible to the Civil Service should be employed in the Provinces of which they are natives. A Bengali, Madrasi, or other native of the more settled Indian Provinces in charge of a Punjab frontier district or of a Burma district during an outbreak of dacoity would be singularly out of place and a cause of great danger to the State. Religion, too, will afford a great drawback to the employment of native civilians. It is difficult to contemplate with equanimity the prospect of a Hindu or Mahomedan district magistrate in charge of a district in which religious riots, such as have recently disgraced Burma, the North-western Provinces, and Bombay, might occur. Even if such a magistrate were impartial, those of the opposite religion would never believe in his impartiality. The posting of native civilians will, therefore, need to be most carefully considered, and it is only in anticipation that this will be done that I can with hesitation concede that it is safe to admit so large a proportion of natives as one-sixth into the Indian Civil Service.

3. The third question to which I am asked to reply is—

“If the conclusion arrived at by you is that the proposal for simultaneous examinations on the lines indicated in the Resolution of the House of Commons cannot in its entirety be carried into effect, the third question for consideration will arise, namely, whether any conditions or limitations could be devised under which the principle of competition might be adopted in recruiting natives of India in this country for the Civil Service ?”

I have expressed my very decided opinion that the proposal contained in the Resolution of the House of Commons cannot be carried into effect in its entirety, and I quite concur in the conclusion arrived at by the Governor General in Council that any such system of competition which might be introduced would have to be made subject to the conditions and limitations stated in paragraph 21 of the Government of India letter. Subject to these restrictions, which proceed on the assumption that it will still be open to natives of India to enter the service by competition in England, it seems to me that the third of the different methods of competition suggested by the Government of India is the one which should be adopted. It seems to me some-

what doubtful whether in those Provinces in which education is still backward and in which the examinations held have not hitherto demanded any very great skill or experience on the part of the examiners it will be easy to arrange to hold an examination of the nature indicated. In Burma, for instance, I think that the proper conduct of such an examination will be a matter of some difficulty. This difficulty is not, however, insuperable, and I only refer to it because it will require to be considered in connexion with the rules which have to be framed under the Statute of 1870 for regulating the competition. I am inclined to consider that success at a literary examination is not, by itself, among natives of India, a sufficient test of fitness for high office, and I would recommend that candidates for examination under the third method, which is the one I prefer, should not be admitted to examination without a certificate from the head of the district in which they reside, that they are suitable candidates for admission to the Civil Service of India. In Burma, a certain number of candidates for the Subordinate or Provincial Service are admitted by competition carefully safeguarded by nomination, and the balance of appointments are reserved for Government servants of proved merit and ability. It might be possible to apply this system to the selection of persons to fill the higher appointments reserved for natives of India. Half the whole number of appointments might be filled by competition, subject to the certificate of fitness aforesaid, and half might be filled by selection from the Provincial Services. This plan would to a certain extent prevent the disappointment which the adoption of the new system will cause to members of the Provincial Service, and it might also meet the aspirations of those who seek admission to the Civil Service by examinations to be held in India. If this suggestion is not considered suitable, then I am in favour of the third method suggested by the Government of India in its entirety.

Every candidate selected by examination in India, ought, I think, to proceed to England for the prescribed year of subsequent training. This will assure that the candidates shall become more or less familiarised with European habits and methods of thought, and it will accustom them to mix with Englishmen on a more equal footing than natives of India are ordinarily in the habit of doing in India.

4. I now come to the fourth question in which I am asked to consider—

“Whether the introduction in supersession of the existing arrangements of the competitive principle in any of the above methods, or in any other method which I may prefer to suggest as more suitable to local conditions, would be desirable or open to objection?”

In reply to this question I desire to say very emphatically that I consider that there is no test of fitness to hold the highest appointments so sure as actual work in subordinate appointments, and I cannot but think that it will be cause for regret if the proposals of the Public Service Commission, as set forth in paragraph 77 of their report and as generally approved by the Government of India and the Secretary of State, are set aside. I think that the method of appointing natives of India to the Imperial Civil Service recommended by the Commission and adopted by the Government of India as the basis of the provincial scheme is an infinitely better method than competition. By the first method persons who have already proved their fitness for high office would obtain it, whilst by the second method men who are quite untried, who may or may not belong to the classes which the people have been accustomed to regard as the ruling classes and who may have none of the vigour of mind and moral qualification which we are accustomed to expect in members of the Covenanted Civil Service, will occupy the positions which the Public Service Commission would have assigned to men of tried ability to whom so weighty a trust would have been confided without any great misgiving. I am quite sure that if the millions of India who take no part in political agitation could be consulted they would by a vast majority elect to be ruled by men who have risen in the service by merit rather than by men of whom they know nothing, and who know nothing of them, and whose only claim to be enlisted amongst the rulers of the land is that they have succeeded in passing a literary test. The members of the Provincial Service will also suffer grave disappointment when they find that they are debarred from rising as the reward of merit and capacity to those higher covenanted offices which they have, without doubt, been led to hope for by the publication of the intentions of Government in 1889. I do not believe that the competitive system will be likely to attract to the public service a class of men superior to those who are now willing to join the Provincial Service; on the contrary, I think the class of men who will enter the public service by competition will be inferior to those who would enter it through the Provincial Service. At present all classes, the sons of

princes and nobles, the sons of country gentlemen and yeomen, the sons of officials, the sons of members of the learned professions,—are only too anxious to be admitted to the Provincial Service, and the chief difficulty is that of selection. Under the new system the Provincial Service will become a distinctly subordinate service and will consequently lose much of its attraction, whilst instead of obtaining recruits for the higher Covenanted Service by selection from a wide field, we shall obtain men of a type which does not promise well and which will be most unacceptable to the more vigorous and warlike races of India.

In Burma the competitive system is liable to the greatest objection because, as I have explained, it is highly undesirable that natives of India should under any circumstances be deputed to serve in the higher executive appointments in Burma, and as yet no Burmans have succeeded in passing the competitive examination for the Indian Civil Service, and though there may be one or two exceptions, Burmans have not as a rule as yet acquired the educational qualifications necessary to enable them to pass these examinations.

5. Though the Provincial Service scheme has not yet been extended to Burma, I see no reason why it should not be so extended in due time and thus the Burmans will find their admission to high office delayed if the Resolution of the House of Commons is carried into effect, and will be apt to draw unfavourable comparisons between the advantages they enjoy and those enjoyed by natives of other Indian Provinces, and to become discontented. They will consider themselves to have a legitimate grievance if natives of India are set over them, and will, I am convinced, resent the exercise of authority with regard to them by persons whom they have not been accustomed to respect. Burmans are not naturally submissive, and any such experiment is likely to result in consequences which will be embarrassing to the Administration.

F. W. R. FRYER,

Officiating Chief Commissioner.

18th August 1893.

FROM THE SECRETARY TO THE CHIEF COMMISSIONER OF ASSAM TO THE SECRETARY TO THE GOVERNMENT OF INDIA, Home Department.

Shillong,

25th August 1893.

Sir,

I am directed to acknowledge the receipt of your letter, No. 27 Pub.—1088, dated the 5th August 1893, forwarding, for an expression of the Chief Commissioner's opinion, a copy of a Despatch from the Secretary of State, dated the 22nd June last, on the subject of a Resolution passed by the House of Commons as to the holding of simultaneous examinations in India and England for the Indian Civil Service. The particular questions on which the opinion of the Chief Commissioner is desired are stated to be the following:—

- (1.) Whether the adoption of the proposal made in the Resolution referred to would be practicable and expedient, and whether the Resolution, in the form in which it stands, could be carried into effect;
- (2.) What is the *minimum* proportion of Europeans who must, under present conditions, be employed in those offices which are in the *cadre* of the Indian Civil Service (including the *cadre* posts listed as open to the Provincial Services); and
- (3.) In the event of the conclusion arrived at by the Chief Commissioner being that the proposal for simultaneous examinations on the lines indicated in the Resolution of the House of Commons cannot, in its entirety, be carried into effect, whether any conditions or limitations can be devised under which the principle of competition might be adopted in recruiting natives of India in this country for the Civil Service.

2. As regards the first of the above questions, I am to say that while, in the opinion of the Chief Commissioner, the practicability of adopting the proposal made in the Resolution is at least open to grave doubt, its inexpediency, from an administrative

point of view, is undeniable. In paragraph 60 of the report of the Public Service Commission two practical difficulties to the establishment in India of competitive examinations for the Civil Service are mentioned, namely, the difficulty which would be experienced in maintaining the secrecy of the examination papers, and in making satisfactory arrangements for that portion of the examination which is conducted *vivâ voce*. These appear to the Chief Commissioner to constitute real difficulties; but even if they could be overcome, there would still remain the difficulties and objections which were forcibly represented by numerous witnesses, many of them persons of considerable experience and whose opinions are entitled to every weight, when examined before the Public Service Commission. Similarly, apart from the question of practicability, the Public Service Commission, on a full consideration of the evidence before it, arrived at the conclusion that it was inexpedient to hold an examination in India for the Covenanted Civil Service simultaneously with the examination in London, and the Chief Commissioner has no hesitation in expressing his concurrence in that view for the reasons*

* Pages 50-52 of Report.
given by the Commission.

3. In considering the second question I am to say that the Chief Commissioner would wish it to be understood that he is dealing with the matter with reference to the requirements of the public service in the Province with which he is most intimately acquainted and for the administration of which he is at present responsible; and from this point of

view Mr. Ward considers it only necessary to invite attention to the memorandum* forwarded to the Secretary to the Public Service Commission with this office letter, No. 2898, dated the 24th May 1887, and to the opinions expressed by

his predecessors in office, Sir D. Fitzpatrick and Mr. Quinton, in letters to the Home Department, No. 2444 and No. 9411 G., dated the 27th April 1888 and 15th November 1890 respectively. To this question Mr. Ward can only repeat the answer previously given, viz., that it would be unsafe to reduce the European element in the Assam Commission, and that the preponderant administrative needs, circumstances, and aptitudes of the Province imperatively require that the head of the administration of each district, with perhaps one exception, should be a European officer. The one exception referred to is the district of Goalpara, and as pointed out in the memorandum of the 24th May 1887 prepared for the Public Service Commission, if under any circumstances a native officer were placed in charge of Goalpara, he would require to be a man of very special qualifications, and it would be most inconvenient administratively to have only one such post susceptible of being held by a native incumbent.

4. Lastly, as regards the question whether any conditions or limitations could be devised under which the principle of competition might be adopted in recruiting natives of India in this country for the Civil Service, I am to say that the Chief Commissioner fully accepts the view expressed by the Governor General in Council in paragraph 21 of your letter under reply that any such scheme of competition which might be introduced would have to be made subject to the under-mentioned conditions and limitations:—(1) That the one-sixth of the covenanted offices listed as open, or available for transfer, to the Provincial Civil Service should be withdrawn from that service; (2) that not more than this one-sixth—or whatever other *maximum* proportion may be decided upon—should be offered for competition in India; and (3) that such competition should be entirely separate from that held in England, and should be regulated by rules under the Statute of 1870. As regards the particular method of competition to be adopted in India, Mr. Ward would advise the adoption of the third of the systems suggested in paragraph 21 of your letter, namely, the holding of a separate examination for each Province open to natives of India domiciled in the Province, but with the condition that only a proportion of the vacancies (say one-half) should be filled by pure competition and the balance by selection from among the candidates who had done fairly well in the examination in such a manner as to give each class, race, creed, and section of the people, as far as possible, a fair share of the appointments. In expressing this opinion, however, Mr. Ward must guard against being understood to imply that any such system could be followed in Assam within any reasonable period. As observed by the Government of India in paragraph 4 of Home Department Resolution, No. 9 Pub.—1342-1352, dated the 21st April 1892, the Provincial Service in Assam is largely recruited from Bengal, and it would be almost, if not quite, impossible, in view of the progress in education and the administrative aptitudes of the people, to find within any time which can now be foreseen, an indigenous officer who could be utilised in one of the higher posts. The Chief Commissioner also wishes it

to be understood that although he prefers the third method suggested by the Government of India to either of the other two, he only supports it as being, in his opinion, the least open to objection of any of those put forward. At the same time it should be clearly realised that if any such scheme were introduced in Assam, the persons who would succeed, or even do fairly well, at the examination, would not, for a very considerable time to come, be natives of the Province properly so called, but would be outsiders from the larger and more advanced Provinces domiciled in Assam.

I have, &c.

(Signed) F. C. DAUKES,
Secretary to the Chief Commissioner of Assam.

MEMORANDUM inclosed in Letter from the GOVERNMENT OF INDIA to the SECRETARY OF STATE, No. 62, dated 1st November 1893 (see page 4).

This memorandum is divided into seven parts, severally dealing with the following subjects:—

- I.—The constitution of the Covenanted Civil Service and its position in the scheme of the public service in India (paragraphs 1 to 9).
- II.—The constitution, &c. of the Provincial and Subordinate Civil Services (paragraphs 10 to 13).
- III.—Parliamentary legislation affecting the Covenanted Civil Service (paragraphs 14 and 15).
- IV.—The history of the measures taken in recent years for extending the employment of natives of India in Covenanted offices—
 - (i.) Up to the appointment of the Public Service Commission (paragraphs 16 to 25).
 - (ii.) The Public Service Commission and their recommendations (paragraphs 26 to 29).
 - (iii.) The present Provincial Service scheme (paragraphs 30 to 37).
- V.—The history of the measures taken for extending the employment of natives of India in the Provincial and Subordinate Civil Services (paragraphs 38 and 39).
- VI.—The history of the competitive system as applied to recruitment in England for the Covenanted Service (paragraphs 40 to 44).
- VII.—The history of the competitive system as applied to, or proposed for, recruitment in India for the Provincial Civil Service (paragraphs 45 to 47).

I.—THE COVENANTED CIVIL SERVICE.

1. Up to the time when the Public Service Commission was appointed, 1886–87 (paragraph 25 below), the Indian Civil Service was called the “Covenanted Civil Service.” This designation, however, established or rather perpetuated an invidious distinction not only as between the Covenanted Service and the Subordinate Services employed in the same branches of the administration, but also as between that service and the entirely separate special departments, many of which were often classed together as the “Uncovenanted” Services. The Public Service Commission recommended that the use of the terms “Covenanted” and “Uncovenanted” should be discontinued, and that the Covenanted Service should be called the “Imperial Civil Service.” The former recommendation has now been carried out; but, in accordance with the decision in Lord Cross’s Despatch, No. 104, dated the 12th September 1889, the term “Imperial” has not been adopted, and this service is now called the “Civil Service of India” (the term used in the statute under which appointments are made to it in England—21 & 22 Vict. c. 106. s. 32), or, more generally, the “Indian Civil Service.”

As, however, the facts and discussions to which reference is made in this memorandum relate largely to a period before the designation was changed, it will be convenient (to avoid confusion) to call this service throughout the Covenanted Civil Service, and the posts or offices ordinarily held by its members “covenanted” offices, as distinguished from the posts held by members of the Indian-recruited Executive and Judicial Services.

2. It is necessary to explain at the outset what the Covenanted Civil Service is. The

The administration of India is conducted by several distinct services or departments—separate, but having many points of contact.

scheme of the public services in India divides the machinery for the civil administration into (1) the "Civil Services" in charge of the general administration; and (2) several special services or departments, in most of which professional or technical knowledge or special experience is required. These special services are the public works, forests, survey, telegraphs, postal, education, police, jails, accounts, customs, salt, opium, registration, and a few other miscellaneous or scientific departments. The medical department, except in its subordinate branches, is practically a military department, the services of its officers being lent for civil employ. The duties of the special departments are sufficiently clear from their titles. The Civil Services, or the "Executive" and "Judicial" Departments, as they are often called, are in charge of the administration of civil and criminal justice, and of all branches of the revenue and general administration which are not made over to one or other of the special departments. In each of these various departments (as also in the Executive and Judicial) it is determined on independent grounds what number and proportion of the posts approximately should be held by Europeans and natives of India, for what posts and proportion of posts recruitment should be made in India and in England respectively, and (in a few cases) whether and to what extent it is necessary that covenanted civilians should be employed in it. This memorandum is not concerned with these special departments, except so far as they affect the constitution of the Covenanted Service. From the statement which will be referred to in the next paragraph (Appendix I. to this memorandum), it will be seen that there are 33 posts in these departments, to fill which covenanted civilians are recruited. There is also a separate Political Service, which, though in one sense not a special department, is entirely distinct from the Executive and Judicial Departments in British India. The Covenanted Service is recruited so as to supply civilians to fill 41 political posts directly under the Government of India in the Foreign Department or under Local Governments and Administrations; these officers are employed either in native States or border tracts, or among frontier tribes. There are thus 74 posts in the political and special services included in the *cadre* (i.e., the scale of sanctioned offices—see paragraph 3) of the Covenanted Civil Service.

It will not be necessary to consider these special services or the 74 covenanted offices included in them, any further, as the apportionment of appointments in each service between natives of India and Europeans is determined on a separate consideration of the requirements of each service, the general principle being that such a proportion of Europeans as is considered indispensable for efficient administration and for the proper supervision and control of the department should be maintained in it. It is necessary, however, to convey the caution that no comparison between the numbers and proportions of European and native officers employed in India in any particular grades or on any particular salaries can create any accurate impression, unless the case of each department is separately dealt with, the higher and lower grades taken together, and the requirements of each case fully considered. It is naturally in the higher grades that European supervision is mostly required; and the rate of remuneration required to attract qualified European officers is necessarily higher than that required for native officers.

3. A statement is attached as Appendix I. to this memorandum showing the *cadre* of the Covenanted Civil Service (i.e., the sanctioned scale and number of offices to fill which covenanted civilians are recruited) as it stood at the beginning of this year. It contains 824 offices which fall within the Executive and Judicial Departments. Before the date of the Public Service Commission's Report (paragraph 26 *ff.*), the Executive and Judicial Departments were divided into (1) members of which were appointed in England; and (2) the Subordinate or Uncovenanted Executive and Judicial Services, to which appointments were made in India. Natives of India were appointed specially to offices in the Covenanted Service, and were then known as "Statutory Civilians" (paragraph 22); but covenanted posts were not

the Covenanted Service, the

It is the superior or controlling branch of these departments, the "Provincial" and "Subordinate" Civil Services being the intermediate and lower branches.

open to members of the Subordinate Services as such. The Government of India have recently reorganised these departments in communication with the Secretary of State after

carefully considering the Public Service Commission's Report, and have divided them into (1) the Covenanted, now called "Indian" Civil Service; (2) the Provincial Civil Services, Executive and Judicial Branches; and (3) the Subordinate Civil Services. The Indian Civil Service is recruited in England and its members are liable to service all over India; the two latter services are recruited in India and for each Province separately. The Provincial Services consist of the higher branches, and the Subordinate Services of the lower branches, of what were formerly known as the Subordinate Executive and Judicial Services. In lieu of the former system of appointing natives of India as statutory civilians without previous experience in the Provincial Service, a proportion of the covenanted posts has now been set apart in each Province where the scheme has been introduced (that is to say in all Provinces except Burma and Assam), to which members of either branch of the Provincial Service can rise by merit and ability (paragraph 30 ff.). The great bulk of the offices in the executive and judicial administration is filled by members of the Provincial and Subordinate Services, and the strength of the Covenanted Service is restricted to the number absolutely necessary to fill the supervising and controlling offices for which Europeans are required. It is the established principle to enlarge the field of employment for natives of India by excluding from the *cadre* of the Covenanted Civil Service and amalgamating with the Indian-recruited Subordinate (now Provincial) Services all posts and classes of posts for which, from time to time, it is not considered absolutely necessary that recruitment should ordinarily be made in England.

4. For purposes of administration British India is divided into "Provinces." It

The Covenanted Service is recruited to fill specified executive and judicial charges called "covenanted offices." The most important of these offices are:—

will be seen on reference to the statement which forms Appendix I. that these Provinces, excluding the areas under political control and the very small Province of Coorg, in which no covenanted officers are employed, are (1) the Madras Presidency, (2) the Bombay Presidency, including Sind, (3) the Lower Provinces of Bengal, (4) the North-western Provinces and Oudh, (5) the Punjab, (6) Burma, (7) the Central Provinces, and (8) Assam. The first four are known as "Regulation" Provinces, though there are portions of them which are non-Regulation, and the last four as "Non-Regulation" Provinces. The non-Regulation Provinces were originally those to which the Acts and Regulations in force in the Regulation Provinces had not been applied, and which were not under the regular system of administration; but it is needless to say that all Provinces are now under a uniform system of law, and that the methods of administration have been practically assimilated. Speaking generally, however, the non-Regulation Provinces were acquired later, and, not having been so long under British rule, are more backward and less developed than the Regulation Provinces.

In the Madras and Bombay Presidencies the administration is presided over by a Governor (usually appointed from England), with whom is associated an Executive Council of three members, viz., the Commander-in-Chief and two covenanted civilians. In the other Provinces there is no Executive Council, and the head of the administration conducts the government of the Province, aided by his secretaries and departmental advisers. He is ordinarily selected from the Covenanted Service, and is styled "Lieutenant-Governor" in the Lower Provinces of Bengal, the North-western Provinces, and the Punjab, and "Chief Commissioner" in Burma, the Central Provinces, and Assam. These offices, together with three seats in the Executive Council of the Governor General of India are the 13 highest offices in the *cadre* of the service. The provincial administrations, presided over by a Governor or Lieutenant-Governor, are known as "Local Governments," and those under a Chief Commissioner as "Local Administrations."

At the head of the Judicial Department there is in each of the Regulation Provinces a High Court, of which not less than one-third of the judges (including the Chief Justice) must under statute be barristers-at-law, and not less than one-third covenanted civilians. In the non-Regulation Provinces—except Assam, which is subject to the Calcutta High Court, and the Punjab—the head of the Judicial Department is the Judicial Commissioner, who is ordinarily a covenanted civilian. There are separate Judicial Commissioners for Upper Burma, Lower Burma, the Central Provinces, and Sind. In Oudh there are two Judicial Commissioners, one of whom may be, and at present is, a barrister. In the Punjab there is a mixed Chief Court on the model of the High Courts. These courts and the Judicial Commissioners not only discharge judicial functions, but have important administrative duties in connexion with the

working of subordinate courts in the Province. Twenty-two offices of this class are included in the *cadre* of the Covenanted Service.

Subject to the control of the Local Government or Administration, the heads of the revenue administration, including the important branch of land revenue, in each Province, are the boards of revenue in the Regulation Provinces and financial commissioners in the non-Regulation Provinces. In Bombay, however, there is no board of revenue, and in the Central Provinces and Assam the administrative system has not developed sufficiently to render the appointments of financial commissioners necessary. The Board of Revenue in Madras, where there are no commissioners of divisions, consists of four members, and the boards in Bengal and the North-western Provinces and Oudh of two members each. There are two financial commissioners in the Punjab and one in Burma. Altogether there are 11 offices of this class. It is important to note that the members of the boards of revenue and the financial commissioners do not act in consultation, unless in any case they desire or are required by the Government to do so, but are each in charge of separate branches of the revenue administration.

Each Province, except Madras and a part of Assam, is divided into revenue or administrative "divisions," consisting of groups of three or more districts. At the head of each division there is a commissioner, who is subordinate in revenue matters to the Board of Revenue or financial commissioners, and in other matters directly to the Local Government or Administration, and to whom the executive district officers are subordinate in respect of their revenue, executive, police, and general work. There are 41 divisional commissioners in the Civil Service *cadre*—4 in Bombay, 9 in Lower Bengal, 9 in the North-western Provinces and Oudh, 6 in the Punjab, 8 in Burma, 4 in the Central Provinces, and 1 in Assam. In some of the non-Regulation Provinces these officers still exercise judicial powers as district and sessions judges, in which capacity they are, of course, subordinate to the High Court or Judicial Commissioner. But it is the policy of the Government of India to transfer such functions, as circumstances permit, to district (or divisional) and sessions judges, in accordance with the system which obtains in the Regulation Provinces. In the Punjab and Oudh this transfer has already been completed. In the Central Provinces considerable progress has been made in this direction, and proposals from the Chief Commissioner are now under consideration, to which only want of funds has prevented full effect from being given, for assimilating the system there in all respects to that prevailing in the Punjab.

5. Each division, or where there is no "division" the Province is divided into districts. From column 8 of the statement attached (Appendix I.) to this memorandum, it will be seen that there are 234 districts in British India. The average area of a district is somewhat over 4,000 square miles, and the average population somewhat below a million souls, or about the area and population of Norfolk and Northumberland combined. In Madras the average size is over 6,000 square miles and the average population $1\frac{1}{2}$ millions. In Bengal, while the average is about $1\frac{1}{2}$ millions, many districts contain a population of two to three millions. In the newly acquired and sparsely peopled tracts of Upper Burma, on the other hand, the lowest average population is reached—somewhat under 175,000 souls.

In one sense the two most important offices in the whole administration for which the Covenanted Service is recruited are the executive headship of a district and the district and sessions judgeship; for these offices respectively constitute, as it were, the pivots upon which the executive and judicial administrative systems work. The executive head of the district is called the district magistrate and collector in the Regulation Provinces, and in the non-Regulation Provinces the deputy Commissioner. He is responsible for the revenue, criminal, and general executive administration of the district; and all revenue and magisterial officers in the district, whether belonging to the Covenanted or Provincial or Subordinate Services, are subordinate to him in respect of their executive work. He has also certain powers of judicial control over subordinate magistrates, and appellate powers in certain minor criminal matters and cases. He is also ultimately responsible for the proper working of the police of his district, which, though under the direct control of its departmental head, called the district superintendent of police, is subject to his general supervision.

The district (or divisional—for in many cases he has charge of more than one district) and sessions judge not only discharges judicial and those of district or divisional and sessions judges, the duties as a judge, but is also the district administrative officer in the Civil Judicial Department, responsible for the proper working and discipline of all the civil courts within his district. Magisterial officers are only empowered to dispose of criminal cases within certain limits; and all serious criminal cases have to be committed for trial to the sessions court. Appeals from the criminal decisions of magistrates, except in the minor cases in which the district magistrate has jurisdiction, have also to go before the sessions judge. The district and sessions judge is thus the judicial superior of the district and other magistrates, and has, subject to the High Court, the ultimate control over the administration of civil and criminal justice. His position is one of greater administrative independence than that of the district magistrate; for the High Court has no intermediate authority for supervising the district and sessions judges such as the local government has in the commissioners of divisions who supervise the work of the district magistrates and collectors or deputy commissioners.

The above applies strictly to all the Regulation Provinces. In some of the non-Regulation Provinces the system is to some extent different: but it is not necessary here to describe the non-regulation systems; for, as already observed (paragraph 4 above), it is the established policy to assimilate them to the regulation system as rapidly as circumstances permit.

Before an officer can be competent to hold substantively the office of district magistrate or judge, it is necessary that he should have a large and solid experience of the people of the Province, of the land and revenue systems, and of the methods of administration in force. Such experience can only be acquired after years of active district service in subordinate posts; and therefore it is necessary that there should be a series of offices, inferior to a district headship or judgeship, in which young civilians can gain the requisite training and experience. But, apart from this necessity, there are many such offices in which it is essential that, as a rule, Europeans should be employed; for example, the charge of a sub-division where much English capital has been invested, and there are many Europeans engaged in the indigo, tea, or other industries; the charge of a frontier sub-division contiguous to savage hill-tribes; the post of senior assistant to the district magistrate or deputy commissioner, who should be competent at any moment to take over the duties of the latter if withdrawn or disabled. In many cases, however, the duties performed by junior civilians holding subordinate district posts are precisely similar to those performed by members of the Provincial Civil Service, except that the former, when they have reached a certain length of service, must always be fit and ready to take charge of more responsible duties.

The statement annexed as Appendix I. will show that there are included in the *cadre* of the Covenanted Service 234 executive district headships, one for each district; 111 district (or divisional) and sessions judgeships; and 277 judicial and executive posts (chiefly executive) inferior to the headship of a district.

6. But while these district officers respectively control the executive and judicial administration of their districts, this description is by no means exhaustive of their functions. In all grades of the service they come into close contact with the people of their districts, with native states, and with other departments of the public service—with some, such as police and jails, intimately; with others more remotely. Most undertakings of importance in this country, such as educational institutions, railways, canals, communications, and irrigation

The position of the chief district officers, executive and judicial, is of the greatest importance as a source of administrative strength to the Empire. The whole system of Government rests on the basis of this administrative and not of military strength.

works, are either directly carried on by, or are indirectly connected with, the Government. But whether an undertaking be a State or private one, it cannot avoid having frequent and close relations with the district officers. The executive head of the district is responsible for the supervision and direction of the local governing bodies which have been created in recent years in all Provinces of the Empire. Where troops are stationed, as in so many of the stations of Northern India, or when any military operations or expeditions are carried on, the military authorities look to him for co-operation and advice on all matters in which the assistance of the civil authorities is required. In backward and undeveloped Provinces the head of the district exercises in varying degrees a more or less direct control over many of the special departments.

In advanced districts the control is less. But everywhere the magistrate and collector, or deputy commissioner, is looked upon by other departments, by the people of the district, by native Chiefs and their subjects, and by frontier tribesmen, as representing the Government, and the district judge as the authority who is the judicial superior of the magistrate and controls the administration of justice, civil and criminal. They are in the details of administration the officers who, in the eyes of the people, constitute the Government, and on whose efficiency and influence the strength of British supremacy in India largely depends.

The above is equally applicable to offices superior to the headship of a district; the importance and responsibilities attaching to the former can hardly be less than those attaching to the latter. The supervision of the district executive work rests with the commissioners of divisions, and the direction of the policy with the higher executive officers; the control of the judicial work is with the high courts.

No adequate conception can be formed of the importance of the issue involved in the resolution of the House of Commons now under consideration unless these facts are clearly recognised. Under the system which has been established as the result of the experience of many generations, it is owing to the authority and influence of the district magistrate and judge, and also—less directly, but not in a less important degree—of the superior controlling staff, that British rule in India rests primarily on the basis of administrative and not of military strength. Under any other system that can be conceived as practicable an increase, and probably a large increase, to the European military force could not be avoided.

7. There still remain to be noticed two groups of covenanted offices not mentioned above. It will also be convenient to explain here briefly the mode in which civilians are selected for promotion to higher offices.

The first group includes five secretaries in different departments of the Government of India, who occupy a position similar to that of a Permanent Under Secretary of State at home; and seven deputy and under secretaries. There are also 48 secretaries and junior and under-secretaries to local governments and administrations, secretaries to the boards of revenue or financial commissioners, and private secretaries to governors and lieutenant-governors; and six registrars to high courts or judicial commissioners. There are thus 66 offices in all of this group. Appointments to them are made by selection from among officers of the standing required who are considered to possess the necessary qualifications, which imply an intimate acquaintance with the people and the business of administration, and experience of work in various capacities, executive and judicial.

Of the group of 49 offices classed as "general," the most important in their relations to the people are those held by officers of the Land Records and Settlement Departments, who deal with questions relating to land and to the agricultural and economic condition of the people. To these officers is entrusted the settlement of the land revenue demand in temporarily settled Provinces—an operation of the utmost importance to the people and to the Government, and demanding the most unwearied industry, an intimate knowledge of and sympathy with the agricultural population, and strong administrative capacity. There are 32 officers of this class, of whom 10 (at most) have their head-quarters at the seats of the local governments though they are required to spend a considerable portion of the year on tour in the interior, and the other 22 are employed in the districts. The rest of this group consists of certain miscellaneous offices, such as those of chairman of the municipalities at presidency towns or the advisers of the local governments in special matters. To offices in this group also appointments are made by the special selection of officers possessing the peculiar qualifications required.

Appointments to offices superior to the headship of a district (paragraph 4 above) are invariably made by special selection. No covenanted civilian, whatever his seniority, has a claim to them apart from selection for merit and capacity.

Appointments to offices superior to the headship of a district, and to posts outside the regular line of district charges, are made entirely by selection.

To the headship of a district on the executive or judicial side appointments are made by seniority subject to fitness and approved service. In former days it was too much the practice to promote officers in the ordinary course according to seniority without reference to their fitness for such charges. This defect was pointed out by the Famine Commission in 1878-80, and the views of that Commission were supported by the Public Service Commission in 1886-88. The Government of India have recently (1890) issued instructions that the principle of selection shall be applied, and that no officer shall be appointed to the charge of a district unless he has given distinct evidence of his capacity for such office. To posts inferior to a district charge, which form the training ground for young civilians, appointments are ordinarily made by seniority.

It will be seen from what has been said above that the large majority of covenanted offices are held by officers engaged in the conduct or supervision of *district* work in the interior of Provinces; 41 commissioners of divisions, 111 judicial heads of districts or divisions, 234 executive heads of districts, 277 assistants, and 32 settlement officers—695 in all, or 84 per cent. of the total number, exclusive of the leave reserve and officers merely in training (paragraph 9)—are so employed. The balance consists on the executive side of officers conducting or assisting in the government of the different Provinces, and on the judicial side of officers occupying seats in the highest court of law in the Province and controlling the judicial administration.

8. So far the service which is being dealt with has been spoken of as the "Covenanted Service" and the posts which its members hold as "covenanted offices." But covenanted civilians appointed after competition in England do not hold all these offices. Under 24 & 25 Vict. c. 54. (which will be called hereafter the Statute of 1861), they were the only class of officers eligible for appointment to the executive and judicial offices entered in the schedule to that Act (called "scheduled offices") in the Regulation Provinces (paragraph 14); but in the non-Regulation Provinces this restriction did not legally apply, and in practice was not so strictly carried out. In the frontier Provinces of the Punjab, Burma, and Assam it is still considered desirable that a proportion of the covenanted offices should be held by military officers, who are selected from the Indian Staff Corps. Formerly they were appointed in a larger proportion, and uncovenanted officers, not members of the Covenanted Service, used also to be recruited for non-Regulation Provinces. But since 1876 the military proportion has been fixed at one-fourth and the recruitment of uncovenanted officers has been discontinued, save in very exceptional circumstances (paragraph 39). When Upper Burma was taken over, for instance, it became necessary to recruit an extra staff of Europeans, and, as far as possible, of officers with some experience of the country, and a large number of uncovenanted officers were (with the sanction of the Secretary of State) admitted to covenanted offices in that Province.

The reservation of scheduled posts to covenanted civilians made by the Statute of 1861 was modified by 33 Vict. c. 3. s. 6 (which will be called the Statute of 1870), which permitted "natives of India," not being members of the Covenanted Service, to be appointed to such posts (paragraph 15). Under the system introduced under the latter Statute in 1879, natives of India, called "Statutory Civilians," were appointed to covenanted offices (paragraph 22). This system continued in force till it was superseded last year by the Provincial Service scheme, which was also framed under the Statute of 1870. Under this scheme a list is drawn up of certain covenanted offices in the different Provinces, called "listed" offices or posts, to which members of the Provincial Civil Service may be appointed (paragraph 30). The Provincial Service officers holding these listed posts are not, however, as the other classes of officers mentioned above, set apart exclusively for service in covenanted offices; their proper place is in the Provincial Service, but, subject to certain prescribed conditions, a member of that service may be selected to hold these covenanted offices permanently or temporarily.

9. The figures given in the statement attached as Appendix I. show only the actual posts or sanctioned covenanted *charges*. The number of

The total strength of officers set apart for covenanted offices is necessarily greater than the number of actual offices, because it must provide (1) a reserve for leave vacancies, and (2) a margin for men in training.

officers required to fill these charges continuously must necessarily be in excess of the number of posts. Their number must be kept at a strength which will provide a sufficient reserve of officers to fill vacancies caused by absences on leave; and it must take a recruit just out from home, or just appointed in India for the first time to civil employ, some time before he has acquired sufficient experience to hold even one of the minor sanctioned charges. It is generally assumed that for the first two years of his service an officer is merely in a stage of training and not yet fit to hold any sanctioned covenanted charge. Appendix II. shows the actual distribution and employment on the 1st July 1893 of officers of all the classes, other than natives of India appointed under the Statute of 1870, filling covenanted offices. The total number of such officers was 1,064, made up as follows:—Covenanted civilians, 898; military officers, 104; uncovenanted officers, 62. Excluding the officers actually employed in the political and special services and departments, the total number was 993, of whom 205 or 21 per cent. were absent on leave, 99 or 10 per cent. were merely in training, and only 689 were available for holding sanctioned executive and judicial offices. Taking covenanted civilians appointed in England separately, their total number in the Executive and Judicial Departments was 837, of whom 168 were on leave and 87 merely in the stage of training. On the 1st July 1893, therefore, the total number of covenanted civilians actually available for holding sanctioned executive and judicial charges was 582 only.

It should be explained that the hot season, April to October, is the time when most leave is taken by European officers. In the cold weather the proportion of absentees is less. The figures for the 1st July may be taken as a fair average for the seven months mentioned above.

II.—THE PROVINCIAL AND SUBORDINATE CIVIL SERVICES.

10. The Provincial and Subordinate Civil Services, which form the intermediate and

The Provincial and Subordinate Services are each much stronger numerically than the Covenanted Service.

lower branches of the Executive and Judicial Departments, are not recruited with such exactitude as the classes of officers intended for covenanted posts. Their *cadre* (*i.e.*, the number and scale of sanctioned offices) is not so precisely fixed, and appointments are made as occasion arises by the local governments, subject to the control of the Government of India as to the number and grading of appointments carrying a higher salary than Rx.* 300 a year. On the 1st July 1893 there were 1,827 officers in the Provincial Civil Services, of whom 1,030 were in the Executive (Magisterial, Revenue, and General) and 797 in the Civil Judicial Branch. There were also on the same date 1,908 members of the Subordinate Civil Service exercising revenue, criminal, or civil judicial powers. These figures relate only to the organised services in the Executive and Judicial Departments, and exclude not only many smaller branches of those departments, but also the numerous clerical and ministerial establishments of the different Government offices, which are almost entirely manned by natives of India. It will be evident from a comparison of the strength of the Covenanted Service with that of the Provincial and Subordinate Services that the bulk of the administrative and judicial business of the country is transacted by the two latter services (almost entirely manned by natives of India—paragraph 39 below), the Covenanted Service being restricted to the smallest numbers necessary for the direction of the administration, for district supervision, and for dealing with the many points in which the Executive and Judicial Departments come in contact with the people, with local governing bodies, with the Military or Political Services, or with the other civil departments.

11. As this memorandum is not now concerned with these two services except so

It is the policy of Government to restrict the Covenanted Service to the smallest possible number of posts, and to transfer posts or add new executive and judicial posts, when created, to the Provincial Civil Service.

far as they affect the constitution of the Covenanted Service, it will not be necessary to enter into detail regarding the offices attached to them. A general account of them is given in paragraphs 46 to 55 of the Report of the Public Service Commission. It is only necessary to add that it has long been the policy of the Government of India to restrict the Covenanted Civil Service to the smallest possible numbers, and as administration advances in complexity and additional posts have to be created,

*Rx. = 10 rupees.

to amalgamate such posts with the Provincial Service. There are two methods in which offices are transferred from the Covenanted to the Provincial Service. The first method is by simply excluding the office from the *cadre* of the former service. For example, the important office of Inspector-General of Registration in Bengal was omitted from the *cadre* fixed in 1892 as being a post for which it was no longer absolutely necessary that officers should be recruited in England. It was thus made available either to members of the special Registration Department or to members of the Provincial Civil Service by simple exclusion from the *cadre* of the Covenanted Service. From the nature of the case, however, very few offices can be removed from the Covenanted Service in this way, as its *cadre* has for many years past been kept at a minimum. The second method is by "listing," in the manner described in paragraph 8 above, offices in the Covenanted Service as posts to which Provincial Service officers may be appointed. Last year 93 such offices were listed, of which eight belong to the group of secretariat offices and the rest to the groups of district or general offices.

Now it will readily be understood that the business of administration has much increased and that many new posts in the Executive and Judicial Departments have had to be created since 1881. This is illustrated by the fact that though the Covenanted Service has remained almost stationary since 1881, the numbers of officers in the Provincial and Subordinate Services have increased more than 30 and 39 per cent. In 1881 the number of sanctioned covenanted charges, including the posts in the Political and Special Services, was 810 (inclusive of Lower Burma). In 1893 it was 898, and much of this increase is due to the acquisition in 1886 of Upper Burma. Excluding Burma the figures were 765 in 1881 and 808 in 1893. In 1881 the total number of officers in the grades corresponding to the Provincial Service was 1,405, and in grades corresponding to the Subordinate Service 1,368. In 1893 the total number of officers in the Provincial Service was 1,827, and in the Subordinate Service 1,908. Moreover, since 1880, about one-sixth of the annual recruitment for covenanted offices (excluding the recruitment for Burma) has been set apart for natives of India. It will thus be seen that every endeavour is made to promote the employment of natives of India by keeping down to the lowest possible limits the strength of the Covenanted Service recruited in England.

12. As an example of this the figures for one Province may be examined in detail.

For instance, in Bengal there were only 125 European covenanted civilians actually employed on 1st July 1893, exclusive of men merely in training, of whom only 99 (+6 military and uncovenanted officers) were employed in the districts.

It will be convenient to select the lower Provinces of Bengal for this purpose, as that Province is often referred to as one peculiarly adapted for the extension of native agency in the administration. On the 1st July 1893 there were 732 officers in the Provincial Civil Service of these Provinces—368 in the Magisterial and Revenue, and 364 in the Civil Judicial branches. In the Subordinate Civil Service there were 180 officers. On the same date there were 176 covenanted civilians borne on the lists of these Provinces as serving in executive and judicial offices (statutory civilians and covenanted officers employed in the special departments, being excluded). Of these, 32 were shown as employed at the head-quarters of the Local Government (e.g., in the High Court, Board of Revenue, secretariats, &c.), and 144, including commissioners of divisions, in the districts; six of the former and 25 of the latter were absent on leave. Of the number (119) actually employed in the districts, 15 were officers of less than two years' service who had not yet emerged from the stage of training. Deducting these, the result is 104 civilians capable of filling sanctioned charges, five of whom were Bengali gentlemen. There were thus 99 European covenanted civilians, to whom must be added six European military and uncovenanted officers holding covenanted charges in the non-regulation districts, or 105 European officers in all in the Covenanted Service actually available for the conduct and supervision of the details of the executive and judicial work of 46 districts, the aggregate area of which is 151,543 square miles and the population 71,346,987. Many of these, too, were junior officers of only a few years' service. These facts will make it clear that the European element in the executive and judicial branches of the Covenanted Service in these Provinces is at the lowest limit at which it is possible to keep it. It is true that that the Covenanted Service in Bengal is at present about 28 short of its full sanctioned strength; but even if these be added, the European element would still be at a minimum.

13. Speaking generally, the salaries of officers in the Subordinate Civil Service range from Rx. 120 to Rx. 300 a year. In the Provincial Service they range from Rx. 240 to Rx. 960 in most provinces and Rx. 1,200 in Bengal. Several of the covenanted offices, however, which have been listed as open to the Provincial Service carry salaries of over Rx. 1,000 a year, the highest being Rx. 2,400. Doubtless these salaries are on a lower scale than those granted to covenanted civilians; but the remuneration required to attract persons in England qualified, or likely to become qualified, to hold the highest offices must necessarily be greater than that which need be offered in India. Considering the differences in habits and modes of life between Europeans and natives, these salaries are sufficiently liberal to attract the best educated natives of India to the service, and they are, as a rule, considerably higher than those allotted to corresponding administrative and judicial officials serving in their own country or on the Continent of Europe. The Lieutenant-Governor of Bengal has recently reported that he has no difficulty in recruiting Honours graduates of the Calcutta University for employment even in the Subordinate Service at the present salaries.

III.—LEGISLATION AFFECTING THE COVENANTED CIVIL SERVICE.

14. As regards the parliamentary legislation regulating appointments to covenanted offices, the first Act which need be noticed is the Statute of 1793 (33 Geo. III. c. 52. s. 57.), which required all appointments in the civil branch of the East Indian Company's service under the rank of Member of Council to be made from amongst the covenanted civil servants of the company. In practice, however, it had been found necessary or desirable to appoint persons other than covenanted civil servants. Consequently the Statute of 1861 (24 & 25 Vict. c. 54.) was passed validating such appointments. At the same time the Statute declared that the offices entered in its schedule, and therefore known as "scheduled" offices, should in future be reserved for the Covenanted Service. These offices are, roughly speaking, the district judicial and executive offices (which have been described above), in the Regulation Provinces, the secretariat appointments, and a few posts in the Accounts, Opium, Salt, and Customs Departments. It should be observed that the scheduled offices are, with one or two exceptions, almost entirely confined to the Regulation Provinces; but in order to secure efficient administration it has been found necessary to apply the same system of recruitment and appointment to the non-Regulation Provinces. The only difference at present between the two classes of Provinces is that, as pointed out above (paragraph 8), a proportion of the recruitment for certain non-Regulation Provinces is reserved for military officers.

15. The Statute of 1861, while reserving the scheduled posts for the Covenanted Service, provided an exceptional procedure—sections 3 and 4—under which any person of at least seven years' residence in India might be appointed to one of these posts, subject to report to and confirmation by the Secretary of State. This exceptional procedure was, however, deemed insufficient to meet the claims of natives of India, and comparatively few appointments were made under it. Consequently the Statute of 1870 (33 Vict. c. 3. s. 6) was passed permitting the authorities in India, subject to rules made by the Governor General in Council and sanctioned by the Secretary of State in Council, to appoint any natives of India (but no other persons), even though they might not have been admitted as members of the Covenanted Civil Service, to offices scheduled as reserved to that service by the Statute of 1861. For the purposes of the Statute the words "natives of India" were declared to mean persons "born and domiciled within the dominions of Her Majesty in India of parents habitually resident in India and not established there for temporary purposes only;" and it is in this sense that the term is ordinarily used in official papers, though it is needless to say that the proportion of persons other than those of purely Indian extraction who come within this definition is extremely small.

There are thus two chief Statutes ; that of 1861 reserving the "scheduled" offices to the Covenanted Civil Service, which is open to all Her Majesty's subjects, irrespective of race, birth-place, colour, or creed ; and that of 1870 making a special exemption in favour of natives of India only.

IV.—MEASURES TAKEN FOR EXTENDING THE EMPLOYMENT OF NATIVES OF INDIA IN COVENANTED OFFICES.

(i.) *Up to the Appointment of the Public Service Commission.*

16. The action taken under the Act of 1870 for extending the employment of natives of India in covenanted offices has now to be described.

The action taken under the Statute of 1870 in appointing natives of India to covenanted offices is described briefly in Enclosure No. 1 to the Despatch. What follows here is a more detailed account.

As already stated, the Government of India have for more than two decades been anxiously considering the methods by which the services of natives might be utilised in the public administration, especially in the higher judicial and executive offices, as far as possible. The history of these measures is stated briefly in the Government of

India's letter of the 5th August last to local governments (Enclosure No. 1 to the Despatch); but it is desirable now to go into the subject in full detail. As explained in that letter, it is unnecessary for the present purpose to go back to a period much before 1870, because the entire position was changed by the Act of that year, which for the first time authorised the appointment in India of natives of India to offices reserved by law for the Covenanted Service without requiring them to enter that service in the regular way.

In the discussions in the House of Commons and elsewhere frequent mention has

The declarations in 3 & 4 Will. IV. c. 85. s. 87. and the Queen's Proclamation of 1858, how to be understood. The Act of 1870 was the first measure passed expressly with a view to facilitate the admission of natives of India to covenanted offices and to obviate the difficulties imposed by the Statute of 1858. Under the Statute of 1870 the rules of 1879 were framed ; and with them the situation was entirely changed.

been made of the provisions of section 87 of the Statute 3 & 4 Will. IV. c. 85. and of the declaration embodied in Her Majesty the Queen's Proclamation of November 1st, 1858. The first of these enacted "that no native of the said territories, nor any natural-born subject of Her Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said company." This provision, as is evident from its language, conveys no pledge of employment to any class, but merely declares that no person shall be subject to a disability on account of the

matters stated. As observed by the Court of Directors, its object was "not to ascertain qualification but to remove disqualification." The same Statute (sections 103-107) limited the supply of "the vacancies in the civil establishments in India" to candidates nominated for admission to the East India Company's College at Haileybury ; and at that time it need hardly be said that under this method of "providing for the due qualification of persons to be employed in the Civil Service of the company" the admission of natives of India to that service could, under any conceivable circumstances, scarcely have been contemplated. Her Majesty's Proclamation of 1858, while announcing Her Royal will and pleasure that, "so far as may be, Her subjects, of whatever race and creed, be freely and impartially admitted to offices in Her service, the duties of which they may be qualified, by their education, ability, and integrity duly to discharge," similarly limited, in the words italicised, the admission of natives of India to such offices by the paramount necessities of the Empire. The Statute of the same year (21 & 22 Vict. c. 106. s. 32), under which appointments to the Indian Civil Service are still regulated, evidently contemplated such appointments being made according to the results of an examination conducted in London under the superintendence of the Civil Service Commissioners. And it was in order to give effect to the Proclamation of 1858, in such manner as to counteract *so far as might be* the difficulties imposed by the Statute of 1858 on natives of India in coming to London to be examined, that the Statute of 1870 was passed into law. This Statute is restricted in its operation to natives of India. While other natural-born subjects of Her Majesty can gain admission to the service only by the door provided by the Act of 1858, natives of India need not have recourse to that

mode of entrance, but can be admitted—on proof of “their education, ability, and integrity”—by the procedure laid down in the Act of 1870. But the qualification expressed in the Proclamation of 1858—“so far as may be”—still holds good; and although the Government of India for the last 20 years have assiduously endeavoured to promote the entrance into the higher offices of the Indian Public Service of duly qualified natives, the necessities of our position in the country continue to limit the possibilities of such admission.

In the summary which follows, two subjects which are closely connected will be referred to: (1) the rules framed under the Act of 1870 and their results; and (2) the applications made from time to time for the holding of competitive examinations in India for admission to the Covenanted Service, and the orders passed on them. It will be observed that an important point in most of the discussions was the proportion which should be established between Europeans and natives in covenanted offices.

17. The memorials submitted by the Bombay Association and by the British Indian Association in 1868 praying for an examination in India

The application of the British Indian Association in 1868 for an examination in India was opposed by Lord Lawrence's Government and rejected by the Secretary of State. The Statute of 1870 was then under consideration.

are described in paragraph 15 of the letter of 5th August 1893 (Enclosure No. 1 to the Despatch). The proposal was opposed by the Government of Lord Lawrence, and the Secretary of State (Sir Stafford Northcote); in his Despatch of the 14th October 1868, rejected it and said:—

“On principle, too, I am of opinion that it is desirable that those who are to administer the Government of the British possessions in India should, as a general rule, have had the advantage of passing some time in this country and making themselves practically acquainted with the habits, character, and institutions of the people of England. Looking, as I am bound to do, to the welfare of the whole of Her Majesty's Indian subjects—of those who are to be governed as well as those who may claim a share in the work of administration—I consider that such an education of the civil servants who are ultimately to fill the highest situations is important. I do not regard appointments to the Civil Service as simply so many prizes for which the candidates, whether native or European, are to compete. I rather look upon the selection of those officers who are ultimately to discharge duties of great importance to India as the exercise of a trust on the part of the Supreme Government for the general benefit of its subjects; and I consider that we ought to judge of the merits of any particular system of selection, not with reference to its affording greater or less facility to this or the other class of candidates, but with reference to its providing or failing to provide suitable public servants.”

Lord Lawrence's Government then proposed a scholarship scheme to assist natives of India to compete in England. It was negatived by the Secretary of State.

18. As the result of this correspondence the Government of Lord Lawrence proposed the system of scholarships described in paragraph 3 of that letter, which was negatived by the Duke of Argyll in his Despatch, No. 3, dated the 8th April 1869.

The Duke of Argyll's remarks have been quoted at length in the letter referred to,

because some of the principles laid down in them have been affirmed by subsequent experience in a remarkable manner. In the first place, they show that it was because the competitive system was considered unsuitable to natives of India that the Act of 1870 authorised the appointment of natives “of proved merit and ability” to covenanted offices. Quite recently most of the local governments and administrations have declared it to be highly inexpedient to apply the competitive system generally to recruitment even for the Provincial Service (paragraph

45 *infra*). Secondly, the principle that the best method of doing justice to the claims of natives of India was “a more free employment of them in the Uncovenanted Service, and promotion according to tried ability from that service to the Covenanted Service,” was supported unanimously by the Public Service Commission in 1887 (paragraphs 26 and 29). Thirdly, the principle that each Province should be treated by itself was also supported by that body (paragraph 29); and the necessity for treating each race and class within a Province by itself has also been forcibly brought home by the results of the competitive examination for admission to the Bengal Provincial Service (paragraph 46).

Three principles laid down by the Duke of Argyll in 1869—(1) that the competitive system is unsuitable for natives of India; (2) that they should be promoted according to tried ability to covenanted offices; and (3) that each Province and race should be treated by itself—have been entirely borne out by subsequent experience.

19. In 1873 the Government of India prepared the first set of rules under the Act

The rules framed in 1873 under the Statute of 1870 were disallowed by the Secretary of State, and the Rules of 1875 proved unsuccessful in their working.

of 1870. These rules laid it down as a condition of admission to covenanted offices that the candidate should be a person of "proved merit and ability," who had undergone a term of at least five years' service in the higher ranks of the (then) Subordinate Judicial and Executive Services, or, in the case of judicial offices, had practised as a barrister, advocate, or certified pleader for not less than 10 years in a court not lower than that of a district or sessions judge. These rules were submitted to and disallowed by the Secretary of State in 1874, after taking the opinion of the Law Officers of the Crown, on the ground that they placed too narrow a construction on the Statute as excluding, for instance, persons of merit and ability proved otherwise than in Government service, or in a learned profession otherwise than in the method stated. A revised set of rules was accordingly framed by Lord Northbrook's Government in 1875 and sanctioned by the Marquis of Salisbury (then Secretary of State); but they proved to be unworkable, as arrangements had not been made on subsidiary matters for giving effect to them. No definite proportion had been established between natives and Europeans, and the recruitment in England had not been reduced to make room for Indian recruits.

Lord Lytton's Government in 1878 proposed the formation of a close Native Civil Service, to which about 15 per cent. of the covenanted posts were to be transferred. This was negatived by the Secretary of State.

20. The scheme proposed by Lord Lytton's Government in 1878, for the formation of a separate superior Native Civil Service, to which about 15 per cent. of the covenanted posts in most Provinces were to be declared open, is described in paragraph 4 of the Government of India's letter of the 5th August 1893.

21. The memorial presented by the British Indian Association in 1876 for a competitive examination in India is referred to in paragraph

In 1876 the British Indian Association repeated their request of 1868. This was again negatived on the ground that action was being taken under the Statute of 1870.

16 of the same letter. In their memorial the petitioners said: "In directing that the competitive examination for the Indian Civil Service shall be held in India for native candidates in India, it will, your memorialists venture to think, be necessary to declare a definite share of covenanted appointments to be thrown open to Indian competition every year, so as to prevent an undue influx of the native element into the service in the present experimental condition of the measure. Your Lordship from your position and knowledge of the requirements of the service will be best able to decide the proportion to be assigned to Indian candidates." Lord Cranbrook, in his reply of the 14th November 1878, while rejecting the memorial, referred to the rules then under consideration and issued in 1879 as giving practical effect to this portion of the memorialists' requests.

22. The Statutory Rules of 1879, which were sanctioned by the Secretary of State

The Statutory Rules of 1879 provided for the recruitment of natives of India for covenanted posts up to a maximum of one-sixth of the annual recruitment.

in Council and brought into force in that year, are described in paragraph 5 of that letter. They provided that the authorities in India might appoint natives of India in this country to posts in the Covenanted Civil Service up to a maximum limit of one-fifth of the number of covenanted civilians appointed in England in each year by the Secretary of State; in other words, that a proportion of the recruitment for posts in the Covenanted Service up to a maximum of one-sixth in each year—exclusive of (1) military recruits for frontier non-regulation commissions, and (2) uncovenanted officers in the rare cases in which they were appointed—should be natives of India appointed in this country under the Statute of 1870. For the first three years of the system, however, the rules allowed the proportion of one-sixth to be exceeded by two in each year.

These Statutory Rules remained in force until they were superseded last year by

Until the system was condemned, the maximum number of native statutory civilians was appointed each year, and the average was about six a year.

the Provincial Service Scheme. Until the system was condemned by the Public Service Commission (1886-87) the maximum number of native recruits (called "statutory civilians") who could have been appointed under the rules was actually appointed. It averaged a little over six a year. The annual maximum was not a fixed number of 7.56, but a fluctuating number, dependent on the actual recruitment in England. The figure 7.56, given in paragraph 45 of the Public Service Commission's Report, is, as there explained,

merely an estimate. If, for instance, 29 recruits were appointed in England, as in 1883, the maximum number who could be appointed in India would be five. Altogether 69 natives of India were appointed as statutory civilians up to 1889-90, when this system was discontinued upon the recommendation of the Public Service Commission (paragraph 26). After 1886-87 the maximum number was not appointed, but the position had then entirely changed; not only had the system been condemned, but extra recruitment of European officers had been rendered necessary by the taking over of Upper Burma. The average, however, for the whole period during which statutory civilians were recruited, 1879 to 1890, was a little under six a year.

23. In 1883 the memorials described in paragraph 17 of the letter of the 5th August 1893 were rejected by the Secretary of State (Lord Kimberley), who remarked that, in accordance with the Rules of 1879 one-sixth of the annual recruitment was set apart for natives of India, and that "the proportion of one-sixth was certainly as high as the Government felt justified in establishing."

24. In 1884 there were some further memorials, mentioned in paragraph 18 of the letter of 5th August 1893, and Lord Ripon's Government proposed the scheme described in paragraph 7 of that letter. In his Despatch, No. 1, dated the 8th January 1885, the Secretary of State (Lord Kimberley) negatived these proposals, and observed as follows:—

"It is undoubtedly true that several very high authorities have entertained serious objections to holding an open competitive examination in India, even in the subjects hitherto prescribed, partly from political considerations, and partly from some misgiving as to the view which the Indian population might take of this method of selection when it came to be understood. Among these authorities was the late Lord Lawrence, during whose government a strong desire had been expressed by many of the educated natives that copies of the papers set in London should be sent out under seal to India, so that the competitive examination might be held simultaneously both there and in England. This movement led to a correspondence between the Government of India and the Secretary of State in 1868 and 1869, which ended in the submission of a measure of relief to Parliament. This measure became law as Statute 33 Vict. c. 3., s. 6, and its enactment was announced by the Duke of Argyll to the Government of India in the following words: 'I have now to inform your Excellency in Council that a Bill has been passed by Parliament during the present session, the provisions of which will effectually carry out my desire that natives of India should be appointed to such high offices under Government as they may be fitted for by their qualifications.' The Act passed in 1870 is in fact the remedy provided by Parliament itself for any inconvenience or injustice which the natives of India might be shown by experience to suffer through the necessary adaptation of the examination in London to the circumstances of home-born rather than of Indian competitors for the Civil Service."

25. When the Statutory system of 1879 was introduced it was contemplated that appointments under the rules should generally be made from among young men of good family and high social position to whom the offices open to them in the Subordinate, Executive, and Judicial Services had not proved a sufficient inducement to come forward for employment.

The Statutory system of 1879 failed because the young men appointed under it were untried persons whose merit and ability had not been tested in previous service. The appointment of persons who had already proved their merit and ability in Government service or in the practice of a profession was permitted, but it was declared as the general rule that they should only be appointed in cases of exceptional distinction. During the earlier years in which the system was in force the tendency was to appoint chiefly young men of the former class. This method was found to be unsuccessful, and, in the words of the Public Service Commission's Report, "in 1884 it was decided once more to reopen the question, evidence having been adduced which satisfied the Government of India that the plan of nomination was held by many authorities to fail in securing sufficient guarantees of ability and education in persons appointed under the rules. Although it was considered that in most cases the nominations actually made had been fairly satisfactory, it was generally felt that no antecedent guarantee existed of the fitness of the person selected." In the later years of the system, *i.e.*, from 1885 to 1889,

there was an increased tendency to appoint under the Rules of 1879 men of more advanced age who had already proved their fitness for promotion to covenanted offices

The consideration of the amendment of the Rules of 1879 led to the appointment of the Public Service Commission, who were asked to recommend a permanent scheme for the appointment of natives of India to executive and judicial covenanted offices.

by good service in the subordinate branches. In 1886 Lord Dufferin's Government submitted certain proposals to the Secretary of State for improving the working of these rules; and the result was that a Commission, called the Public Service Commission, was appointed at the end of that year to inquire into the constitution and working of the Covenanted Civil Service and the (then) Subordinate

Judicial and Executive Services, and to suggest a permanent scheme for the employment of natives of India in the offices of the superior service throughout India (excluding Burma).

By later instructions the Commission were also requested to examine the constitution of, and conditions of appointment to and service in, most

They were also invited separately to make recommendations regarding each of the special departments.

of the special services and departments; and to make recommendations with regard to each. But their recommendations regarding these special departments need not

be further referred to in this memorandum, as the question now under consideration relates solely to the Executive and Judicial Services. Each of the other departments was separately dealt with by the Commission, and orders have been passed or the recommendations of the Commission have been noted for consideration and action, when the time comes, separately with regard to each. In these departments the division of appointments in each case between covenanted civilians and others and between Europeans and natives is also, as already explained (paragraph 2), settled on a separate consideration of the different necessities and requirements of each department.

(ii.) *The Public Service Commission and their Recommendations.*

26. The Public Service Commission was a thoroughly representative body. Among its 14 members (exclusive of the president) there were six native gentlemen

* The Honourable Sir Romesh Chunder Mitter, Kt., B.L.
Raja Udai Pratap Singh, C.S.I., of Bhangra, Oudh.

The Honourable Sir Sayyid Ahmad, Khan Bahadur, K.C.S.I.
The Honourable Kazi Shahabuddin, Khan Bahadur, C.I.E.

M. R. Ry. Salem Rama Swami Mudaliyar, B.L.
Rao Bahadur Krishnaji Lakshman Nulkar.

representing the different provinces, of whom four were Hindus and two Muhammadans,* while two members were domiciled Eurasians. The Commission found that the system under which natives of India had been appointed to covenanted offices under the Statute of 1870 had not worked satisfactorily; and they recognised and adopted the principle, referred to in the last paragraph, that men of proved merit and ability in the subordinate ranks of executive and judicial employ should be appointed to covenanted offices. In their Report, dated the 23rd December 1887, they unanimously recommended—(1) that the system

of appointing statutory civilians under the Rules of 1879 should be abolished; (2) that a "Provincial Civil Service" should be constituted from the higher ranks of the (then)

The Commission recommended a scheme under which about one-sixth of the covenanted executive and judicial offices would be transferred or declared open to the Provincial Civil Service.

Subordinate Executive and Judicial Services; and (3) that about one-sixth of the covenanted executive and judicial charges, excluding the proportion reserved for military officers, should be removed from the *cadre* of the Covenanted Civil Service and declared open as a permanent arrangement to members of the Provincial Service. The Commission

estimated (paragraph 77 of their Report) that the number of offices which would be thrown open to the Provincial Service under their recommendations would be about 108. But it must be remembered that they distinctly recognised (paragraph 77, page 74 of their Report) that certain of these appointments, e.g., memberships of the Board of Revenue, commissionerships, and secretariat posts, could not be absolutely transferred to that service; all that their recommendation amounted to in respect of these appointments was that members of the Provincial Service should be declared eligible for them if selected by the local governments.

27. In order to give effect to their scheme the Commission recommended resort to parliamentary legislation. But before describing in detail the legislation which they proposed, it is necessary to

Two of their recommendations were that section 6 of Statute of 1870 should be repealed; and that the order of 1879 restricting the appointment of Europeans to the Provincial Service should be cancelled.

notice two further important recommendations which they made. These were (1) that section 6 of the Statute of 1870, empowering the governments in India to appoint any native of India *as such*, to a reserved post, should be repealed, and (2) that the executive orders passed by Lord Lytton's

Government in 1879 (and described in paragraph 39 below), prohibiting the appointment of Europeans to the Executive and Judicial Departments without the special sanction of the Government of India or the Secretary of State, should be rescinded. These recommendations were based on what the Commission considered to be "the cardinal principle of equality of treatment for all classes of Her Majesty's subjects." In the opinion of the Commission, to quote their words, "no proposal can be supported as sound in itself or likely to be a final solution of the problem embraced in the present inquiry which involves a departure from the principle enacted in section 87 of the Statute 3 & 4 Will. IV. c. 85. or from the policy set forth in Her Majesty's Proclamation of 1858." Section 6 of the Statute of 1870, in so far as it made a special concession in favour of natives of India only, and the orders of 1879, in so far as they imposed a restriction on the appointment of Europeans as such, were in the opinion of the Commission inconsistent with section 87 of the Statute quoted, which laid down that "no native of the said territories (India) nor any natural-born subject of Her Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said (East India) Company," and with the Queen's Proclamation, which declared that "it is our further will that, as far as may be, our subjects of whatever race or creed be freely and impartially admitted to offices in our service, the duties of which they may be qualified by their education, ability, and integrity duly to discharge." The effect of these recommendations of the Public Service Commission would have been that the Provincial Civil Service would have been open to Europeans as well as to natives of India, subject to the condition of three years' recent residence in the Province and a competent knowledge of the vernacular languages, and that consequently the higher covenanted posts transferred from the Covenanted Service to the Provincial Service would also have been open to them.

28. The repeal of section 6 of the Statute of 1870 would have necessitated other

They proposed that parliamentary legislation should be undertaken to give effect to their scheme.

parliamentary legislation; for the Governments in India would no longer have had power to appoint natives of India or members of the Provincial Service to offices reserved for the Covenanted Service by the Statute of 1861, that is to say, to any of the higher executive and judicial offices in the Regulation Provinces (paragraphs 14 and 15 *supra*). In the non-Regulation Provinces they would have had this power, for the Statute of 1861 did not strictly apply to them. The legislation which the Commission proposed was—

(1.) The extension of the Statute of 1861 to non-Regulation Provinces.

(2.) The exclusion from the schedule to that Statute of a proportion of each class of executive and judicial offices (other than posts reserved for military officers).

The effect of (1) would have been to extend to non-Regulation Provinces the reservation of executive and judicial appointments made by the Statute of 1861 in favour of covenanted civilians in the Regulation Provinces; the effect of (2) to leave a power to the Government to appoint persons other than covenanted civilians to each class of appointments up to the proportion specified.

The above proposals were intended to meet ordinary requirements so far as they could be foreseen and provided for at the time. To meet rare and exceptional cases, however, the Commission proposed that the Government of India should retain a power similar to, but somewhat wider than, that conferred by sections 3 and 4 of the Statute of 1861 to make special appointments to "scheduled" offices "on account of exceptional merit and ability" proved in the public service, or, in the case of judicial offices, in the practice of the legal profession, as well as "under the special circumstances of the case." This power, they observed, "should for obvious reasons be exercised very sparingly."

Moreover, in order to adapt their scheme to future requirements too far off to be foreseen and provided for at the time, they proposed that a provision should be inserted in the Statute of 1861 enabling the Secretary of State in Council, with the concurrence of the majority of the members, and subject to the control of Parliament, "to remove appointments or classes of appointments from the schedule or to include them in the schedule, as may seem desirable from time to time."

It is to be observed that Lord Dufferin's Government did not support the last two proposals mentioned above.

The effect of the Commission's main recommendations would have been to declare once for all that the specified proportion of covenanted offices was open to the Provincial Civil Service, and to remove that proportion from the schedule of appointments

absolutely reserved for the Covenanted Service. For it was clearly their intention that the special powers which they proposed should be given to the Government of India and the Secretary of State should only be exercised on very rare occasions—at any rate within any period of time for which it is now practicable to make arrangements; and their detailed scheme was put forward as one which possessed, as far as was reasonable and practicable, “the necessary element of finality.” It was meant to be a final settlement of the claims of the Provincial Service and to be gradually worked up to during “nearly a generation of official life.”

29. It will be convenient to notice here four other important recommendations unanimously made by the Commission.

The first is their conclusion (which forms the basis of the present Provincial Service scheme) that “in the present circumstances of the country the claims of natives of India to higher and more extensive employment in the public service, and the admission of competent natives of each Province of India to a due proportion of the posts heretofore reserved for the Covenanted Civil Service, can be best provided for by reducing the Covenanted Civil Service to a *corps d’élite*, by limiting its number to what is necessary to fill the chief administrative appointments of the Government and such a number of the smaller appointments as will ensure a complete course of training for junior civilians, and by transferring a corresponding number of appointments to a local service to be separately recruited in each Province in India.” This is in fact the policy declared by the Government of India in 1881 (Home Department Resolution, No. 68, of 15th December 1881), and the principle on which recruitment for the Covenanted Service has been carried on since that year (paragraph 11).

Secondly, the Commission recommended that promotion to the higher offices, such as those of collectors or judges of districts, should be entirely dependent on fitness; and their proposals left “in the hand of the Government an uncontrolled freedom of selection for the higher offices in the administration.” In these respects the Public Service Commission approved and affirmed the principles laid down by the Duke of Argyll in 1869 (paragraph 18).

Thirdly, they expressed the opinion “that for the purposes of the recruitment of the Provincial Service no uniform system applicable to all provinces can at present be recommended, but that a system of open competition should be adopted wherever the Government of India considers it not inexpedient, and that, where open competition is considered unsuitable, a system of competition among candidates previously selected is preferable to a system of nomination, provided that the number of candidates is sufficient to make the competition a real one.” It will be explained in a later paragraph (45 below) what action was taken by the Government of India on this recommendation.

The fourth recommendation was the following:—(1) that each Provincial Service should be locally recruited by the Government of the Province, and (2) that as a general rule recent residence of at least three years should be an essential condition of admission to the Provincial Service. On these points the Commission made the following observations, which are in agreement with the principles enunciated in 1869 by the Duke of Argyll (paragraph 18):—

And (4) to avoid the political danger arising from the exclusion of natives of the actual Province, that three years’ recent residence in a Province should be a condition of admission to the Provincial Service.

After careful consideration of the arguments which have been brought forward on the point, the conclusion of the Commission is that it is inexpedient to lay down a rule restricting the recruitment for the Provincial Service to residents of the Province concerned. At the same time, although persons may to some extent be employed, not only with acceptance to the people, but with advantage to the State, in Provinces to which they do not belong, the Commission would see in their indiscriminate employment in this way, to the practical exclusion of natives of the Province, the possibility of a grave political danger, and it may perhaps be said that this danger is certainly not less serious in the case of subordinate appointments, the holders of which are necessarily brought into intimate relations with the inhabitants than in that of the higher administrative posts. Recognising, therefore, the fact that the great majority of the Provincial Service must

necessarily be persons who belong to the Province in which they have to serve, the Commission, while recommending that the recruitment should be open to all natural-born subjects of Her Majesty, would further recommend that the Government of India should prescribe from time to time such limitations in respect of residence or otherwise as may be considered expedient. As a general rule, the Commission considers that recent residence of at least three years in the Province should be an essential condition of admission to the Provincial Service.

(iii.)—*The Provincial Service Scheme now in Force.*

30. Lord Dufferin's Government accepted in the main the scheme proposed by the Commission and recommended it to the Secretary of State

The Secretary of State approved the scheme of the Commission, but decided that fresh legislation was not necessary, as the scheme could be effectually carried out under the Statute of 1870.

in their Despatch, No. 58, dated the 9th October 1888.

Lord Cross, however, while accepting the substance of the scheme, was of opinion that the Statute of 1870 was the proper method of giving effect to it, and that accordingly section 6 of that statute and the orders of 1879 prohibiting the appointment, without special sanction, of Europeans to the Provincial Service, should be maintained. His Lordship pointed out in his Despatch, No. 104, dated the 12th September 1889, that the reform proposed by the Commission could be carried out by having in each Province a separate "list" of covenanted offices drawn up under the Statute of 1870, and by publicly declaring these "listed" offices to be posts to which members of the Provincial Civil Service, being natives of India, might be appointed under section 6 of that statute. "These lists," he added, "will be arranged to suit the preponderant needs, aptitudes, and circumstances of each Province and its people, and the proportion of the appointments in the different branches will be from time to time varied accordingly."

This system has accordingly been adopted and is now in force. It has not yet been

In accordance with this decision "lists" of covenanted posts thrown open to native members of the Provincial Service have been prepared under the Statute of 1870; 93 such posts have been "listed" as a beginning.

found possible to apply the new arrangements to Burma and Assam. The former Province is indeed so backward that it was expressly excluded from the scope of the inquiry entrusted to the Public Service Commission.

While education in it has not yet nearly approached the standard attained elsewhere, and Burmans qualified for office in superior posts are not to be found, natives of other parts of India are as much foreigners and aliens in Burma as ourselves, and are regarded with dislike by the people. The latter Province, in its general backwardness and proximity to wild tribes much resembles Burma, and it has, moreover, in most of the plains districts, a large body of European tea-planters to deal with whom European officers are necessary; Europeans must also be appointed to the districts in the Province which are inhabited by hill-tribes. In the other Provinces the Government of India have, by their resolutions of the 21st April 1892 and 27th January 1893 (Appendices III. and IV.), listed 93 covenanted posts as a commencement. The scheme will work up to the listing of the full one-sixth in each Province; that is to say, for every five posts for which covenanted civilians are recruited in England one post will be transferred to the Provincial Service. It is also capable of yet further extension on the same lines so as to effect a transfer of any larger proportion of posts which may at any time appear expedient; and there will be no difficulty in applying it to Burma or Assam, partially or in its entirety, whenever either of those Provinces may be deemed right for such treatment.

31. There are certain points in connexion with the scheme now in force which it is desirable to make clear, as it appears from the discussions in the House of Commons and elsewhere that there is much misapprehension in regard to them.

In the first place the proportion of covenanted offices reserved for Indian recruits

The proportion of offices reserved for natives of India under the Provincial Service scheme is exactly the same as under Statutory Rules of 1879, viz., one-sixth.

under the new scheme remains precisely the same as under the Rules of 1879. On this point Lord Dufferin's Government had remarked in their Despatch of 9th October 1888—

The ultimate effect of the Commission's proposals will be to fill about one-sixth of the appointments now reserved for covenanted and statutory civilians with members of the Provincial Service. Thus stated, the result, as it affects the recruitment of the Civil Service, does not materially differ from that produced by the statutory system. Since 1880 the Government of India has made arrangements for the recruitment of five-sixths of the requirements of the covenanted

cadre in England and of one-sixth in India. As the Commission does not propose a reduction in the aggregate strength of the *cadre* but a redistribution of offices between the Covenanted or Imperial and the Provincial Services, it would seem that, so far as the Commission's proposals are concerned, no reduction in the scale of recruitment for the Imperial Service is at present called for; and that, in order to give effect to these proposals in regard to the Provincial Service, all that need be done is to cease to recruit officers under the Statute of 1870 and commence recruiting provincial officers to the same extent to which statutory officers have been hitherto recruited. The old system will thus merge in the new without any dislocation of existing arrangements.

Lord Cross in his reply said:—

With regard to the extent of admission, the Government of India have rightly indicated in a passage which I have quoted that this question has already been solved by the reduction of recruitment for the Covenanted Civil Service in 1880, which satisfied the requirements of the Commission. In other words, the reduction of the Civil Service recruits by one-sixth, and the substitution for that one-sixth of natives selected under the Act of 1870 defines the maximum extent to which, under present arrangements, room in the higher offices will gradually become available for competent members of the Provincial Service. The reduction of the Covenanted Civil Service is already taking effect in respect of the sixth of the junior reserved offices; and, when it is completed, that service will cease to have any special claim to the same proportion of the reserved offices as a whole. On the basis of these considerations, it is practicable to calculate the number of reserved offices to which members of the Provincial Service may be appointed after existing prior claims have ceased through efflux of time.

But although the proportion of one-sixth remained the same a change in the system

But there is a difference in the method of calculation. Under the Rules of 1879 about one-sixth of the *recruits* of each year were Statutory Native Civilians. Under the now system one-sixth of the actual *posts* recruited for are transferred to the native service.

was made. Under the old system a proportion not exceeding one-sixth of the *recruits* of each year were natives of India set apart for filling covenanted offices. Had this system been continued rather less than one-sixth of the total number of covenanted and statutory civilians combined would ultimately have been natives of India appointed in India. Under the new system one-sixth of

the *posts* in each Province for which these two classes of officers were recruited are transferred to the Native Provincial Service. It has been argued—"The total number of covenanted civilians is (say) 900 or 1,000; therefore the total number of *posts* which the Provincial Service ought to get is 180 or 200." A reference to paragraph 9 of this memorandum will at once show the fallacy in this argument. The total strength of 900 or 1,000 would include also (1) the number of civilians who form the leave-reserve necessary for manning continuously the total number of sanctioned posts, and (2) the number of young civilians under training and not yet fit to hold a sanctioned charge. So also the Provincial Civil Service has its own arrangements for supplying leave vacancies and for men in training, and the strength of that service must *pro tanto* be increased by the transfer to it of the one-sixth of the covenanted posts. Let it be supposed, for instance, that six judgeships and four executive headships of a district in any Province (say Bengal) are held by members of the Provincial Service. Should five of these officers go on leave, the Local Government will be able to appoint five other members of the Provincial Service to officiate during their absence. The number of *officers* holding substantive or officiating judgeships or district headships would then be 15 though the number of *posts* would only be 10.

There appears also to be much misapprehension as to the number of appointments

It is quite a mistake to suppose that, under the Rules of 1879 there would have been 200 or 227 appointments, and that this number has been reduced to 93.

which natives of India would have held under the system of 1879 and the number they will hold under the present system. As already pointed out the total strength of statutory civilians could not have exceeded one-fifth of the number of covenanted civilians. So also under the new

system natives of India will get one-fifth of the number of posts held by covenanted civilians. But it has been said that statutory civilians would ultimately have held 227 appointments, and that this number has been reduced to 93. The figure 227 must, it appears, have been arrived at by taking the *estimate* of 7.56 recruits a year (paragraph 22 above) and multiplying it by 30—the supposed number of years making a generation of official life—and taking the result as the total strength of statutory civilians at the end of that period. In a memorial received last year from the Indian Association in

Bengal, which showed much misconception among that body on this and many other points connected with the Provincial Service scheme, it was represented that if the average rate of recruitment of statutory civilians, six a year, had been continued, natives of India would have held 200 covenanted appointments. The Government of India pointed out the mistake involved in this argument in the following extract from their letter, No. 1838, dated 22nd August 1892, replying to this memorial, a copy of which is attached as enclosure No. 2 to the Despatch:—

“When it is estimated that at the recruitment rate of six per annum natives of India would, in the course of 33 or 34 years, ‘have about 200 appointments,’ this computation confuses the number of appointments which would be made during the whole of that period with the number of appointments which would be likely to be held at any one time. The memorialists make no allowance for casualties, such as deaths, retirements, or removals from the service. Sixty-nine persons were appointed during 1879–90 under the Statutory Rules, but only 58 statutory civilians were in the service on the 1st April 1892, the loss during this period being nearly 16 per cent. of the total number of persons appointed. Actuarial calculations, based on the results observed in Indian-recruited services generally, show that, assuming a regular recruitment rate of six a year and making allowances for deaths and retirements in the ordinary course, the highest strength of statutory civilians (which would have been reached in rather less than 30 years) would probably have been between 125 and 135 at the utmost. It would, in reality, have probably been much less, as there was a tendency in later years to appoint as statutories men of more advanced age who had already proved their fitness for such preferment by good service in the subordinate branch. These men would in the ordinary course retire long before completing the normal period of service in reserved posts. If from the total strength of 125—135 be deducted a certain proportion of men who are mere probationers in training, and a certain proportion on account of men who are absent from duty on leave or on joining time in consequence of transfer from one appointment to another, it will be found that the number of actual appointments held by statutories would probably not have exceeded 110—120 at the outside. It can only be because the memorialists have failed to understand the principle of the Provincial Service scheme that they have compared the *total strength* of statutory civilians, as they assume it might have stood 20 years hence, with the number of reserved appointments or actual charges declared open to the Provincial Service in 1892.”

The above will make it clear that the first set of figures, 200 or 227, even if they were correct, would not be comparable with the second, *i.e.*, the 93 posts listed as open to the Provincial Services. The latter is not a fixed number. The list will be revised from time to time; but the number of posts, as well as the proportion of the higher posts, is more than statutory civilians would have got under the system of 1879 for some years to come. As will be explained below (paragraph 35), all these listed posts are not yet available to the Provincial Services; but the lists have been drawn up so as to provide adequately for present requirements and for future expansion at the rate of the one-sixth a year for several years to come.

32. It may also be explained that the desirability (insisted on by Lord Lytton's Government in 1879) of offering sufficient inducements to young men of good family and social position to enter the service has not been overlooked. The Government of India have expressly declared that it will not necessarily be required of an officer that he should pass through all the grades of the Provincial Service before selection for one of the higher listed posts. The Local Government will be able to select a young man for such a post provided that he has furnished proof by a certain period of work in the Provincial Service—or, in the case of the judicial offices, in the practice of the legal profession—of his competence for such a post.

Lastly, it should be understood that the power of selection for all these listed appointments rests with the Local Government under which the officer is employed, and which has therefore full opportunities of judging of his work. In no case does it rest with the Government of India, though in respect of the higher appointments the sanction of that Government is required.

And it leaves the power of selection for higher offices entirely to the local governments.

33. The above is the system now in force for appointing natives of India to cove-

The chief points of difference between the scheme adopted and that recommended by the Commission are as follows.

nanted offices. It is practically the same as that recommended by the Commission, only a few modifications having been made. The material points in which the Commission's scheme has been modified will now be stated, and at the same time it will be explained whether such modifications are in a direction more favourable or otherwise to natives of India than the original proposals.

In the first place, the parliamentary legislation described in paragraph 28 of this

(1.) Fresh legislation has not been resorted to. This is a mere difference of form; but, as such, favourable to natives of India.

memorandum has not been resorted to. This modification is somewhat favourable to natives of India, for although the extent to which they can be employed in covenanted offices must depend not on the law but on the necessities of the public service, it will be easier to enlarge the list of transferred posts by an executive order than by having recourse to parliamentary legislation, or even to a resolution of the Secretary of State in Council expressly declared to be subject to the control of Parliament. The proposal of the Commission for the exclusion of a proportion of each class of offices from the schedule to the Statute of 1861 would have done no more than give the Government the power to appoint members of the Provincial Service to them, a power which the Government already has under the Statute of 1870 in respect of such members of the Provincial Service as are natives of India. The special power of appointment which the Commission proposed should be given to the Government of India, and the power which they proposed to be given to the Secretary of State to make alterations in the schedule to the Statute of 1861 at any future time are not more than the powers which are already vested in the Government of India, who can at any time, with the Secretary of State's sanction, alter or enlarge, under section 6 of the Statute of 1870, the list of appointments open to native members of the Provincial Service. Further, in the non-Regulation Provinces the Statute of 1861 raises no legal bar to the appointment of natives of India to any office, with one or two exceptions. The proposal of the Commission to extend the Statute of 1861 to non-Regulation Provinces would have restricted by law the power which the Governments in India now have to appoint natives to covenanted offices in these Provinces. To give an instance, there are at the present time two native officers, not covenanted civilians, who are in executive charge of districts in the central Provinces, although only one headship of a district has been "listed." As the Statute of 1861 does not strictly apply to these Provinces, the second appointment has been made by special executive arrangement.

34. *Secondly.*—Section 6 of the Statute of 1870 under which natives of India (only)

Section 6 of the Statute of 1870 and the orders of 1879 have been retained. This modification is distinctly in favour of natives of India.

may be appointed to covenanted posts listed as open to the Provincial Service has not been repealed as was proposed by the Commission, but has been retained as the basis of the new scheme. This modification is distinctly favourable to natives of India and unfavourable to Europeans, who would, under the proposal of the Commission, have been eligible for appointment to any of the covenanted posts transferred to the Provincial Service.

Thirdly.—The orders of 1879 (paragraph 39) imposing restrictions on the appointment of Europeans to the Provincial Service have also been retained. This also is favourable to natives, as under the original proposal Europeans might have been freely appointed to the Provincial Service, and on such appointment they would have become eligible for promotion to the listed covenanted posts.

15. *Fourthly.*—The arrangements recommended by the Commission were intended

(3) The list of offices open to the Provincial Service is not permanently fixed, but alterable from time to time. This is a modification or detail. The proportion will finally be about the same as that recommended by the Commission.

to be of a permanent kind, and to be given effect to gradually during a generation of official life. In lieu of a permanent and final list of appointments, estimated at about 108, for which members of the Provincial Service (Europeans as well as natives), were to be eligible, and which number could only be increased by certain special powers to be exercised under proposed legislation, the list of appointments thrown open to that service has been prepared with reference to proximate reasonable requirements. There is no finality about this list, which is capable, under the terms of section 6 of the Statute of 1870, of alteration and expansion according to varying necessities. The classes and number of

listed offices may be modified or added to at any time by the authorities in India. The new scheme has, of course, been introduced with due regard to the preferential claims of existing officers—whether Indian civilians, or military or uncovenanted officers, or native statutory civilians—having regard to the conditions under which they joined the service (paragraph 31); and it will thus necessarily take some years before all the 93 listed posts are actually held by members of the Provincial Service. But it would only have raised false expectations which could not be realised within any reasonable time to have listed a larger number at present. The transfer of posts to natives of India will not, however, be less rapid in those Provinces to which the scheme has been applied than it would have been under the Statutory Rules of 1879, as there is annually a deficiency of one-sixth in the number of recruits from England which must be supplied from among Indian recruits. Under this head, therefore, the scheme actually introduced is at least as favourable to natives of India as that proposed by the Commission.

36. *Fifthly*.—The full proportion of the covenanted judicial offices recommended by the Commission has not yet been listed. The reason for this has already been partly explained in the preceding paragraph; a larger proportion would not, within any reasonable time, have become available for transfer to the Provincial Service. Taken by itself, and assuming (which is not the case) that the proportion listed was to be the permanent proportion, this modification might justly have been regarded as unfavourable to natives of India. But with their recommendation for the transfer of one-third of the judgeships, the Commission combined a recommendation that only one-tenth of the executive headships of districts should be made available to the Provincial Service. The importance of the position of a district and sessions judge has already been pointed out in paragraph 6 of this memorandum. He has not only judicial duties of the highest importance, but also great administrative responsibility in connexion with the working of the subordinate civil courts, and in his capacity of sessions judge the entire control over the criminal administration of the districts or district under his charge. Although natives of India in most Provinces have undoubtedly shown greater aptitude for purely judicial than for executive and magisterial work, they have yet, as a body, to prove their fitness for administrative business and for the original and appellate criminal work of a sessions judge in the interior. Events may show, moreover, that there are many districts of which the executive charge may be entrusted to native officers quite as suitably as, or more suitably than, the judgeship. It is therefore necessary to proceed gradually and tentatively, so that, if expedient, some readjustment may be made between the proportions—one-tenth and one-third respectively—of the executive and judicial district charges which the Commission recommended should be made over to the Provincial Service.

37. *Sixthly*.—No memberships of the Board of Revenue or financial commissionerships or divisional commissionerships have been included in the list of appointments open to the Provincial Service. To this modification, too, the reasons given in paragraph 35 apply. As to the character and importance of these offices, a reference is invited to paragraph 4 of this memorandum. Appointments to these very high offices are invariably made by special selection. No covenanted civilian, however senior, has a claim to them apart from such selection. The commissioners are selected from amongst the best and ablest of the senior district executive officers, and members of the Board of Revenue and financial commissioners, who control the whole policy of the provincial revenue administration, are selected from among the best and ablest of the senior commissioners. An officer of the Provincial Service would (like a covenanted civilian) have to prove his fitness by many years' meritorious service as executive head of a district before he could be selected for a commissionership. As commissioner, he would have to serve many years before he could be selected to be a member of the Board of Revenue. It is obvious that in a scheme drawn up with reference to proximate requirements, these appointments could not be listed as open to the Provincial Service. No statutory civilian appointed under the Rules of 1879 has yet attained the substantive position of an executive head of a district (though some exceptional appointments have been made to substantive district judgeships); and *a fortiori*, no member of the Provincial Service to be

appointed under the new system would for many years have rendered sufficient service in a district charge to warrant his selection for a commissionership. The Public Service Commission were indeed alive to these considerations, and it is only in view of their scheme being of a permanent character, and also because their proposals (paragraph 28) would otherwise have taken away from the Government the power which it now possesses under the Statute of 1870 to appoint natives of India to these offices that they recommended that a small proportion of these appointments should be excluded from the schedule of offices absolutely reserved for the Covenanted Service. Their

A strong minority of the Commission were opposed to these offices being declared open to the Provincial Service. observations on this point will be found at pages 74 and 75 of their Report. On page 74 it is remarked: "In regard to . . . memberships of the Board of Revenue and commissionerships of divisions . . . there was considerable difference of opinion. The Commission considers that although the appointment to these high offices of persons who are not members of the Imperial (Indian or Covenanted) Civil Service may not be practicable for some time to come, yet . . . there is no good reason for raising a bar against the admission in the ordinary course of members of the Provincial Service, who may show that they possess the qualifications necessary for high executive functions; that to take power for such cases in ordinary course is better than to resort to exceptional powers under the statute . . . that under the Statute of 1870 it is now open to the Government to make such appointments, and that the proposal is only a development of the principle at present in force of selecting officers for commissionerships and member-

* Sir C. A. Turner, Kt., C.I.E.
Mr. F. B. Peacock.
Raja Udai Partab Singh, C.S.I.
Mr. T. H. Stewart.
Honourable Kazi Shahábuddin,
Khan Bahadur, C.I.E.
Mr. W. H. Ryland.

ships of Boards of Revenue on the grounds of fitness and efficiency irrespective of seniority." The difference of opinion referred to in this extract is embodied in the dissent recorded by six members of the Commission* (one a Hindu and another a Muhammadan gentleman). The dissentient members dissented entirely from the recommendation as regards memberships of the Board of

Revenue, and "acquiesced only with much hesitation" in the recommendation regarding Commissionerships. Lord Dufferin's Government, in forwarding their proposals to the

Secretary of State agreed with this minority.

commissionerships in each to the Provincial Service.

But Provincial Service officers may still be appointed to these offices if they are selected from them.

Service to any one of these offices if he is selected for it; and, apart from such selection, no officer, of whatever service, can be appointed to them. It seemed to the Government of India better that this exceptional power of appointment under the Statute of 1861 should be relied upon, at all events for the present, in the case of these high offices, especially as the lists actually drawn up are subject to variation from time to time and not, as the list proposed by the Commission, of a permanent character, than that expectations should be created which could not be realised within any reasonable time. Whether it will be possible or desirable to list these offices as open to the Provincial Service at some future date will depend on the manner in which members of the Provincial Service acquit themselves as district executive and revenue officers.

Several other small modifications of detail have been made in the scheme proposed by the Public Service Commission; but, except in the particulars mentioned above, they are not of sufficient importance to require notice.

V.—MEASURES FOR EXTENDING EMPLOYMENT OF NATIVES OF INDIA IN THE PROVINCIAL AND SUBORDINATE CIVIL SERVICES.

38. From what has already been said it will be clear that as regards the employment of natives of India in substitution for Europeans in the civil services, no comparison

In regard to the employment of natives in substitution for Europeans there is no comparison between the condition of things (1) before 1879, (2) after 1879. can fairly be made between the period before 1879 and the period after that year; and that no opinions expressed on the subject before that year can fairly be regarded as applicable to the existing state of things. And this is so for several reasons. In the first place natives of India have since that year been systematically recruited to hold covenanted offices. Secondly, the recruitment of uncovenanted Europeans in India for holding covenanted charges has been altogether put a stop to since 1876, save under very exceptional circumstances. Thirdly, the Provincial and Subordinate Services have since 1879 been almost exclusively reserved for natives. Lastly, there has been similar progress in other branches.

An example of the last-mentioned change will be found in the fact that while at the end of 1879 there were only two natives of India occupying seats in the high courts, on the 1st July 1893 there were six. Another instance is the high office of Inspector-General of Registration in Madras, which is now substantively held by a native officer; a native member of the Provincial Service has recently been appointed to officiate in the corresponding appointment in Bengal. As regards the second and third points, it is only necessary (in addition to the remarks to be made in the next paragraph) to refer to paragraph 53 of the Public Service Commission's Report, which shows that about 92 per cent. of the total strength of the Provincial and Subordinate Services in all Provinces except Burma, which was beyond the scope of the Commission's inquiry, were either Hindus or Muhammadans. As regards the first point, it may be remarked that in 1879 no natives of India (covenanted civilians excepted) held executive or judicial charge of districts; during 1893, excluding native members of the Covenanted Service, as many as 29 native gentlemen have held charge of districts—in some cases, it is true, only for short periods.

39. Previous to 1876 there was no restriction on the employment of Europeans

(1.) The recruitment of Europeans in India for covenanted offices was stopped in 1876;

other than members of the Covenanted Service, either in covenanted offices in the non-Regulation Provinces or in the Uncovenanted (now Provincial and Subordinate) Judicial and Executive Services. Much correspondence

passed between the Government of India and the Secretary of State as to the best means by which native agency might be substituted for this class of officers, and in 1876 Lord Salisbury directed, in his Despatch, No. 81, dated the 13th July, that the appointment of uncovenanted Europeans to covenanted offices in the non-Regulation Provinces should be discontinued. Accordingly, such appointments have since only been made in very special cases and with the previous sanction of the Secretary of State (paragraph 8).

In 1879, Lord Lytton's Government issued the orders already referred to (paragraph

and (2) the appointment of Europeans to the Provincial Service without special sanction was prohibited in 1879. Since then the Provincial and Subordinate Services have been maintained as essentially native services.

27) to the effect that no person other than a native of India should in any Province of the Bengal Presidency be appointed to any office in the Uncovenanted Judicial and Executive Services carrying pay of Rx. 240 a year or upwards (there is no probability of Europeans seeking office without the prospect of rising to more pay than this) without the special sanction of the Government of India.

These orders were extended by the Secretary of State to Madras and Bombay, and in the case of those Presidencies the sanction of the Secretary of State was required to the appointment. A copy of these orders is enclosed as Appendix V. to this memorandum. The records of the Government of India show that from 1871 to 1893, or in 22 years the appointment of only 46 Europeans has been sanctioned by the Governor General in Council; and of these no less than 32 were appointed in the Province of Burma, where suitable indigenous material is not available, and where a large increase to the European staff was found necessary owing to the disturbed state of the country for some time after the annexation of Upper Burma. In the other Provinces taken together (*i.e.*, Bengal, the North-western Provinces and Oudh, the Punjab, the

Central Provinces and Assam), the total number of such appointments to the Executive and Judicial Departments was 14 only.

It will thus be seen that, in addition to promoting the appointment of natives to covenanted offices, the Provincial and Subordinate Services are now maintained almost entirely as native services, though the appointment of Europeans is occasionally found to be desirable or necessary. It has frequently been urged that the exclusion of the European element from these services, which come most in direct contact with the people, has in some parts of India (particularly in those where European settlers are numerous) tended to weaken the administration; but the conclusion come to by the Government has been that though the occasional appointments of Europeans will be necessary or expedient, these services should be maintained as essentially native services, and that, therefore, the restriction imposed by the Orders of 1879 should not be withdrawn.

VI.—THE COMPETITIVE SYSTEM FOR RECRUITING THE COVENANTED SERVICE.

40. So far this memorandum has dealt with the constitution of the Covenanted Service and the methods adopted in recent years to extend the employment of natives of India in the Executive and Judicial Departments. To recapitulate briefly these methods as now established, are (1) to maintain the Covenanted Service at the smallest possible strength sufficient to fill those posts and classes of posts for which European material is required; (2) to assign all other posts to the Provincial and Subordinate Services, to be maintained essentially as native services; and (3) to appoint natives of India of proved merit and ability to posts retained in the Covenanted Service up to approximately one-sixth of the annual recruitment.

41. The next point for consideration is the method of recruiting covenanted

The competitive system in England was established as a test between European candidates *inter se*. The subjects of examination were fixed with reference to education in England.

civilians. Before 1853 candidates for the service were nominated to the College at Haileybury by the Court of Directors of the East India Company, and after a course of study they were sent out to India. This was altered in that year to a system of competitive examination because that was considered, in respect of European candidates, a better method than a system of selection by patronage. The principle of competition was first laid down in a Statute of 1853 (16 & 17 Vict. c. 95.), but it was re-affirmed and placed on its present working basis by the Statute of 1858 (21 & 22 Vict. c. 106. s. 32) on the transfer of the Government of India from the East India Company to the Crown. This statute placed the duty of making regulations for the admission of candidates to the examination on the Secretary of State, acting with the advice and assistance of Her Majesty's Civil Service Commissioners. The working of these regulations has now to be considered with regard to the subjects of examination, the age limits, and the place of examination, with special reference to the rules on these points so far as they affect natives of India.

The subjects of examination were decided upon in accordance with the report prepared in 1854 by a distinguished committee* presided over by Lord Macaulay. The committee considered "that the examination ought to be confined to those branches of knowledge to which it is desirable that English gentlemen who mean to remain at home should pay some attention"; and the subjects selected were accordingly those ordinarily taught at English public schools and universities. Two oriental subjects, Sanskrit and Arabic, were, with some diffidence, included in the scheme of the examination (also with reference to the circumstances of education in the United Kingdom); but the committee on the whole recommended the inclusion of these languages on account of their "intrinsic value in the eyes both of philologists and men of taste" and of the assistance which a knowledge of them would give a civilian in mastering the vernacular languages and appreciating native methods of thought. The subjects remained substantially the same up to 1878, when certain alterations were made consequent on the lowering of the maximum age from 21 to 19; but the English character of the examination was still fully maintained. The Civil Service Commissioners remarked, however, that, except for the sake of native candidates, they would

*Mr. (afterwards Lord) Macaulay.
Lord Ashburton.

Dr. Melvill, Principal of Haileybury College.

Rev. B. Jowett, lately Master of Balliol College, Oxford.

Mr. (afterwards Sir John) Shaw Lefevre.

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“propose to exclude Arabic and would hesitate to include Sanskrit.” In 1892 some further alterations were made consequent on the raising of the maximum age to 23, but the character of the examination remained the same. It will thus be seen that the examination was devised and has been consistently maintained as a test for European candidates *inter se*. Natives of India were admitted to it on the same terms as Europeans, but no special arrangements were made as regards them, except that Sanskrit and Arabic having been included in the scheme of examination in 1855, it was judged unfair to them to exclude these subjects after 1878.

42. Lord Maculay's Committee recommended that the minimum age for admission

The age limits were fixed with reference to European candidates studying in England; but the circumstances of natives of India were considered in the change made in 1892, the limits previously in force being judged unfair to them.

to the competitive examination should be fixed at 18 and the maximum at 23. They suggested this maximum in view of the desirability of enabling a gentleman studying in England to complete his education, preferably at an university, before joining the Covenanted Service. In 1860 the maximum age was reduced to 22, chiefly on the ground that candidates selected at a later age, if kept in

England for even one year of special study, would be too old to commence life in India. In 1866 the maximum was further lowered to 21, in consequence of the introduction of a system of two years' probation in England before the candidates were allowed to proceed to India, and the minimum was at the same time lowered to 17. In 1878 the maximum was still further lowered to 19, as it was thought desirable to require selected candidates to pass their two years' probation at some university or college approved by the Secretary of State. These age limits, 17 to 19, proved unfavourable to natives of India desirous of competing in England, and many complaints were made in this country that they operated to exclude natives from the Covenanted Service (paragraphs 21, 23, and 24). Consequently one of the questions referred to the Public Service Commission for inquiry was whether the age limits should be altered in the interests of native candidates. The Commission recommended in their interests that the minimum and maximum limit of age should be raised to 19 and 23 years respectively. It was finally decided, having regard also to the considerations applicable to the case of European candidates in England, that the maximum should be fixed at 23 and the minimum at 21. These are the present age limits, and they are believed to be extremely favourable to natives of this country intending to proceed to England for the examination.

43. It follows from the fact that the competitive examination was designed as a means for the selection of British born candidates, and in order to recruit an essentially

The place of examination is in England. It has always been considered essential that it should be held there only.

European service, the circumstances of natives having only been so far considered as to ensure that there should be no unfair obstacles in the way of their competing in England under the prescribed tests, that the place of

examination was intended to be in the United Kingdom. Applications have from time to time been made for holding an examination in India, but these have invariably been negatived. It has always been recognised that the appropriateness of competitive examination as a test between European candidates depends on two elements—(1) the antecedent presumption that most of the candidates who will be successful according to the purely literary tests will also possess the requisite moral and other qualities for administrative office in India; and (2) the very important fact that education in the United Kingdom, at a large school or college, embraces not merely a course of literary instruction but also a training in life and conduct which forms the character. So also competition has been accepted (though not without hesitation) as, on the whole, a good test in respect of natives of India competing *in England*; for the moral courage and perseverance which are exhibited by a native candidate in proceeding to England and competing successfully there may fairly be taken as indicating the possession of more than average qualities of character. But with regard to natives competing in India the case is entirely different; apart from other grave objections, pointed out in the Despatch, the two elements which are calculated to make competition a not unsatisfactory test as between Europeans in England are wholly wanting in their case.

In paragraphs 17, 18, 21, 23, and 24 of this memorandum, and in paragraphs 15 to 18 of the letter of the 5th August 1893 (Enclosure No. 1 to the Despatch), a brief

The Public Service Commission emphatically rejected the proposal for simultaneous examinations in India and England.

account has been given of the discussions on this point up to the appointment of the Public Service Commission. One of the most important questions referred to the Commission was whether the open competition for the Cove-

nanted Service should be held simultaneously in India and in England. To this

question they returned an emphatic negative for reasons which appear to be very cogent. Their observations on this subject are annexed as Appendix VI. to this memorandum. There were three partial dissentients among the native members of the Commission, but the three other native members (one Hindu and two Muhammadan gentlemen) concurred entirely with the majority. The three dissentient members (two of whom are since dead) recorded their dissent in the following terms:—

“The members of the Commission named in the margin do not share in the apprehensions expressed above as to the probable result of the introduction of an examination in India for the Covenanted Civil Service simultaneously with the examination in England; and they wish it to be noted that they have not deemed it necessary either to state at length the arguments in support of the view they have taken, or to meet the objections raised against it, as the scheme, which is now *unanimously* recommended by the Commission, is, in their opinion, well calculated to secure the end they have in view, and at the same time is not open to the objections urged against simultaneous examination.”

It will be observed from paragraphs 33 to 37 of this memorandum that the scheme which the Commission were unanimous in recommending has in substance been adopted. The Commission were not unanimous as regards the proposal to declare memberships of the Board of Revenue (or financial commissionerships) and commissionerships of divisions open to the Provincial Service. A strong minority objected to the proposal as regards memberships of the Board of Revenue; and they dissented from the proposal as regards commissionerships of divisions in the same sense as that in which the three gentlemen named above dissented from the conclusions of the Commission as regards simultaneous examinations (paragraph 37).

The Government of India and Secretary of State agreed in the conclusions of the Commission on this question. In his Despatch, No. 104, dated 12th September 1889, on the subject of the reorganisation of the Executive and Judicial Departments, Lord Cross remarked:—

“It is not surprising that the Commission should have arrived at the conclusion that as so little room now remains for reducing the members of the Covenanted Civil Service which may be said to represent the only permanent English official element in India, the importance of recruiting that service, with reference to the maintenance of English principles and methods of government, cannot be over-rated, and that, therefore, the idea of holding a competitive examination for native candidates for the Covenanted Service in India as well as in England is altogether inadmissible. The Government of your predecessor were unanimously of opinion that this view is correct, and I cannot better express my own conclusion than by quoting the words of their Despatch:—‘The true principle, on which the Commission has very strongly insisted, is that the conditions of the open competitive examination should be framed with the object of securing candidates trained in the highest and best form of English education. If, under such conditions, native candidates succeed, they will then, as Lord Macaulay said, ‘enter the service in the best and most honourable way.’ The establishment of simultaneous competitive examination in India and England would sacrifice the principle we have stated. It would be entirely foreign to the intention of the framers of the competitive system, and be open to grave practical objections. We therefore fully agree with the Commission in deprecating the entertainment of any such proposal.’”

44. The present system is, therefore, as follows:—

Under the combined operation of the Statutes of 1858 and 1861 the Covenanted Civil Service and all the offices included in its *cadre* are open to all Her Majesty's subjects, natives of India and others, subject to competition in England and to the necessary qualification of a high English education.

Under the Statute of 1870 it is open to the authorities in India to appoint natives of India (only) to offices in the Covenanted Service, notwithstanding the Statute of 1861, and though they have not been admitted to the service in accordance with the Statute of 1858.

By the statutory system established by the Rules of 1879 about one-sixth of the total number of recruits in each year for the Covenanted Civil Service (military recruits excepted) were natives of India appointed under the Statute of 1870; by the recently

sanctioned system (also under the Statute of 1870) one-sixth of the offices in the Covenanted Civil Service for which recruitment is made each year (offices reserved for military officers excepted) is transferred to the Provincial Service and declared open to native members (only) of that service.

The Provincial and Subordinate (formerly Uncovenanted) Civil Services, which contain the great majority of executive and judicial officers, are, under executive orders, almost entirely reserved for natives of India.

The principle of the existing arrangements is that, just as the Covenanted Service is, as observed in Lord Cross's Despatch, the only permanent English element in the Executive and Judicial Departments, so the Indian recruited services in these departments are essentially native services.

VII.—THE COMPETITIVE SYSTEM AS APPLICABLE TO RECRUITMENT FOR THE PROVINCIAL CIVIL SERVICE.

45. The Provincial Civil Services, as already explained, are entirely recruited in India, and are essentially native services (paragraph 39). Generally speaking, the qualities required for filling the ordinary posts in this service are to be found in educated natives of India.

It has only been found practicable to establish the open competitive system in two provinces (Bengal and Madras) for recruiting the Provincial Service.

Acting on the recommendation of the Public Service Commission (paragraph 29 *supra*) the Government of India asked the local governments to consider whether these services could not be recruited by competition so far as vacancies therein were not to be filled by promotion from the Subordinate Civil Service. In the Lower Provinces of Bengal the system was already in force; but none of the other local governments, except that of Madras, were able to accept the suggestion. The reasons assigned were generally these:—that competition was unsuitable to the conditions of the Province; that success at an examination would be confined to particular classes only; and that large and influential classes of the population, whose interests it was a necessary to protect, would be practically excluded from a share in the appointments. For instance, in the report on this subject from the Punjab, Sir James Lyall, the then Lieutenant-Governor, examined the lists of students who had passed the B.A. and M.A. examinations of the Punjab University from 1862 to 1888. After remarking that in these lists he did not find “a single Rajpút, Pathán, Ghakkar, Siál, Moghal, Awán, Beloch, Ját, or in fact any member of the great landholding tribes, in which the political power and fighting strength of the country has always resided and still resides,” he scrutinised the small number of Sikh and Muhammadan names which appeared, and found that, with few exceptions, they were all “men of one type, Khattris and Baniyas and Aroras, and one or two Shekhs, the sons of shopkeepers and subordinate officials.” “The educational attainments of such men,” he added, “would no doubt enable some of them to fill a respectable place in a civilised and complicated system of administration. But in constituting the administrative staff, we must, for the most part, look to men of a different stamp to help us to govern such a country as the Punjab with success at any time; and, still more, to help us to hold it if at any period our political position is less secure. Almost all these graduates are also dwellers in towns as opposed to dwellers in the country; and in a Province where the rural population vastly exceeds the urban, and where there is so much distinction between the bodily vigour of the countryman and the townsman it seems specially dangerous to give a practical monopoly of the upper part of the service to the townspeople.”

In other Provinces the result would have been to give certain limited classes in the Province a practical monopoly of the service to the exclusion of other and more influential classes.

Sir A. Mackenzie, Chief Commissioner of the Central Provinces, wrote:—“The principle of open competition, if adopted for the recruitment of the Provincial Service, would result in these Provinces in flooding the service with Mahratta Brahmins to the exclusion of every other class.”

Sir A. Colvin, Lieutenant-Governor of the North-western Provinces and Oudh, while strongly opposed to open competition, was of opinion that, if the principle was to be adopted, at least 30 years' residence in the Province should be insisted on as a condition of admission to the examination.

Lord Dufferin's Government came to the conclusion that open competition would not be a suitable method of recruitment for the Provincial Services under present circumstances. And finally, Lord Cross, in his Despatch of September 1889, observed:—

Lord Dufferin's Government came to the conclusion that open competition would not be a suitable method of recruitment for the Provincial Services under present circumstances. And finally, Lord Cross, in his Despatch of September 1889, observed:—

“The recruitment for the Provincial Service will be made under rules framed by the Provincial Government with the sanction of the Government of India. The rules (in the words of your predecessor’s Despatch), while making due provision for indispensable educational attainments, must be such as are adapted, on the one hand, to obtain for each Province thoroughly efficient candidates, and, on the other hand, to secure the due representation in the public service of the different classes of the community.”

It is unnecessary to enter into the details of the rules which have actually been framed. A certain proportion of the vacancies in the Provincial Services must everywhere be filled by the promotion of deserving officers from the Subordinate Services; for filling the rest, while adequate literary tests have been established everywhere, competition has been considered altogether unsuitable in the North-western Provinces and Oudh, the Central Provinces, and Assam. The same is the case as regards Burma. In the Punjab one-fourth of the vacancies are, as before, offered to competition among previously selected candidates. The Madras Government have adopted a scheme for offering a proportion of the vacancies (about one a year) on the executive side of the Provincial Service to open competition tentatively for seven years; and it is intended that after that two-thirds of the vacancies shall be filled by competition. The Government of India have invited the Bombay Government to consider whether a similar system might not be tried in that Presidency, but the correspondence is not yet complete.

46. The most notable experience, however, in connexion with recruitment by competition for the Provincial Service has been gained in the

In Lower Bengal, however, the Provincial Service (Executive Branch) has been recruited by competitive examination since 1884. Up to 1889 the system was one of pure competition.

Province containing three districts only. The total Hindu population of the Lower Provinces is 45,217,618, and the total Muhammadan population 23,437,591; the Hindus of Behar number 20,095,745, and those of Bengal proper 18,068,655; the Muhammadans of Bengal proper number 19,582,349. The competitive system was first introduced during the Lieutenant-Governorship of Sir R. Temple in 1875. It was discontinued by his successor Sir Ashley Eden, but was revived in 1884. From 1884 to 1893 66 candidates have entered the service *by pure competition*. Of these all but

All the successful candidates, with one or two exceptions, belonged to one class, Hindus of Bengal proper. Consequently in 1889 it was found necessary to change the system.

three belonged to one class—that of Bengali Hindus, with possibly one or two converts to other religions of Hindu origin. Outside this class only one Hindu from Behar and two statutory natives of India of pure or mixed European descent have succeeded in getting appointments during these years. No Muhammadans have secured any of the

places offered to pure competition. From 1884 up to 1889 the system was one of pure competition, the candidates standing highest in order of merit obtaining appointments. In that year the Local Government reconsidered this arrangement. The Lieutenant-Governor, Sir Stuart Bayley, observed, in a resolution, dated the 24th April 1889 (pages 808–816, Supplement to “Calcutta Gazette”):

In any scheme that is to be final the principle of competition must occupy a prominent, perhaps the most prominent, place. But competition alone will not meet all our wants. We have to consider the diverse character of the population with which we are dealing, and to guard against a single race or class obtaining a virtual monopoly of the service by which a large proportion of the everyday work of administration is done. At the present time, and probably for many years to come, the immediate effect of recruiting the subordinate executive service on an exclusively competitive basis will be to *debar Muhammadans, natives of Behar, and natives of Orissa from any reasonable chance of obtaining appointments*. Not only would this be unfair in itself and contrary to established policy, but it would tend to encourage feelings of race jealousy and antagonism, which have already begun to show themselves, and which might at any time give rise to serious difficulties. It is as true now as when Sir Richard Temple wrote his minute of the 22nd September 1875 that “there may be many good reasons, besides the winning of a place in an examination, for appointing native gentlemen to the higher grades in the public service.” Social or representative position, family connexions, distinguished university attainments, meritorious service in other branches of the

administration—these are some of the qualifications which may give a claim to appointments by nomination.

The scheme of the examination was accordingly altered, and since 1889 only a proportion of the vacancies have been offered to pure competition; the balance has been filled up by the Local Government by selection from

The system is now one of mixed competition and selection, only one-third of the vacancies being offered to pure competition.

among the candidates who obtain not less than one-third of the total number of marks in such a way as to distribute the appointments fairly among the various divisions, races, and creeds of the Province. In the rules for

the Bengal Provincial Service, which have recently been under the consideration of the Government of India, it is provided that about one-third of the vacancies shall be filled by pure competition, one-third by selection after examination, and the remainder by nomination, chiefly of officers of the Subordinate Service for promotion to the Provincial Service.

47. The result of a consideration of the question is that none of the local governments or high courts concerned have agreed to adopt the principle of open competition for recruiting for the judicial branch of the Provincial Civil Service; and that

The above conclusively shows the impossibility of a competition in India for the Covenanted Service.

only two of the responsible local governments have been able to adopt it in filling even a proportion of the executive appointments. In Bengal, where the principle was in force for several years in the executive branch, it

had, as has just been shown, to be restricted and tempered with selection in consequence of the administrative dangers and difficulties which would have ensued from the monopoly of official employment by a particular section of the people. These being the results in a single Province and in respect of the Provincial Service, the administrative difficulties and danger likely to arise from the application of the principle to the Covenanted Service, which is recruited for the higher posts all over the Empire, are too evident to need further speculation.

APPENDICES.

- I.—*Cadre* of the Covenanted Civil Service in 1893.
- II.—Actual employment of officers (other than natives of India appointed under 33 Vict. c. 3. s. 6) on the 1st July 1893.
- III.— } Referred to in paragraph 30 of memo.
- IV.— }
- V.—Referred to in paragraph 39 of memo.
- VI.—Referred to in paragraph 43 of memo. (paragraph 60 of the Public Service Commission's Report).

APPENDIX I.
(PARAGRAPH 3 of MEMORANDUM.)

CADRE of the COVENANTED CIVIL SERVICE, including Offices reserved for or held by (1) Covenanted Civilians, (2) Military Officers, (3) Uncovenanted Officers, and (4) Statutory (Native) Civilians; and (5) Offices declared open to Native Members of the Provincial Civil Services.

| Government or Province. | Total Number of Covenanted Offices. | Area of Province (excluding Feudatory States) in square Miles. | Population of Province (excluding Feudatory States). | Number of Executive and Judicial Covenanted Offices. | | | | | | | | | | | Population and Area to each Executive and Judicial Office. (Column 15.) | | Number of Covenanted Officers in Special Services and Departments. | | | | | | |
|-----------------------------------|-------------------------------------|--|--|--|---------------------------|---------------------------------|-------------------------------|---|---|---|----------------|------------|------------------------|--|---|--------------|--|------------|-----------|-------------------|-----------|---|-------------------------|
| | | | | Executive and Judicial Offices superior to Commissionership of Division. | Secretariat, &c. Offices. | District Offices. | | | | General Offices. | | | Total Columns 5 to 12. | Listed for transfer to Provincial Service. | Balance at present reserved for Covenanted Civilians and Military Officers. | Population. | Area. | Political. | Accounts. | Police and Jails. | Postal. | Other Departments, &c., Education, Salt, Opium, Custom, Registration. | Total Columns 16 to 21. |
| | | | | | | Commissionerships of Divisions. | Executive District Headships. | Divisional or District and Sessions Judgeships. | Subordinate, Executive, and Judicial Charges. | In Land Records and Settlement Departments. | Miscellaneous. | | | | | | | | | | | | |
| 1. | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. | 11. | 12. | 13. | 14. | 15. | 16. | 17. | 18. | 19. | 20. | 21. | 22. | 23. | |
| Government of India | 55 | — | — | 8 | 12 | — | — | — | — | — | — | 15 | — | 15 | — | — | 24 | 10 | — | 5 | 1 | 40 | |
| Madras | 111 | 141,189 | 35,630,440 | 8 | 9 | — | 22 | 20 | 42 | 1 | 2 | 104 | 15 | 89 | 400,342 | 1,588 | 2 | — | 2 | — | 8 | 7 | |
| Bombay | 118 | 125,064 | 18,857,044 | 6 | 6 | 4 | 25 | 17 | 50 | 2 | 2 | 112 | 18 | 94 | 200,607 | 1,380 | 4 | — | 1 | — | 1 | 6 | |
| Lower Provinces of Bengal | 164 | 151,543 | 71,346,987 | 9 | 10 | 9 | 45 | 30 | 45 | 7 | 7 | 162 | 20 | 142 | 502,443 | 1,068 | — | — | 1 | — | — | 2 | |
| North-western Provinces and Oudh. | 168 | 107,508 | 46,905,085 | 7 | 10 | 9 | 48 | 26 | 50 | 7 | 2 | 159 | 21 | 138 | 339,892 | 779 | — | — | 1 | — | — | 4 | |
| Punjab | 111 | 110,667 | 20,866,847 | 6 | 8 | 6 | 31 | 13 | 33 | 8 | 2 | 107 | 12 | 95 | 219,651 | 1,165 | 3 | — | — | — | 1 | 4 | |
| Burma | 90 | 171,430 | 7,605,560 | 4 | 6 | 8 | 34 | 2 | 26 | 4 | 1 | 85 | — | 65 | 89,477 | 2,017 | 5 | — | — | — | — | 5 | |
| Central Provinces | 53 | 86,501 | 10,784,294 | 2 | 4 | 4 | 18 | 2 | 18 | 2 | — | 50 | 7 | 48 | 250,798 | 2,012 | 1 | — | 1 | — | 1 | 3 | |
| Assam | 33 | 49,004 | 5,476,833 | 1 | 1 | 1 | 11 | 1 | 13 | 1 | 1 | 30 | — | 30 | 182,561 | 1,633 | 2 | — | 1 | — | — | 3 | |
| Total | 898 | 942,901 | 217,473,090 | 46 | 66 | 41 | 234 | 111 | 277 | 32 | 17 | 824 | 93 | 731 | 297,501 | 1,290 | 41 | 10 | 7 | 5 | 11 | 74 | |

APPENDIX II.

(PARAGRAPH 9 of MEMORANDUM.)

STATEMENT showing NUMBER of OFFICES actually available for filling COVENANTED CHARGES on 1st July 1893.

| 1. | Total on the Lists. | In Special Departments. | | In General Administration, exclusive of Men merely in Training (Executive and Judicial Departments). | | Men in Training only. | | Square Miles of Area to one Officer actually employed (Column 5). | Population to one Officer actually employed (Column 5.) |
|--------------------------------|---------------------|-------------------------|------------------------------|--|------------------------------|-----------------------|------------------------------|---|---|
| | | Present on 1st July. | Absent on Leave on 1st July. | Present on 1st July. | Absent on Leave on 1st July. | Present on 1st July. | Absent on Leave on 1st July. | | |
| | 2. | 3. | 4. | 5. | 6. | 7. | 8. | 9. | 10. |
| Covenanted civilians - - - | 898 | 52 | 9. | 582 | 166 | 87 | 2 | — | — |
| Military officers - - - | 104 | 8 | 2 | 68 | 27 | 9 | — | — | — |
| Uncovenanted officers - - - | 62 | 5 | — | 44 | 9 | 8 | 1 | — | — |
| Statutory (native) civilians - | 48 | 1 | — | 41 | 6 | — | — | — | — |
| Total - - - | 1,112 | 61 | 11 | 780 | 208 | 99 | 3 | 1,292 | 2,97,908 |

APPENDIX III.

No. $\frac{9 \text{ Public}}{1342-1352}$.

EXTRACT from the PROCEEDINGS of the GOVERNMENT of INDIA, in the HOME DEPARTMENT (Public), under date Simla, the 21st April 1892.

READ—

The Report of the Public Service Commission and the opinions expressed thereon by local governments and administrations.

The Despatch of the Government of India to the Secretary of State, No. 58, dated the 9th October 1888, reviewing and stating its conclusions on the principle questions discussed in the Report.

The Despatch of the Secretary of State, No. 104, dated the 12th September 1889, communicating his Lordship's decision upon the recommendations made in the Report and by the Government of India so far as they deal with the higher branches of executive and judicial work throughout India.

Letters to local governments and administrations, dated the 14th February 1890, forwarding a copy of the Secretary of State's Despatch, and making suggestions as to the manner in which its decisions may best be given effect to.

Replies from the local governments and administrations consulted.

The Despatch of the Government of India to the Secretary of State, No. 9, dated the 10th February 1892, stating the conclusions arrived at by the Governor General in Council on the subject.

The reply of the Secretary of State, No. 30, dated the 24th March 1892, concurring in the conclusions set forth by the Government of India.

RESOLUTION.

In his Despatch, No. 104, dated 12th September 1889, the Secretary of State for India in Council announced the decision at which he had arrived on the recommendations made in the Report of the Commission appointed in 1886 to consider the question of the admission of natives of India to higher and more extensive employment in the civil administration of the country.

2. The Secretary of State's Despatch having been communicated to the local governments and administrations for consideration, and their replies having been received, the Governor General in Council is now in a position to pass orders upon the most important points calling for determination.

3. The following appointments in each Province shall for the present be entered in the list as open to the Provincial Service:—

Madras.

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Heads of districts - - - | - | - | - | - | - | - | - | - | 2 |
| District judges - - - | - | - | - | - | - | - | - | - | 4 |
| Sub-collectors, head assistants, and assistant collectors - - - | - | - | - | - | - | - | - | - | 7 |
| Secretary to the Board of Revenue - - - | - | - | - | - | - | - | - | - | 1 |
| Under Secretary to Government - - - | - | - | - | - | - | - | - | - | 1 |

Total - - - - - 15

Bombay.

| | | | | | | | | | |
|------------------------------|---|---|---|---|---|---|---|---|-------|
| Heads of districts | - | - | - | - | - | - | - | - | 2 |
| Judges | - | - | - | - | - | - | - | - | 2 |
| Joint judge | - | - | - | - | - | - | - | - | 1 |
| Assistant judges | - | - | - | - | - | - | - | - | 2 |
| Assistant collectors | - | - | - | - | - | - | - | - | 9 |
| Talukdari settlement officer | - | - | - | - | - | - | - | - | 1 |
| Registrar of the High Court | - | - | - | - | - | - | - | - | 1 |
| | | | | | | | | | <hr/> |
| Total | - | - | - | - | - | - | - | - | 18 |
| | | | | | | | | | <hr/> |

Bengal.

| | | | | | | | | | |
|-----------------------------------|---|---|---|---|---|---|---|---|-------|
| Heads of districts | - | - | - | - | - | - | - | - | 4 |
| District judges | - | - | - | - | - | - | - | - | 6 |
| Joint and assistant magistrates | - | - | - | - | - | - | - | - | 8 |
| Secretary to the Board of Revenue | - | - | - | - | - | - | - | - | 1 |
| Under Secretary to Government | - | - | - | - | - | - | - | - | 1 |
| | | | | | | | | | <hr/> |
| Total | - | - | - | - | - | - | - | - | 20 |
| | | | | | | | | | <hr/> |

North-western Provinces and Oudh.

| | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|-------|
| Heads of districts | - | - | - | - | - | - | - | - | 2 |
| District and sessions judges | - | - | - | - | - | - | - | - | 4 |
| Joint and assistant magistrates | - | - | - | - | - | - | - | - | 9 |
| Junior Secretary, Board of Revenue | - | - | - | - | - | - | - | - | 1 |
| Assistant settlement officers | - | - | - | - | - | - | - | - | 2 |
| Assistant Director of Land Records and Agriculture | - | - | - | - | - | - | - | - | 1 |
| Small Cause Court judges, Allahabad and Lucknow | - | - | - | - | - | - | - | - | 2 |
| | | | | | | | | | <hr/> |
| Total | - | - | - | - | - | - | - | - | 21 |
| | | | | | | | | | <hr/> |

Punjab.

| | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|-------|
| Heads of districts | - | - | - | - | - | - | - | - | 2 |
| Divisional judges | - | - | - | - | - | - | - | - | 2 |
| District judges | - | - | - | - | - | - | - | - | 2 |
| Assistant commissioners | - | - | - | - | - | - | - | - | 3 |
| Junior Secretary to Financial Commissioner | - | - | - | - | - | - | - | - | 1 |
| Settlement collectorships | - | - | - | - | - | - | - | - | 2 |
| | | | | | | | | | <hr/> |
| Total | - | - | - | - | - | - | - | - | 12 |
| | | | | | | | | | <hr/> |

4. Before passing orders as to the Central Provinces, his Excellency will await a further expression of Mr. MacDonnell's views on the question. And the Government of India is constrained to agree in the opinion expressed by successive chief commissioners of Assam, that that Province is not yet ripe for the admission of provincial officers to any of the reserved posts. It appears that the Provincial Service in Assam is largely recruited from Bengal and that it would be almost, if not quite, impossible, in view of the progress in education and the administrative aptitudes of the people, to find within any time which can now be foreseen an indigenous officer who could be utilised in one of these posts. Assam must therefore, like Burmah, for the present remain outside the scope of the present orders.

5. Dealing in the first instance only with the superior appointments, and reserving for the next paragraph the case of joint and assistant magistrates and collectors, the following are the rates of pay for officers of the Provincial Service in each grade, which the Secretary of State has sanctioned:—

JUDICIAL.

EXECUTIVE.

Madras.

| | Rs. | | Rs. |
|------------------|---------|-----------------------------------|---------|
| Judge, 1st grade | - 1,600 | Collector, 1st grade | - 1,600 |
| Judge, 2nd grade | - 1,200 | Collector, 2nd grade | - 1,200 |
| | | Secretary to the Board of Revenue | - 1,000 |
| | | Under Secretary to Government | - 700 |

JUDICIAL.

EXECUTIVE.

Bombay.

| | Rs. | | Rs. |
|---------------------------|---------|-------------------------------------|---------|
| Judge, 1st grade | - 1,600 | Magistrate and collector, 1st grade | 1,600 |
| Judge, 2nd grade | - 1,200 | Magistrate and collector, 2nd grade | - 1,200 |
| Judge, 3rd grade | - 1,000 | Talukdari settlement officer | - 800 |
| Joint judge | - 800 | | |
| 1st grade assistant judge | - 600 | | |
| 2nd grade assistant judge | - 500 | | |
| Registrar, High Court | - 1,200 | | |

Bengal.

| | Rs. | | Rs. |
|--|---------|-------------------------------------|---------|
| District and sessions judge, 1st grade | - 1,600 | Magistrate and collector, 1st grade | - 1,600 |
| District and sessions judge, 2nd grade | - 1,200 | Magistrate and collector, 2nd grade | - 1,200 |
| | | Magistrate and collector, 3rd grade | - 1,000 |
| | | Secretary to the Board of Revenue | - 1,200 |
| | | Under Secretary to Government | - 700 |

North-western Provinces and Oudh.

| | Rs. | | Rs. |
|--|-------------|--|-----------|
| District and sessions judge, 1st grade | - 2,000 | Magistrate and collector, 1st grade | - 1,600 |
| District and sessions judge, 2nd grade | - 1,600 | Magistrate and collector, 2nd grade | - 1,200 |
| District and sessions judge, 3rd grade | - 1,200 | Magistrate and collector, 3rd grade | - 1,000 |
| District and sessions judge, 4th grade | - 1,000 | Junior Secretary, Board of Revenue, grade pay, plus | - 150 |
| Small Cause Court judge | - 800-1,000 | Assistant settlement officer, 1st grade | - 700 |
| | | Assistant settlement officer, 2nd grade | - 500 |
| | | Assistant Director, Department of Land Records and Agriculture | - 400-500 |

Punjab.

| | Rs. | | Rs. |
|-----------------------------|---------|--|---------|
| Divisional judge, 1st grade | - 1,600 | Deputy commissioner, 1st grade | - 1,600 |
| Divisional judge, 2nd grade | - 1,400 | Deputy commissioner, 2nd grade | - 1,200 |
| Divisional judge, 3rd grade | - 1,200 | Deputy commissioner, 3rd grade | - 1,000 |
| District judge, 1st grade | - 1,000 | Settlement collector, 1st grade | - 1,000 |
| District judge, 2nd grade | - 800 | Settlement collector, 2nd grade | - 800 |
| | | Junior Secretary to Financial Commissioner | - 600 |

These rates of pay will, of course, be liable to alteration at any time should the interests of the public service require it.

6. The Government of India have determined, with the approval of the Secretary of State, to amalgamate the scheduled posts on the executive side subordinate to the headship of a district, with the existing grades of deputy magistrates and collectors

These posts are the following:—

| | | | | | | | | | | |
|----------------------------------|---|---|---|---|---|---|---|---|---|---|
| Madras | - | - | - | - | - | - | - | - | - | 7 |
| Bombay | - | - | - | - | - | - | - | - | - | 9 |
| Bengal | - | - | - | - | - | - | - | - | - | 8 |
| North-western Provinces and Oudh | - | - | - | - | - | - | - | - | - | 9 |
| Punjab | - | - | - | - | - | - | - | - | - | 3 |

In all these Provinces the majority of them are at present held by statutory civilians appointed under the Rules of 1879, while in some they are still occupied by officers of the Civil Service of India or Commissions appointed before 1882. Until these statutory civil servants are provided for, either by promotion or by amalgamation with the new Provincial Service, the posts which they hold cannot be thrown into the general *cadre* of the latter service; but when that happens, and when the prior claims of officers of the Civil Service of India and Commissions have been satisfied, the posts now specified should be distributed as follows among the existing grades of deputy magistrates and collectors and extra assistant commissioners:—

Madras.

| | Rs. |
|--|-------|
| 2 posts in the 1st grade on (Corresponding to sub-collector.) | - 700 |
| 4 posts in the 3rd grade on (Corresponding to head assistant.) | - 500 |
| 1 post in the 5th grade on (Corresponding to passed assistant.) | - 300 |

Bengal.

| | Rs. |
|--|-------|
| 2 posts in the 3rd grade on (Corresponding to joint magistrate, 1st grade.) | - 600 |
| 2 posts in the 4th grade on (Corresponding to joint magistrate, 2nd grade.) | - 500 |
| 2 posts in the 5th grade on | - 400 |
| 2 posts in the 6th grade on (Corresponding to assistant magistrates on Rs. 500 and Rs. 450 respectively.) | - 300 |

| <i>Bombay.</i> | | Rs. | <i>Punjab.</i> | | Rs. |
|---|---|-----|--|---|-----|
| 3 posts in the 3rd grade on (Corresponding to first assistant.) | - | 600 | 1 post of extra assistant commissioner, 3rd grade on (Corresponding to assistant commissioner, 2nd grade). | - | 600 |
| 4 posts in the 4th grade on (Corresponding to second assistant.) | - | 500 | 4 post of extra assistant commissioner, 5th grade on Corresponding to assistant commissioner, 2nd grade.) | - | 400 |
| 2 posts in the 6th grade on (Corresponding to passed assistant.) | - | 300 | 1 post of extra assistant commissioner, 6th grade on (Corresponding to assistant commissioner, 3rd grade.) | - | 300 |
| <i>North-western Provinces and Oudh.</i> | | Rs. | | | |
| 4 posts in the 5th grade on (Corresponding to joint magistrates and assistant commissioners, 1st grade.) | - | 600 | | | |
| 5 posts in the 3rd grade on (Corresponding to joint magistrates and assistant commissioners, 2nd grade.) | - | 400 | | | |

7. The addition of these posts to the *cadre* of the Provincial Service will necessitate recruitment in the lower grades to supply the place of those who will be moved up to fill them; and this can take place at once where the condition of the service demands it. Those statutory civilians who were appointed in the various Provinces in 1889 and 1890, on the understanding that they would be transferred to the Provincial Service when it was constituted, should now be gazetted to their appropriate places in that service. In accordance with the decision of the Secretary of State they will, like other statutory civil servants who join the Provincial Service, be understood to have a preferential claim for promotion to the scheduled posts (subject, of course, to the special claims of members of the Civil Service of India and officers of the Commissions appointed before 1882) over the other members of that service.

8. The Statutory Rules of 1879 now require the approval and sanction of Governor General in Council to all nominations made by local governments. These nominations are at present ordinarily to offices in the subordinate ranks of the Covenanted Civil Service. The subordinate posts included in the list being thrown open to the Provincial Service the Local Government will no longer require the sanction of the Government of India to appointments to them. His Excellency in Council, however, thinks that for the present it will be necessary to retain the rule requiring such sanction in the case of appointments (whether permanent or officiating for a period exceeding three months) under the Statute to headships of districts and district judgeships in Madras, Bombay, Bengal, and the North-western Provinces and Oudh, and to headships of districts, divisional judgeships and settlement collectorships in the Punjab. He is willing that in the case of all other scheduled appointments the Local Government should nominate without reference to him. He is also willing that in the case of officiating appointments of provincial officers for short vacancies not exceeding three months at a time, to headships of districts and the other posts mentioned above, such reference should be dispensed with. Such short vacancies will afford the means of testing an officer's fitness for more extended employment in those posts; and in reporting for sanction nominations for longer periods it should always be stated whether an officer has been tried in this manner, and with what result. As a general rule the Governor General in Council thinks that it will be prudent to take every suitable opportunity of thus ascertaining an officer's capacity before proposing to employ him permanently in these important and responsible posts. His Excellency in Council also desires to correct the impression which appears to have prevailed in some quarters, that it will be necessary for a provincial civil servant to go through the whole succession of subordinate grades in the Executive or Judicial Service before he can be selected for a scheduled post. On the contrary, it will always be desirable to select persons for higher executive office who, while they have given proof of distinguished ability by sufficiently long service, are still comparatively young, and possess that bodily activity which is a *sine quâ non* for such employment. Every appointment of the kind must be based wholly upon fitness and merit, seniority being regarded only when the claims of two or more officers who are equally fit come into competition. Nor does the Governor General in Council intend that selection should be less absolute, or more restricted to the higher grades of the Provincial Service in the case of judicial appointments. It has been too much the custom to regard promotion from grade to grade of the Subordinate Executive and Judicial Services as a mere matter of seniority; and it should be made publicly known that every Government and Administration deserves liberty to make promotions in these grades without regard to seniority.

9. In Appendix A. attached to this resolution will be found an example of the form in which the Government of India think that the list of appointments open to the Provincial Service should be published by the Local Government. Each Local Government should frame and issue its list accordingly. In the Quarterly Provincial Civil List this form should, with the omission of the last paragraph, be prefixed to that division of the list which exhibits the appointments held by members of the Provincial Service. In lieu of the last paragraph a note should be entered in the list of subordinate offices, against each grade to which additions have been made, referring to the notification, and stating that "To this grade appointments have been added as
" representing the same number of appointments of , now treated as open to
" the Civil Service."

10. The Government of India recently directed that each statutory civilian appointed before the close of 1889 might be called upon to choose whether he would retain his present position, or be transferred to the Provincial Service with an acknowledgment of his preferential claims to promotion to scheduled appointments before other members of the Provincial Service. As regards Bengal, Madras, the North-western Provinces and Central Provinces, only one statutory civilian has elected to enter the Provincial Service. In Bombay and the Punjab they have not yet made their election. But as it is not improbable that some obscurity may still remain in the minds of the officers who were called upon to make their election, in regard to the advantages and disadvantages to them of the transfer, a further opportunity ought to be afforded these gentlemen of reconsidering the decision at which they have provisionally arrived. The Governor General in Council will address local governments and administrations again on this subject in a separate communication.

11. The present Uncovenanted Service Leave and Pension Rules, or in other words, the provisions of Part III., Chapter XIV., of the Civil Service Regulations, regarding leave, and of Part IV., Chapters XV. to XIX., regarding pension, will be applied to the Provincial Service. But the present statutory civilians, whether they enter that service or not, will continue to be governed by the Leave and Pension Rules now applicable to them.

12. After considering the suggestions made by the local governments and administrations, the Governor General in Council has prepared a revised draft of rules for the appointment of natives of India to offices reserved under the Statute of 1861, which will be submitted in due course for the sanction of the Secretary of State for India in Council, and if approved by him will be published for general information.

13. As regards the rules for admission to the Provincial Service in each Province, and the precise place where the line should be drawn between the Provincial and Subordinate Services, the Government of India propose to address the local governments and administrations separately, as there are great differences in the circumstances of the several Provinces and the classes from which the local officials must be drawn.

ORDER.—Ordered, that this resolution be communicated to local governments and administrations, and that it be published in the "Gazette of India" for general information.

[True Extract.]

C. J. LYALL,
Secretary to the Government of India.

APPENDIX A.

(Referred to in Paragraph 9 of preceding Resolution.)

With the previous sanction of the Governor General in Council, the Governor in Council is pleased to notify that the following appointments in the Madras Presidency, to fill which members of the Civil Service of India have hitherto been recruited, shall be appointments to which members of the Madras Civil Service can properly be appointed, subject to the rules for the time being in force under 33 Vict. c. 3 s. 6 :—

- 4 posts of district and session judge.
- 2 posts of collector and magistrate of a district.
- 1 post of Secretary to the Board of Revenue.
- 1 post of Under Secretary to Government.

2. When these posts are held by members of the Madras Civil Service their pay shall be as follows :—

| | Rs. |
|---|-------|
| District and Sessions Judge— | |
| If in the 1st grade - - - - - | 1,600 |
| If in the 2nd grade - - - - - | 1,200 |
| Collector and Magistrate— | |
| If in the 1st grade - - - - - | 1,600 |
| If in the 2nd grade - - - - - | 1,200 |
| Secretary to the Board of Revenue - - - - - | 1,000 |
| Under Secretary to Government - - - - - | 700 |

3. In addition to these appointments the following appointments, for which recruitment has hitherto been made in the Civil Service of India, have been thrown open to the Madras Civil Service and added to the existing grades of that service :—

| | converted into | | Rs. |
|---|-------------------|---|-----|
| 2 posts of sub-collector and joint magistrate | } | 2 posts of deputy magistrate and collector, 1st grade, on - - - - - | 700 |
| 4 posts of head assistant to the collector and magistrate | | 4 posts of deputy magistrate and collector, 3rd grade, on - - - - - | 500 |
| 1 post of assistant collector and magistrate | | 1 post of deputy magistrate and collector, 5th grade, on - - - - - | 300 |

APPENDIX IV.

No. $\frac{7}{47-49}$.

EXTRACT from the PROCEEDINGS of the GOVERNMENT OF INDIA in the HOME DEPARTMENT (Public), under date Calcutta, the 7th January 1893.

READ—

Home Department Resolution, dated the 21st April 1892, conveying the orders of the Government of India on the proposals of the Public Service Commission in regard to the constitution of the Provincial (Executive and Judicial) Services.

Letter to the Chief Commissioner, Central Provinces, No. 1539, dated the 27th May 1892, conveying the orders of the Government of India, on certain points in connexion with the constitution of the Provincial Service in the Central Provinces.

Letter from the Chief Commissioner, Central Provinces, No. 3567, dated the 28th May 1892 offering his views on the subject of the constitution of the Provincial Service in those Provinces.

Letter from the Chief Commissioner, Central Provinces, No. 3965, dated the 13th June 1892, on the same subject.

The Despatch of the Government of India, to the Secretary of State, No. 62, dated the 13th September 1892, stating the conclusions arrived at by the Government of India on the subject.

The reply of the Secretary of State, No. 111, dated the 17th November 1892, concurring in the conclusions set forth by the Government of India.

RESOLUTION.

In paragraph 4 of the Home Department Resolution of the 21st April last, cited in the preamble, enumerating the appointments in the different Provinces which should, for the present, be entered in the list as open to the Provincial Service, it was stated that, before passing orders as to the Central Provinces, his Excellency would await a further expression of Mr. MacDonnell's views on the question. After carefully considering the Chief Commissioner's suggestions, the Governor General in Council has now, with the approval of the Secretary of State, determined that the following posts in those Provinces shall, for the present, be placed on the list of appointments open to the Provincial service:—

| | | | | | | |
|--|---|---|---|---|---|---|
| Head of district | - | - | - | - | - | 1 |
| Small Cause Court judges | - | - | - | - | - | 2 |
| Registrar, Judicial Commissioner's Court | - | - | - | - | - | 1 |
| Assistant to settlement commissioner | - | - | - | - | - | 1 |
| Assistant commissioners | - | - | - | - | - | 2 |
| | | | | | | — |
| | | | | | | 7 |
| | | | | | | — |

2. The rates of pay fixed for officers of the Provincial Service holding the headship of a district and the Small Cause Court judgeships are as follows:—

| | | |
|--------------------------|---|----------------------------|
| | | Rs. |
| Deputy commissioner | - | { 1,600 for the 1st grade. |
| | | { 1,200 " 2nd " |
| | | { 1,000 " 3rd " |
| Small Cause Court judges | - | { 800 |
| | | { 700 |

But these rates of pay will be liable to alteration at any time should the interests of the public service require it.

The Governor General in Council has decided, with the approval of the Secretary of State, to amalgamate the remaining appointments with the existing grades of extra assistant commissioners. They will be distributed as follows among these grades, when the prior claims of the existing statutory civilians and of the officers of the Indian Civil Service or the Commission have, as explained in paragraph 6 of the resolution of 21st April 1892, been satisfied:—

| | | |
|--|---|-----|
| | | Rs. |
| 1 post in the 2nd grade (corresponding to assistant commissioner, 1st class) | - | 600 |
| 1 post in the 3rd grade (corresponding to assistant commissioner, 2nd class) | - | 500 |
| 1 post in the 4th grade (corresponding to assistant commissioner, 3rd class) | - | 400 |
| 1 post in the 5th grade (corresponding to assistant commissioner, 4th class) | - | 300 |

A local allowance of Rs. 100 will be attached to the office of Registrar of the Judicial Commissioner's Court, and to that of assistant to the settlement commissioner, when held by officers of the Provincial Service.

ORDER.—Ordered, that this resolution be communicated to the Chief Commissioner, Central Provinces, that a copy, with copy of the Despatch from the Secretary of State, No. 111, dated the 17th November 1892, be forwarded to the Department of Finance, and that it be published in the "Gazette of India" for general information.

[True extract.]

C. J. LYALL,
Secretary to the Government of India.

APPENDIX V.

Nos. ²¹~~740-753~~ dated Simla, the 18th April 1879.

From C. BERNARD, Esq., C.S.I., Officiating Secretary to the Government of India, Home Department, to LOCAL GOVERNMENTS and ADMINISTRATIONS in the BENGAL PRESIDENCY.

On the 16th February 1872 was published in the "Gazette of India" correspondence, in which Her Majesty's Government had directed—

- (1.) That offices to which it is desirable to appoint persons not natives of India should be, as far as practicable, filled from the ranks of the Covenanted Civil Service or from the Staff Corps;
- (2.) That so far as may be possible and consistent with the requirements of the public service, all offices, other than those reserved for the Covenanted Civil Service, and those for which technical or professional qualifications are desirable, should be held by natives of India; and
- (3.) That, as a rule, persons with special qualifications, not being natives of India, should be engaged at home, through Her Majesty's Secretary of State, for such branches of the service as the Educational or the Public Works Department, and should not be enlisted in India.

2. Those orders have been in the main obeyed. But still from time to time Europeans have been appointed to posts for which natives are eligible; and the Governor General in Council deems it necessary to lay down a somewhat stricter rule, and to distinguish the branches of the service which should be, as far as possible, reserved for natives of India. It may be well to cite here the definition of "Natives of India" framed by Act of Parliament. Section 6 of 33 Victoria, chapter 3, says— "For the purposes of this Act, the words 'Natives of India' shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only." The section goes on to say that "it shall be lawful for the Governor General in Council to define and limit from time to time the qualification of natives of India thus expressed: provided," &c. For the purposes of the present orders, the foregoing definition of "Natives of India" is adopted, with the proviso that "persons born and domiciled," &c. within the territories of Indian Princes tributary to, or in alliance with, Her Majesty, shall also be considered to be "Natives of India."

3. For the future, no persons, other than a native of India, shall be appointed to an office carrying a salary of Rs. 200 a month or upwards without the previous sanction of the Governor General in Council in each case, unless the proposed appointment falls under one or other of the following conditions, namely:—

- (a.) That the person to be appointed belongs to the Covenanted Civil Service, or to the Staff Corps;
- (b.) That the person to be appointed was originally nominated to the—
 - (1.) Financial Department, by the Governor General after examination;
 - (2.) Forest Department, by the Secretary of State, or by the Governor General after examination; or
 - (3.) Educational Department, by the Secretary of State;
- (c.) That the person to be appointed enter the branch of the department, in which he is now to be promoted, before the 1st January 1879;
- (d.) That the office to which appointment is to be made belongs to—
 - (1.) The Opium Department;
 - (2.) The Salt or Customs Department;
 - (3.) The Survey Department;
 - (4.) The Mint Department;
 - (5.) The Public Works Department; or
 - (6.) The Police Department.

4. No person, other than a member of the Covenanted Civil Service, shall be appointed for the first time to any office, which is usually reserved for the members of that service, without the previous sanction of the Governor General in Council. For the appointment of natives to such posts regulations will, with the sanction of Her Majesty's Secretary of State, shortly be issued.

5. When sanction is sought for a proposed appointment under either of the two foregoing paragraphs, the application for such sanction should show—

- (a.) the education and past history of the person whom it is proposed to appoint; and
- (b.) the reason why a native of India (or, in the case of appointments under paragraph 4, a member of the Covenanted Civil Service) cannot conveniently be appointed to the vacant office.

6. Though the six departments named under clause (d.) of paragraph 3 above are excluded from the operation of the present orders, the Governor General in Council does not wish that offices in these departments should be in any way reserved for Europeans. The duties of the Opium and Customs Departments are not more technical or arduous than those of the land revenue and settlements branches of the service, wherein natives of India do excellent work. Men of the same race as Colonel Montgomerie's native trans-Himalayan explorers can surely be entrusted with responsible offices in the survey of the plains of India. The Governor General in Council has been glad to see that, in one most important branch of the Public Works Department of Bengal, the Lieutenant-Governor has decided that native engineers should be employed much more largely than heretofore. The annual police reports for the various Provinces show that native police officers when advanced to positions of trust do their work zealously and honestly. And the Governor General in Council hopes that it may be possible to appoint natives of India more and more freely to the higher offices in these departments. But for the present his Excellency in Council is not prepared to take special steps for restricting the employment of Europeans in the six departments mentioned at clause (d.) above.

Nos. 754 to 759.

COPY forwarded to the several DEPARTMENTS of the GOVERNMENT of INDIA for information

No. 29, dated Simla, the 24th April 1879.

From the GOVERNMENT OF INDIA to HER MAJESTY'S SECRETARY OF STATE FOR INDIA.

We have recently had under consideration the best means of securing that full effect be given to the orders of Her Majesty's Government on the subject of—

- (1.) appointing natives of India to an increasing majority of higher offices in the Uncovenanted Service; and
- (2.) reserving the offices to which it is not desirable to appoint natives of India, as far as practicable, for covenanted civil servants, officers of the Staff Corps, or persons appointed by the Home Government.

2. The series of Despatches which ended with your predecessor's Despatch, No. 451, dated 6th December 1871, were circulated to the several local governments for their guidance in the year 1872.

* Government of India's Despatch, No. 35, dated 2nd May 1878.
Secretary of State's reply, No. 125, dated 7th November 1878.

† Nos. 21—746 to 753, dated 18th April 1879.

We have recently been awaiting your Lordship's instructions on our proposals regarding the native Civil Service* before issuing further orders in the matter. We have now received an expression of your views on that important question. There is, therefore, no necessity for further delay in enforcing the instructions of Her Majesty's Government, to which we have above adverted. And we have issued the enclosed circular † instructions to the Governments and Administrations of the Bengal Presidency. We consider it would be advisable that

similar instructions should be issued to the Governments of Madras and Bombay. But on this point we solicit your Lordship's orders.

3. It will be seen that the Police, Customs, and Opium Departments are the chief civil departments of the service to which the local governments will, under our proposed orders, be able to appoint Europeans to important offices without the previous sanction of the Governor General in Council. We do not wish in any way to prevent or discourage the appointment of natives of India to high posts in these departments; but, for the present, we do not feel able to take special steps for excluding Europeans from employment in these departments.

No. 66 (Public), dated India Office, London, the 10th July 1879.

From HER MAJESTY'S SECRETARY OF STATE FOR INDIA to his Excellency the Right Honourable the GOVERNOR GENERAL OF INDIA IN COUNCIL.

I have considered in Council the Despatch of your Excellency in Council, dated 24th April last, No. 29, forwarding circular instructions which you have issued to the Governments and Administrations of the Bengal Presidency, with the view of giving effect to the orders of Her Majesty's Government that natives of India should be appointed to an increasing majority of higher offices in the Uncovenanted Service, and that the offices to which it is not desirable to appoint natives should be reserved, as far as practicable, for covenanted civil servants, officers of the Staff Corps, or persons appointed by the Home Government.

2. You state that, although you do not wish to prevent or discourage the appointment of natives to high posts in the Police, Customs, and Opium Departments, you do not for the present feel able to exclude Europeans from employment in these departments.

3. I cordially approve the instructions you have issued in the Bengal Presidency, which will, it may be expected, if carefully observed, lead to the appointment of natives of India to fill a larger number of the higher posts in the Uncovenanted Service, and I have issued corresponding instructions to the Governments of Madras and Bombay, of which I enclose a copy.

Nos. 7 and 9, dated India Office, London, the 10th July 1879.

FROM HER MAJESTY'S SECRETARY OF STATE FOR INDIA to his Excellency the Honourable the GOVERNOR IN COUNCIL, Bombay, and to his Excellency the Most Noble the GOVERNOR IN COUNCIL, Madras.

I forward herewith, for your information and guidance, a copy of a circular which has been issued by the Government of India to the Governments and Administrations of the Bengal Presidency, containing instructions on the subject of appointing natives of India to an increasing majority of higher offices in the Uncovenanted Service, and of reserving the offices to which it is not desirable to appoint natives of India, as far as is practicable, for covenanted civil servants, officers of the Staff Corps, or persons appointed by the Home Government.

2. I request that the principles laid down in this circular may be applied also in the ^{Madras} _{Bombay} Presidency, and that, with the exceptions therein contained, no person, other than a native of India, may in future be appointed to an office carrying a salary of Rs. 200 a month or upwards unless the sanction of the Secretary of State in Council to such appointment shall have been previously obtained.

APPENDIX VI.

EXTRACT para. 60 of the REPORT of the PUBLIC SERVICE COMMISSION, 1886-87.

60. *Points of Inquiry: View likely to be taken by the Native Community regarding Competition in India: Advantages and Disadvantages of such a System.*—Of all the matters which have been referred for the consideration of the Commission, there is perhaps none which is more important in itself, and to which greater importance is attached by the educated classes, than the introduction of a competitive examination in India for the Civil Service, to be held simultaneously with the competition in England, the examinations being identical in all respects. The evidence tendered before the Commission on this point may, broadly speaking, be divided under two heads, namely, (1) that given by witnesses belonging to those classes which have made the greatest progress in education and (2) that given by others who feel that, in the present circumstances of the country, important classes of the community are practically debarred from success in examinations designed mainly as tests of educational qualification. Under the first may be included the majority of the witnesses who belong in Northern, Central, and Southern India to the Hindu community, and in Western India partly to that community and partly to the Parsis. Under the second may be included the majority of the witnesses belonging to the Muhammadan community and to classes whose educational progress has, for various reasons, been retarded. Such being the nature of the evidence tendered before the Commission, it is obviously impossible to say that any common view in regard to competitive selection in India is held by the native community.

Briefly stated, the arguments usually advanced by those who favour the plan of a competitive examination in India, are that the introduction of some such system is necessary to remove obstacles which at present preclude natives of India from competing on terms of equality with British-born subjects of Her Majesty, and that the interposition of such obstacles is inconsistent with the Statute of 1883 and the Queen's Proclamation of 1858. In the first place, there are religious and caste objections, to which the Commission will hereafter refer, which debar members of certain classes from crossing the sea. But even when those objections do not exist it is argued with much force that Indian parents are naturally reluctant to send their children at a comparatively early age to a distant country, where they are exposed to many temptations, and where sufficient supervision may not be exercised over them; and it is still more strongly insisted that considerations of expense deter many native youths from appearing as candidates at the examination in England, especially in view of the risk of failure, which, under the conditions of the English examination, must always be great in the case of Indian candidates. These difficulties, it is said, deter many of the best natives of India from seeking entrance to the Covenanted Civil Service, and practically have the effect of a race disqualification.

On the other hand, it is argued that, in the present circumstances of social life in India, open competition in that country would not justify, to the same extent as similar competition in England, the presumption that the successful candidates would possess in a sufficient degree the qualities essential for high administrative office; that Indian schools and colleges do not at the present time supply an education and training of the high and liberal kind considered to be a necessary qualification for admission to the Indian Civil Service, and that an open competition in India for the Covenanted Civil Service would operate with inequality, excluding altogether some important classes of the community, while giving undue advantages to others. It is further argued that it could scarcely fail,

—in view, on the one hand, of the large number of candidates who would offer themselves for examination, and, on the other hand, of the small number who could, under any circumstances, be successful,—to create a large disappointed, and thereby probably discontented class, which would cause considerable embarrassment to the Government. Doubts have been also expressed whether pressure would not sooner or later be brought to bear on the Government with a view to make the examination of a less English and a more oriental character, and to adjust it on terms more favourable to native candidates. Again, some witnesses have referred to the injurious effect which, in their opinion, would be exercised upon the development of education in this country by an open competition for the Civil Service. It is urged that, in view of the value of the prizes offered, such an examination would be followed by the creation of private establishments for the main, if not the sole, purpose of offering special preparation to intending candidates, while the regular educational institutions would scarcely be able to resist the temptation of so shaping the course of their study as to secure success at the Indian examination rather than to impart a general liberal education to the mass of their scholars. Some witnesses, indeed, have expressed the opinion that the effect of unqualified competition in India on general education would be so disastrous as to constitute a national evil of great ultimate importance. There are two other objections taken to the establishment in India of competitive examinations for the Civil Service to which it is necessary to refer, namely, the difficulty which would be experienced in maintaining the secrecy of the examination papers, and in making satisfactory arrangements for that portion of the examination which is conducted *viva voce*. It is said that experience in connexion with examinations in India has shown very real difficulties to exist under the former of these heads, which, if not actually insurmountable, are at all events sufficient to suggest the necessity for the greatest caution. As regards the *viva voce* examination, it is contended that it would be impossible to secure either uniformity of test or the high standard exacted in England if the work were undertaken by the professional staff available in India.

On a full consideration of the evidence before it, the Commission has come to the conclusion that it is inexpedient to hold an examination in India for the Covenanted Civil Service simultaneously with the examination in London. With regard to the bearing of the Statute of 1833 and the Proclamation of 1858 on the question, the Commission is of opinion that the provisions of the Statute and the declarations embodied in the Proclamation are not affected by the place of examination. The question is simply one as to the qualifications required and the arrangements under which officers possessing such qualifications can best be secured. The object of the Government of India in recruiting in England a limited staff of officers, who after a training in India might be entrusted with the more important executive and judicial charges, was (*inter alia*) to secure an administration conducted so far as possible on principles and by methods in harmony with modern civilization. The circumstances of India rendered it necessary that, save in exceptional instances, officers with an education which promised the possession of the qualities necessary to achieve this result, should be obtained in England; and from the time the competitive system was introduced, it has been understood that the examination was to bear a distinctively English character, and to constitute a test of English qualifications. The most natural arrangement, therefore, was that the examination should be held in England, as being the centre of the educational system on which it was based. This conclusion appears to the Commission to be right. In order to attract to its service youths whose talents entitled them to aspire to the substantial rewards of political or professional life in England, it was necessary for the Government to offer compensation for the prospects surrendered in the form of liberal salaries. It has been justly objected that the emoluments of these officers entail a serious charge on the Indian revenues, and that the financial interest of the State require that the recruitment in England should be curtailed and an indigenous agency substituted, where and in so far as the social and political progress of India renders it possible. Of those who advocate a contemporaneous examination in India, the majority are willing to allow that, in order to secure progress, it is for the present necessary that the administration should be conducted by the same methods and on the same principles as in the past, and that the higher offices of the administration must in the main be held by officers of English education. By limiting the recruitment in England to such strength only as is required to fill the highest and leaven the upper ranks of the service, an opportunity of advancement to places of trust and responsibility is afforded to those whose scruples debar them from the competition in England, while the expenditure incurred in recruiting Indian talent at the rates necessary to attract qualified English agency is avoided. In regard to the character of the education supplied by schools and colleges in India, the Commission concurs with those witnesses who consider that these institutions, which are of comparatively recent growth, cannot at present be relied upon to supply a general education of the high and liberal kind contemplated as a necessary qualification for admission to the Indian Civil Service. Whether within any reasonable time the educational conditions prevalent in India may attain a degree of development which would justify simultaneous examinations in India for the Covenanted Civil Service, the Commission is unable, from any evidence before it to form an opinion. But it considers that such an arrangement could not be made at present without injury to the public interests and the substitution of qualifications of a different kind from those now required. The Commission is further of opinion that for the present and for some time to come inequality of a more marked kind than any that can at present be reasonably complained of would result from an open competition for the Covenanted Civil Service if held in India. The general correctness of this conclusion appears to be borne out by the statistics given in the tables attached to this Report as Appendix M. These statistics show the principal classes of the community to which the students belong, who have, during recent years, passed certain University examinations in India; the particular castes to which the successful Hindu candidates belong in the case of the Madras University (from which University alone the necessary information

under this head could be procured) and the number of successful and unsuccessful candidates at certain Arts examinations held at the Indian Universities since those institutions were established in 1864.

In regard to the injurious effects which, in the opinion of some witnesses, would be exercised upon the development of education in this country by a competitive examination for the Civil Service if held in India, the Commission would refer to the fact that the tendency indicated has been felt as an evil even in England, where the institutions for higher education are numerous enough to admit of the easy application of counterbalancing checks. In India, on the other hand, one of the chief difficulties experienced is that of making the students appreciate the value of education for itself, and some authorities complain that the system of "cramming" already prevails to a pernicious extent.

Lastly, the Commission attaches much importance to that part of the examination which is conducted *viva voce*. When the conduct of the competitive examination in England was made over to the Civil Service Commissioners in 1858, the Commissioners applied the *viva voce* test, not only to English, Greek, and Latin, with reference to which subjects alone it had been used in the preceding years, but also to all other subjects; and they wrote, "we have every reason to believe that the alteration has been a beneficial one." In a later Report† the Commissioners observed: "In each subject there is a *viva voce* examination, to which we attach great importance, introduced for the express purpose of fully testing the genuine character of a candidate's knowledge, in addition to calling into play those qualities which are little, if at all, elicited in an examination by written papers, viz., his readiness, self-reliance, and moral courage." These views meet with the general concurrence of the Commission. The *viva voce* examination enables a skilful and experienced examiner to ascertain whether the written answers of a candidate represent the results rather of a highly cultivated memory than of a thorough comprehension of the subjects he has studied. At the same time it tests the possession by candidates of other qualities of considerable importance to persons who aspire to enter the Indian Civil Service. Moreover, in certain subjects—for instance, the Natural Science group—a *viva voce* examination could not be abandoned without seriously diminishing the value of the tests applied. On this subject generally the Commission concurs in the‡ remarks made in 1858 to the Secretary of State by the Civil Service Commissioners when discussing the regulations to be framed under the provisions of section 32 of the Statute 21 & 22 Vict. c. 106. :—"Regard being had to the peculiar position of Indian Civil Servants and the magnitude of the interests committed to their charge, it may be said, without exaggeration, that errors of principle in the selection of those officers, whether arising from imperfect knowledge or partial views, might lead to results, the full evil of which would not be discovered until much irremediable mischief had been occasioned."

In deciding against the adoption of competition in India for the Covenanted Civil Service, the Commission is far from advocating the interposition of any unnecessary obstacles to the competition of any class of Her Majesty's subjects at the examination for the Indian Civil Service held in England. The object of the Commission is to make such recommendations as it considers calculated to secure the most efficient class of public servants and, consistently with this paramount condition, to do full justice to the claims of natives of India to higher and more extensive employment in the public service. It believes that natives of India who undergo English training and show the degree of enterprise, strength of character, and other qualities, without which success can scarcely be expected in the English examination, are to be welcomed as suitable recruits for the Covenanted Civil Service. But it cannot recommend any alteration of the condition attached to the English examination merely to facilitate the entry of any one qualified class of Her Majesty's subjects more than another to the Indian Civil Service. Holding, as it does, an opinion adverse to the introduction of a competitive examination in India for the Covenanted Civil Service, the Commission is unable to answer the inquiries put to it as to the incidents which should attach to such an examination.

The members of the Commission named in the margin do not share in the apprehensions expressed above as to the probable result of the introduction of an examination in India for the Covenanted Civil Service simultaneous with the examination in England; and they wish it to be noted that they have not deemed it necessary either to state at length the arguments in support of the view they have taken or to meet the objections raised against it, as the scheme§ which is now

unanimously recommended by the Commission is, in their opinion, well calculated to secure the end they have in view, and at the same time is not open to the objections urged against simultaneous examinations.

The Honourable Romesh Chunder Mitter,
B.L.
M. H. Ry. Salem Ramaswami Mudali-
yar, B.L.
Rao Bahadur Krishnaji Lukshman
Nulkar.

* Fourth Report of Her Majesty's Civil Service Commissioners, page 26.
† Tenth Report of Her Majesty's Civil Service Commissioners, page 6.
‡ Fourth Report of Her Majesty's Civil Service Commissioners, page 227.
§ See Chapters VII. and VIII. of the Report.

DESPATCH from the SECRETARY OF STATE FOR INDIA IN COUNCIL to his Excellency the Right Hon. the GOVERNOR GENERAL OF INDIA IN COUNCIL.—No. 37, Public, dated India Office, London, 19th April 1894.

My Lord,

I have considered in Council the letter from your Government, No. 62, Public, dated 1st November 1893, reporting, in accordance with my predecessor's instructions, as to the mode in which, and the conditions and limitation under which, it would be possible to give effect to the resolution of the House of Commons, upon the holding of simultaneous examinations in England and in India for the Indian Civil Service. This question which your Government had regarded as set at rest by the report made by the Public Service Commission in December 1887, and by the constitution of the new Provincial Services in pursuance of that Commission's recommendations, has now been very fully and carefully discussed afresh, both by the local governments and in your letter under reply.

2. In 1870, by the Statute 33 Vict. c. 3. s. 6, it was provided that, subject to such rules as might be made with the sanction of the Secretary of State, natives of India might be appointed to any of the offices reserved under the Act of 1861 for members of the Civil Service. The object of this provision was, at the time of its enactment, declared to be to facilitate the appointment of natives of India of proved merit and ability to any high public employment for which they might be fitted by their qualifications. The Act in fact indicated and contained in itself the remedy which Parliament after full deliberation considered most appropriate for any disadvantages entailed on natives of India by reason of the examinations for entrance into the Civil Service being held only in London. A prolonged inquiry ensued as to the best mode of applying the remedy thus devised, and it was not until 1879 that rules were promulgated, inaugurating what has been popularly known as the Statutory Service. The appointments made under those rules failed to give satisfaction, and in 1886 a Commission of 15 members was directed to investigate the whole subject. One of the principal issues referred to this Commission was whether there should be an examination in India similar to that held annually in London, and a large number of witnesses were examined regarding the advantages and disadvantages of introducing such a system. On a full consideration of all the evidence the Commission, which contained six native members, came unanimously to the conclusion that "it is inexpedient to hold an examination in India for the Covenanted Civil Service simultaneously with the examination in London." Three of the native members did not altogether accept the reasons which had led their colleagues to this conclusion, but they nevertheless concurred in the report, because they considered that the general scheme which had been recommended was "well calculated to secure the end which they had in view."

3. To the general scheme thus unanimously recommended substantial effect has now been given, although not in the precise shape formulated by the Commissioners. It has been deemed preferable to adhere to the procedure laid down in the Act of 1870, and to provide by means of rules that, at the discretion of the local government, any particular proportion or number of any of the offices reserved for the Civil Service may be entered in a list as open to the newly created Provincial Service. Accordingly such a list has been prepared for each Province, and rules have been framed and issued under the sanction of the Secretary of State, by which the local governments are empowered to bestow any of the reserved posts so "listed" upon natives of India, being members of the Provincial Service. And not only has this power been conferred; steps have been taken by which the local governments will be obliged to fill one-sixth of the reserved offices by members of the Provincial Service, when the claims of the natives holding appointments under the Statutory Rules of 1879 have been satisfied. The number of officers annually recruited in England by examination has for several years been reduced by one-sixth, and will only suffice to fill five-sixths of the reserved appointments.

4. As is pointed out in the letter under reply, the present lists of appointments for which officers promoted from the newly organised Provincial Service are eligible have been prepared with reference only to proximate possibilities, and do not include more posts than those which the local governments expect to find provincial candidates qualified to occupy as soon as such posts become available. The Indian Civil Service contains 898 posts, of which 74 are in special or technical departments, not concerned with the general administration of the country. In most of these departments, the

chief exception being the Political Department, which deals with native states and frontier tribes, the number of covenanted civilians is small, and of the remaining 824 posts all are not held by covenanted civilians. The lists already published of posts tenable by officers promoted from the Provincial Service contain 93, or over 15 per cent., of the 612 offices, for which alone provincial officers can at present be regarded as ordinarily qualified. In arriving at this number, the Provinces of Burma and Assam are excluded from consideration, as also are the posts in the Punjab Commission reserved for military officers, and those high offices specified in paragraph 4 of your memorandum, but it is understood that, in the event of any Provincial officer being found qualified for one of these higher offices, it is your intention to proceed under the special provisions of section 3 of the Statute of 1861. A full one-sixth of 612 posts would give only a slightly larger per-centage (16.66) than that already conceded. In these calculations no account is taken of such natives of India as may succeed at the open competition in England; and it should be remembered that in 1884 Lord Ripon's Government wrote that, as the proportion of natives admitted under the Statutory Rules was one-sixth of the whole recruitment of the year, and as a certain number do from time to time obtain appointments through the open competition, "in fixing a per-centage of the whole recruitment to be at once reserved for natives we feel bound to recognise the effect of this double mode of admission, and, on a scrutiny of the results of past years, we think that this per-centage may fairly be taken at 18 per cent."

5. The necessity for maintaining an adequate proportion of Europeans in the service is so generally admitted that it is unnecessary for me to dwell on the arguments on which that policy is founded. I will only refer to the fact that, as is pointed out by the Lieutenant-Governor of the Punjab, a European officer stands clear of all the sects and disputes, whether religious or not, which form a prominent feature in Indian life, and thus holds a position of complete and acknowledged impartiality as between different classes of natives, to which few, if any, natives of India can attain. Your Government and almost all the local governments are decidedly of opinion that the limit of one-sixth must be maintained for many years to come; the only exception is the Madras Government, who have expressed the view that that Presidency could be efficiently administered if two-thirds of the civil servants attached to it were Europeans. You are also of opinion that "the proportion of natives of India who succeed in entering the service by competition at the London examination requires to be closely watched; and that it may become necessary hereafter to restrict the total proportion of Indians in the service, as Lord Ripon's Government proposed, to 18 per cent. or some similar figure." It is not, however, necessary at present to discuss this question. I entirely agree with your Government in regarding the maintenance of the Indian Civil Service in the highest efficiency attainable as a matter of supreme importance. This has been well shown in the following passage, with which the introductory portion of the letter under reply concludes:—

"Deducting the 93 posts assigned to the Provincial Service, the cadre of posts at present reserved for covenanted and military officers is 731. These are the officers on whose administrative capacity and fitness for rule depends the quiet and orderly government of 217½ millions of people, inhabiting 943,000 square miles of territory. This bare statement of figures should, we think, be sufficient to convince any impartial mind of the supreme importance of obtaining the best material, in the best way, for the arduous duties which these officers have to perform. They represent the British Government in India; in the eyes of the people they are the British Government; it is to their personal influence their impartiality, justice, and efficiency, their physical and moral fitness that the due administration of the empire is entrusted; upon them, and not immediately upon military force, our strength rests; any weakening of their influence or deterioration in their efficiency would imply a relaxation of the restraints of government, and a reversion *pro tanto* to the conditions from which the country emerged only when it came into British possession."

6. Another of the recommendations unanimously accepted by the Public Service Commission was that the limits of age prescribed for candidates at the London competition should be raised from 17 as a minimum to 19, and from 21 as a maximum to 23. This proposal was made in the interests of native candidates, and in consideration of the evidence adduced that natives of India were placed at a disadvantage, in competing with Europeans, by the lower limits. Full effect has been given to this recommendation.

7. On the whole I am convinced that the new rules framed under the Statute of 1870 retain all the important features of the scheme which, after full investigation, was accepted by the Public Service Commission as satisfying all the legitimate aspirations of the natives of India. I have already intimated the opinion of Her Majesty's Government that an adequate proportion of the members of the Indian Civil Service must always be Europeans; and I agree in your Government's conclusion that any system of simultaneous examinations, identical in their nature, at which all who compete would be entitled to be classified in one list according to merit, would be incompatible with this condition which you, in common with Her Majesty's Government, regard as indispensable.

8. But it is not the European element alone which requires to be maintained. It is also indispensable, if the people are to be kept contented, and if large and important classes are not to be alienated from our rule, that a reasonable proportion of the higher offices should be filled by Muhammadans, Sikhs, and others, who have evinced a large capacity for the practical work of administration, but little or no aptitude for passing examinations with success. Sir D. Fitzpatrick remarks that "if absolutely open competition would result," as he evidently thinks it must, "in setting one of two great hostile parties above the other, we must either have some sort of limited competition, or give up competition altogether." And his apprehensions are fully borne out by experience in Bengal, where, as shown in the letter under reply, it was found that the system of recruiting for the Subordinate Executive Service by competition had absolutely excluded Muhammadans and natives of Behar and of Orissa, and would speedily, if persisted in, have resulted in the entire service being given over to Bengali Hindus. From the enclosures contained in your letter under reply and from your letter of the 24th January 1894, it appears that the class of natives of India who usually enter the Civil Service by competition are not considered suitable for service in Burma, the Punjab, the North-west Provinces, Oudh, or Sindh, and that the number of such natives allotted to the Province of Bengal has already approached a point beyond which it is thought unwise to allow it to go. So long as these conditions remain, it must be apparent that serious difficulties might be caused by the influx into the service of a large number of natives recruited by competitive examination whether in England or India.

9. One of the most valuable features of the existing system is that a superior Provincial Service has been constituted for each Province, comprising both the appointments newly "listed" (or which may hereafter be listed) as open to others than Indian civilians, and the higher posts in the Judicial and Executive Departments of the old Uncovenanted Service. The object of this measure was to raise the status and tone of the old Uncovenanted Service by forming a superior service of considerable dignity, and by holding out to all members of that service who distinguish themselves by their ability and trustworthiness the prospect of promotion to posts ordinarily held by members of the Imperial Service. I attach very great importance to this consideration, and, even if these meritorious officers could equitably be deprived of the new prospects which have been unfolded before them, I should be most reluctant to sanction any step which would relegate them to their former position. The Provincial Service, as now constituted, includes, besides a large number of lucrative and responsible appointments of a miscellaneous character, 1,827 posts, which involve the exercise of high judicial, magisterial, or executive functions, and carry salaries ranging from 200 to 1,000 rupees per mensem. To these the 93 posts already "listed," rising in pay to 2,000 rupees a month, will be added at the earliest moment compatible with due regard to the vested interests or reasonable expectations of others. Moreover, the dignity of the new Provincial Services has been distinctly enhanced by their separation from the Subordinate Services, which include, over and above the entire ministerial staff of the different Government offices and a large variety of miscellaneous posts, upwards of 1,900 appointments, also involving judicial or executive powers, and carrying salaries of from 100 to 250 rupees per mensem. Both these divisions of the old Uncovenanted Service are manned almost entirely by natives of India, and upon them devolves the bulk of the judicial and executive business of the country, the Imperial Service being restricted to the smallest number possible, and reserved for the superintendence of the administration, for the supervision of districts, and for such other work as must, as a rule, be discharged by European officers. It is evident that the prospect of rising by merit from the subordinate to the provincial division of the old Uncovenanted Service, and in the latter to the "listed" posts, must have the best effect on the tone of the entire staff, as well as on the quality of the recruits who join either of the two divisions. Sir Antony

MacDonnell considers that this hope "has raised new aspirations and inspired new energy into the great body of Indian native officials." "There has now," he says, "been infused throughout the Provincial Service, from the lowest grade to the highest, an improved tone and a higher sense of dignity and responsibility, which will continue to increase as the number of listed posts increases;" and in his opinion "it would be a public calamity if this improved tone in the administration were to be destroyed." Other local governments bear testimony to the same effect, and their reports leave no room for doubt that the Provincial Services, as now improved, hold out advantages sufficient to attract the best recruits that India can supply.

10. Your Government thus summarise the reasons which have induced them to dissent from the proposal to establish a simultaneous examination in India:—

- "(1.) No such concession is necessary for the fulfilment of the so-called pledges upon which the claim has been founded.
- "(2.) The practical difficulties of introducing a system of simultaneous examinations would be extremely serious.
- "(3.) It is conceded that, in order to ensure the efficient government of the country, a minimum of European officials is indispensable. Such a minimum could not be maintained in the event of simultaneous examination being resorted to in this country.
- "(4.) It would be entirely out of the question to reduce the existing minimum of Europeans at the present time.
- "(5.) Open competition is not the best way of selecting natives of the higher ranks of the service. It may be necessary in Europe in order to check nepotism, but in this case nepotism is impossible. Probation by actual employment forms a competitive examination of the best kind. Competitive examination in India would certainly have the effect of admitting a large number of competitors deficient in the qualifications necessary for the higher ranks of the service, and whose antecedents and origin would not be such as to command the confidence or the goodwill of the classes for whose welfare they would be responsible; on the other hand, it would exclude the most valuable and capable assistance which the British Government could obtain from natives of India, in the Sikhs, Muhammadans, and other races accustomed to rule and possessing exceptional strength of character, but deficient in literary education.
- "(6.) The proposed change would, unless the irreducible minimum of Europeans is to be diminished, involve the withdrawal of the appointments recently given, after the fullest consideration, to the Provincial Service, and would thus deprive that service of the prizes promised to it, disappointing its hopes and lowering its efficiency by a sense of injustice."

11. Her Majesty's Government are most anxious that the natives of the country should enjoy every facility, compatible with the maintenance of the efficiency of the administration and the safety of British rule, to enter the public service of India, and they have reconsidered the whole subject with a sincere desire to give full weight to the arguments in favour of a system of simultaneous examinations; but they have arrived at the conclusion that there are insuperable objections to the establishment of that system, and that by far the best method of meeting the legitimate claims and aspirations of the natives of the country is to bestow such of the higher posts as can be made available for them on those who distinguish themselves by their capacity and trustworthiness in the performance of subordinate duties.

12. Upon a careful review of the whole question, Her Majesty's Government agree with your Government that the system lately established is based on just and wise principles, and they are of opinion that, subject to such alterations in detail as experience may prove to be necessary, it should be maintained.

I have, &c.
(Signed) HENRY H. FOWLER.